BOARD MEMBERS PRESENT:

Mitch Demientieff, Chairman
Dave Allen/Gary Edwards, U.S. Fish and Wildlife Service
Niles Cesar, Bureau of Indian Affairs
Curt Wilson, Bureau of Land Management
Judy Gottlieb, National Park Service
Jim Caplan, U.S. Forest Service
Keith Goltz, Solicitor
(On record)

CHAIRMAN DEMIENTIEFF: Okay, we're going to go ahead and call the meeting to order. My name is Mitch Demientieff. I'm the Chairman of the Federal Subsistence Board and with that we'll call on Tom Boyd, at my right here, to introduce the other Board members.

MR. BOYD: Okay. Starting to my right we have Niles Cesar from the Bureau of Indian Affairs. Dave Allen from the Fish and Wildlife Service. Curt Wilson representing the Bureau of Land Management. Chairman Mitch Demientieff. Judy Gottlieb from the National Park Service. And Jim Caplan from the U.S.D.A. Forest Service. We also have Staff to the Board, Ida Hildebrand, BIA, to my right again. Greg Bos from the Fish and Wildlife Service. Peggy Fox and myself of the Office of Subsistence Management. Sandy Rabinowitch from the National Park Service. And Ken Thompson's not here, he's somewhere, he's in the back in the back of the room. We also have the Chairs of 10 Federal Regional Advisory Councils. Starting again to my right we have Mr. Harry Wilde, Yukon-Kusko-kwil Delta region. Vince Tutia-koff from the Kodiak/Aleutians region. Ron Sam from the Western Interior region. Ralph Lohse from the Southcentral region. Grace Cross from Seward Peninsula region. Charles Miller from the Eastern Interior region. Willie Goodwin from the Northwest Arctic region. Dan O'Hara is not here at the present. Fenton Rexford from the North Slope region. And I failed to mention our esteemed Counselor from the Regional Solicitor's office, Mr. Keith Goltz. And also one other member of the Staff, Ms. Helga Eakon from the Office of Subsistence Management. We also have Mr. Terry Haynes, Staff to the Alaska Department of Fish and Game, welcome Terry.

CHAIRMAN DEMIENTIEFF: And the others just arriving here, Bill Thomas, Chairman of the Southeast Regional Council. We'll have other different staffers that you'll be meeting as we change regions and change issues, they'll be introducing themselves as the prepare to assist us in some of the proposals we're considering.

First of all, during the public testimony, if anybody wants to testify -- where's the table set up, right at the doorway?

MR. BOYD: Right.
CHAIRMN DEMIENTIEFF: Yeah, right at the back doorway. These are the cards we use if you want to testify, just fill one out and the Staff will get it up here so that you can be called forward. In addition, we have copies of the agenda on there. There's two parts of it, there is two different agendas. There's what we call a consent agenda and we'll be discussing that in a little bit, that's on the second page of the agenda and the first page is the actual agenda that we will be following. So you can pick up copies of these also at the back table and move on with them.

Do we have any other corrections or additions to the agenda, Board members? Yes, Judy.

MS. GOTTLIEB: Mr. Chairman, I have a short informational piece on Proposal 56, Seward Peninsula.

CHAIRMN DEMIENTIEFF: Yeah, I was going to do that after we get the public testimony over because I understand that there was a little presentation. Are there any other additions to the agenda? I don't think that would do an agenda change to do that, we'll just discuss it.

If not, then we'll go ahead and move on with testimony.

We have Helga Eakon who's providing testimony for Phil Shoemaker; is that correct?

MS. EAKON: That is correct, Mr. Chair.

This was an electronic mail public comment that we received on April 29th. And this his public comment: This past year an Anchorage transporter advertised trophy moose hunts on the Alaska Peninsula during the December subsistence season for a fairly substantial $3,000 fee.

As a legal, ethical and highly regulated Alaskan guide as well as a trained wildlife biologist, I have a problem with unregulated transporters being allowed to harvest unlimited numbers of animals during the regular season. However, it is a travesty to allow trophy sport hunting during a late subsistence season. Not only does it affect the moose population and their availability for legitimate local subsistence hunters it is a biological detriment to the population dynamics of moose. Moose are concentrated during this time of year and the largest breeding bulls are highly vulnerable. As a guide I have restrictions on the total numbers of clients I can take on U.S. Fish and Wildlife Service lands. There is also a
limited area in which I am legal to operate. The effects of this have been shown to benefit the refuge and its wildlife.

Air taxis and transporters must have a permit to operate on refuge land but, few, if any, other restrictions on the number of clients they can run. There is a rapidly increasing number of transporters attending hunting shows, advertising in hunting magazines and utilizing booking agents to attract hunters. Not only is this unregulated direct competition for me but it is a potential serious problem for game populations and that affects Native and Subsistence users.

The U.S. Fish and Wildlife Service has shown it has the ability to regulate transporters by either placing limits on certain areas of refuges during regular seasons. I would like to see regulations either eliminating non-local GMU hunters from participating in late season hunts or antler restrictions, that is, less than 60-inch bulls on subsistence killed bulls or at a minimum, a severe restriction on the number of clients transporters can take in a year.

Sincerely, Phil Shoemaker. Alaska Master Guide and in-holder in Becharof National Wildlife Refuge, P.O. Box 273, King Salmon, Alaska 99613.

CHAIRMAN DEMIENTIEFF: Okay, thank you very much. Is there any other request for public testimony at this time? Of course we'll be having public testimony on individual proposals when we get to them but this is for general public comment. Okay, if not, then Tom you had a comment on the agenda?

MR. BOYD: Yes. I don't see it listed on the agenda in front of you, but on Thursday morning at 8:30 a.m., as we start out the Board meeting, we have scheduled a time for the Board to consider the remaining several, I think there were four or five project proposals for the Unified Fisheries Management -- Fisheries Program, the monitoring program for the FY2000, and that will -- we will have some folks on-line at that time who will want to speak to those proposals. So we scheduled it for that morning recognizing that we had a fairly short agenda and we felt like we could work it in and get the Board business done on that, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yeah. Actually, the agenda item that you're talking about is available on the
handout. It's just the ones in the books that doesn't have it.

       MR. BOYD: Okay.

       CHAIRMAN DEMIENTIEFF: Okay, with that, we'll go ahead. There's the consent agenda item, and I understand there is a little talk but I'll just run through them. Again, this is available in the back.

       In Southeast we have Proposals 6 and 10; Southcentral Proposals 15, 16, 19, 21, 22, 24 and 26; Region 3 has no consent agenda items; Region 4 has 31, 32, 33, 36 and 37; Yukon Kuskokwim has Proposal 41; Western Interior 42, 43, 44, 45, 46, 47, 48, 49, 50; Seward Penn 52, 53, 54, 55, 56, 57; Northwest no proposals; Eastern Interior Proposal 59; North Slope no proposals. And I understand we do have a comment but I'm just reading through these lists and letting you know exactly how we're going to deal with them. We were all huddled up here earlier this morning trying to remember last year how we dealt with them so we're consistent. And between a committee of about eight of us, I think, we might have it down.

       Basically I'll refer to these consent agenda items every morning and we will adopt them on Thursday, on the last day. Probably it will be Thursday morning right after the agenda item that we have because it just takes a few minutes to do that.

       I read these out in case anybody, you know, has reconsidered or wants to pull these consent agenda items. For those of you who are not familiar with the consent agenda, these are proposals where the whole world basically lines up in support of whatever action is recommended and in our world it means Federal Board members, Regional Council members, the State of Alaska, you know, Staff Committee; everybody basically lined up with whatever the recommended action is. If anybody wants to pull something off the consent agenda, Regional Councils or Board members want to pull something off the consent agenda or the State, you know, they will have opportunity every morning to do that and we'll pull any items off that people want to pull and consider that proposal individually in the same manner that we do.

       Now, I understand that there is -- do we have somebody else that wants general comments? General comments? Now, with that I understand there's not a
request to pull but there's a request to discuss Proposal 56 and I think, Judy, you're going to open the discussion on Proposal 56.

MS. GOTTLIEB: Thank you, Mr. Chairman. If I could ask Sandy Rabinowitch to give some details of this.

MR. RABINOWITCH: Thank you, Mr. Chairman. This is really just an informational item and we'll keep it very brief.

As many of you know, in Unit 22 there is a muskox hunt which has many proposals each year for the last several years in a row. The timing of the every other year census makes it a little tricky on how to bring this up. There is a proposal, No. 56, in the book, it's on the consent agenda and you're proposed to leave it right where it is on the consent agenda, but want to add this information. So here goes, I'll be very brief.

The census was just completed and the count is up about 300 animals, Peninsula-wide, which is good news. The guideline that the cooperators had been suggesting and the Board's been following is to have a hunt about five percent of the animals but based on the subunits and not all of the subunits are open. Where this looks like it's heading is that we will probably come back in a month or so and propose an additional 10 permits be added, and that's really it, the key information. And we wanted to make sure the Board was aware of this. We'll look to do it in May or June, when all the information is together, when all the communication with the villages has occurred -- much of it has occurred but it's not all, you know, together and presentable yet.

And that's really the key item that we just wanted to make sure everyone's aware of. And I don't know if Grace or Judy would like to comment on that but if so, now, would be a good time because I'm done.

MS. CROSS: The information that the Nome NPS Staff has gathered so far, the villages are in support of what's coming and I believe that once we talk to the rest of the RAC members, they normally go with how the villages feel. That's all the comments I have.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Go ahead.
MS. GOTTLIEB: Perhaps Northwest has a comment as well.

MR. GOODWIN: Thank you, Mr. Chairman. The villages that are affected in Northwest with this proposal, I'm sure, will support. But if we're going to go with five percent, why don't we get 15 instead of 10?

CHAIRMAN DEMIENTIEFF: Okay, is that it?

MS. GOTTLIEB: Yes.

CHAIRMAN DEMIENTIEFF: Okay, thank you very much. With that we'll move on to.....

MR. CESAR: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CESAR: I don't know if it's appropriate now but we would like to have the Proposal 36 removed from the consent agenda, and I'll ask Ida to comment on that. Is that appropriate to have her comment on that now?

CHAIRMAN DEMIENTIEFF: Yeah.

MR. CESAR: Ida.

MS. HILDEBRAND: Mr. Chairman, it's because the recommendations of the Regional Council is contrary to subsistence needs and there wasn't a biological reason to support that decision.

CHAIRMAN DEMIENTIEFF: Which proposal was that again?

MS. HILDEBRAND: It was number 36 in Bristol Bay.

CHAIRMAN DEMIENTIEFF: Okay. So proposal 36 is off the consent agenda and will be deliberated during the Bristol Bay part of our meeting.

MR. CESAR: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Any other requests on the consent agenda? Fenton.

MR. REXFORD: Yes, thank you, Mr. Chairman.
Although North Slope does not have any proposals, I just want to make a brief comment why that is and maybe just follow-up on a previous proposal and kind of give the Board members here an update on our status.

CHAIRMAN DEMIENTIEFF: Fenton, are you going to be here with us all week?

MR. REXFORD: Yeah, I'll try and be here. But anyway, early on I just wanted, again, to make a brief comment from our region why we don't have any proposals.

CHAIRMAN DEMIENTIEFF: Okay, thank you. Okay, with that we'll go ahead and move on to statewide proposals. We have two proposals turned in, Proposal 1 has been withdrawn. Proposal No. 2. Donna, are you going to Staff the Proposal No. 2?

MS. DEWHURST: Yeah, sorry.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

MS. DEWHURST: We were trying to get the mic working.

CHAIRMAN DEMIENTIEFF: No problem, I was just wondering. So with that, we'll go ahead and move on to Proposal 2 and Donna will be doing the Staff analysis.

MS. DEWHURST: Well, this proposal is fairly short and sweet. It was designed basically as an administrative cleanup, in that, looking at the -- comparing our reg book with the State reg book we realized in trapping there were a number of species that didn't coincide. And the main concern here was these were all instances where the Federal subsistence regulations were more restrictive than the existing State trapping regulations. Mainly the seasons. So what we did was basically an administrative cleanup and listed them all at one time, and all of these are instances where what we're proposing is to lengthen the Federal seasons to give more subsistence opportunity and it would align with the State. All these are season changes except for one which is the Chichagof Island, and that's just a main clarification of the description of the area. And with that, I'll close.

CHAIRMAN DEMIENTIEFF: Summary of written public comments.

MR. SHERROD: Yes, Mr. Chair, the Denali
National Park and Preserve, Wrangell-St. Elias National Park and the Lake Clark National Park and Preserve Resource Commissions all supported this proposal. We also had support with modification from Cooper Landing Fish and Game Advisory Committee. The modification by this body was that all State and Federal trapping seasons should be aligned, just not those in which the Federal season aligned with the more liberal State one.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman. I'd like to make a couple just general comments before I comment on the specific proposal, if I could? On behalf of the Department of Fish and Game, I want to thank you for the opportunity to comment to the Board this week on proposals. I, for one, am amazed to now be a 10-year veteran of this process as are several other people in this room and it's hard for me to think that we've been at this for 10 years. But during that time, a lot of changes have occurred and one of the most significant that I've observed is the evolution of the Regional Subsistence Advisory Councils and very effective advocates for rural subsistence uses. These Council meetings are important forums for the exchange of information and ideas. The Department certainly encourages our staff to attend these meetings when they can. We appreciate Department participation being incorporated into the proposal deliberation and discussion of other important topics at most Council meetings.

Department Staff and our Federal counterparts have also established a constructive dialogue. We continue to look for ways to improve our interactions, especially during the preparation and revision of proposal analysis. We believe additional discussions sometimes will help to ensure that the analysis and Staff recommendations adequately examine resource conservation issues and full range of options available to address regulation proposals. The Department is committed to continuing to work with our Federal counterparts on this concern in the months ahead.

I believe the Department's involvement in the Board's deliberations on special action requests has been more effective in recent years. In particular, I note the close cooperation between the Department and Federal Staff this past winter in addressing Unit 18 moose and the Huslia Tribal Council special action request. In one instance the Board was particularly sensitive to the conservation
concerns identified by both State and Federal Staff and in
the other the Department was able to resolve a request that
the Board was not empowered to address. These are but two
of examples of how we're working together successfully to
address important resource management issues.

We're pleased that half or more of the proposals
before you this week have been placed on the consent
agenda, including most or all of the proposals for some
regions. We also appreciate the Board's commitment to
aligning State and Federal subsistence hunting and trapping
seasons when possible. Doing so benefits users by reducing
confusion and the risk of unintentional illegal activity
and through simplifying administration enforcement of these
regulations.

The Department will continue to support proposed
changes to the Federal Subsistence Regulations that provide
for conservation of the resource, provide for subsistence
uses and provide for other beneficial uses. The guiding
principals in the interim memorandum of agreement for
coordinated fisheries and wildlife management of
subsistence uses on Federal public lands in Alaska will be
a guiding force for us.

Collaborative planning efforts initiated by the
Department like those for the Fortymile Caribou Herd and
more recently for Koyukuk River moose have emerged as
important strategies for achieving these goals.

So thank you for the opportunity to provide these
opening remarks.

Specifically, on Proposal No. 2, the Department
supports the alignment of State and Federal subsistence
trapping seasons. In some instances we recognize that
aligning the seasons would require shortening the existing
Federal season and thereby reduced trapping opportunity
under the Federal subsistence regulations. We are unaware
of any conservation issues that would require shortening
any Federal trapping seasons under consideration today in
order to align them with the current corresponding State
seasons.

CHAIRMAN DEMIENTIEFF: Thank you very much.
We don't have any requests for additional public testimony
at this time. Regional Council recommendation.

MS. WILLIAMS: My name is Donna Williams.
I'm representing Copper River Native Association and I
would just like to say that we support extending the
seasons for the species on this proposal.

CHAIRMAN DEMIENTIEFF: Proposal No. 2?

MS. WILLIAMS: Yes.

CHAIRMAN DEMIENTIEFF: Thank you. Could
you take the time to fill out one of these cards, we need
to keep a record of all the people that are testifying.

MS. WILLIAMS: Okay.

CHAIRMAN DEMIENTIEFF: So they've got them
right at the back table.

MS. WILLIAMS: Okay.

CHAIRMAN DEMIENTIEFF: I'd appreciate it,
thank you. Okay, Regional Council recommendations. We
don't have any other additional comments at this time --
yes.

MS. HILDEBRAND: Mr. Chairman, the Staff
Committee -- I give the Staff Committee report on this but
just in response to this, all the Regional Councils
affected by this since it's statewide, is supported.

CHAIRMAN DEMIENTIEFF: Right. Yeah, we've
got the written record but I just thought if anybody had
additional comments right now. Of course, once we advance
it we'll go around again if there's any final comments from
the things that we learn. Okay, Staff Committee
recommendation.

MS. HILDEBRAND: Mr. Chairman, the Staff
Committee supports the proposal with a modification to add
beaver to Unit 23 for no closed season for beaver.

CHAIRMAN DEMIENTIEFF: Thank you. Okay, is
there any comments from the Federal Board members.

MR. CESAR: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CESAR: I move that we adopt the
recommendation of the Staff Committee.

MR. ALLEN: Second.
CHAIRMAN DEMIENTIEFF: It's been moved and seconded. Is there any other comment, Regional Council members, Board members.

MR. CESAR: Call for the question.

CHAIRMAN DEMIENTIEFF: Question's been called for. All those in favor of the motion please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

We'll move on into the Southcentral region. Our first proposal up is Proposal No. 12. Who's going to do the analysis -- George.

MR. SHERROD: Thank you, Mr. Chair. Proposal No. 12 would add Slana and residents of Unit 13(C) to the existing black bear/brown bear determination for Unit 11.

In the analysis I have referred to Slana as Old Slana and New Slana. The community is divided. Portions of the community are in 13(C) and another portion is in Unit 11. The Unit 11 portion developed as a result of the Homestead Act in the 1980s. Historically these two subcommunities have been treated differently in C&T determinations. And while it makes logical sense that a community basically split would normally have the same C&T determination, like I say, that has not been the case. What is particularly problematic about this instance is that the residents of the Unit 13(C) portion of the community, the ones requesting C&T for Unit 11 do not have a documented history of harvesting the resources requested in Unit 11. They do have C&T in Unit 11 for caribou and moose but as I say, there is no evidence in the hunting records that show a long-term use of Unit 11 by the residents of the Unit 13 portion of Slana.

CHAIRMAN DEMIENTIEFF: Summary of written public comments.

MR. MATHEWS: Yes, Mr. Chairman. One thing to advise the Board and the Chairs is we do have headphone
sets for each of those units, that's why I was running back and forth. If you desire a headphone set get a hold of myself or Tim or Helga and we'll get you a headphone set that will plug into the unit. So I apologize for running around.

Yes, on Proposal 12, we need to add to the list of support, we need to add Margaret Scott on that list. There was several telephone calls, a total of 17, in support of it. So Margaret Scott and Mary Francis DeHart. Margaret lives on Tok Cutoff Road and Mary DeHart lives on Nubesna Road. So again, there was a total of 17 calls in support of the proposal based on the history and dependency. Sixteen of those calls were from individuals. One was from the Tok Cutoff/Nubesna local fish and game advisory committee. There was one comment in opposition from the Copper River Native Association. They opposed it because of the lack of substantial evidence. The Wrangell-St. Elias Subsistence Resource Commission defers until further analysis.

That's all the comments I have, thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman. The Department of Fish and Game supports the Wrangell-St. Elias Subsistence Resource Commission recommendation to defer action on this proposal pending further analysis. The Staff analysis notes that Slana is a resident zone community for Wrangell-St. Elias National Park but it does not indicate how the community of Slana is defined for purposes of its resident zone status.

Residents of resident zone communities typically are eligible to harvest all resources in the Park with which they're affiliated. Section 808 of ANILCA assigns to the National Park Subsistence Resource Commissions responsibility for developing subsistence hunting programs. The Federal Board should act in accordance with recommendations of the Wrangell-St. Elias Subsistence Resource Commission in this case.

The Department is also concerned about how the C&T use determination process is being applied in this proposal. We do not support the Staff recommendation that the portion of Slana in Unit 13(C) be found not to have customary and traditional uses of black bear, brown bear and goats in Unit 11. Staff analysis does not make a
compelling case for applying differential treatment to Old Slana in Unit 13(C) and New Slana in Unit 11.

The low recorded harvest levels of these three wildlife resources in Unit 11 by residents of Old Slana are used as primary evidence for denying the request. Data presented for some other communities that have been granted C&T uses of these species in Unit 11 also indicate very low levels of harvest. We encourage the Federal Board to be consistent of is application of the eight factors to rural communities.

The Southcentral Regional Advisory Council recommendation suggested that in lieu of a positive customary and traditional use determination, residents of Slana should apply to the National Park Service for individual 13.44 permits. We're not certain if this is a viable alternative and whether these permits would apply to Preserve lands in Unit 11.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. We have no request for public testimony on Proposal No. 12 at this time. Regional Council recommendation do we have any follow up -- Ralph.

MR. LOHSE: Mr. Chair, we don't have anything further to add to what's in the record at this point in time.

CHAIRMAN DEMIENTIEFF: Okay. Staff Committee recommendation.

MR. THOMPSON: Mr. Chairman, the Staff Committee recommends the Board reject this proposal consistent with the recommendation of the Southcentral Regional Council.

The Staff Committee agrees with the Council that there is insufficient evidence available to support the proposals. Given this lack of harvest data and the fact that Slana is a diverse community with both long-term residents having a history of using natural resources and the more recent arrivals with less temporal depth in the fish and wildlife use. Application of individual customary and traditional use determination should be considered.

CHAIRMAN DEMIENTIEFF: Thank you. Ready to advance this to the Board. Any additional Board comments
at this time.

MS. GOTTLIEB: Mr. Chairman, I have a question, please.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: For George. If we defer this proposal is there some additional information or evidence that can still be gathered?

MR. SHERROD: I, in conjunction with the Park, attempted to develop some questionnaires and gather some information. Unfortunately there was not enough time to allow that to happen. It is possible that this could come back up. Some regional research would have to be conducted but I think it would be, not a large effort to do that.

CHAIRMAN DEMIENTIEFF: Any other Board comments, questions. Any other final Regional Council comment.

MR. LOHSE: Mr. Chair. Could I re-ask Terry, I kind of got a conflicting understanding of -- did I understand him to say that he had -- that the ADF&G didn't find with the Staff but supported the Southcentral, that there was insufficient evidence?

MR. HAYNES: Mr. Chairman, I'm not sure I understood the question.

MR. LOHSE: Terry, when you -- Mr. Chair.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. LOHSE: Terry, when you started the Fish and Game's position on this, I understood at the start that you found with the RAC that there was insufficient evidence but that later on you disagreed with the Staff that other ones had been given C&T with less evidence than that. Was I correct in that?

MR. HAYNES: I think at the outset I supported the Wrangell-St.Elias Subsistence Resource Commission position.

MR. LOHSE: Okay.

MR. HAYNES: That there be more
information, actually be deferred so more information could be gathered.

MR. LOHSE: Okay, thank you.

CHAIRMAN DEMIENTIEFF: Any other discussion. Judy.

MS. GOTTLIEB: If you're ready for a motion.....

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: .....I would like to submit one please. I move that we reject Proposal 12 consistent with the recommendation of the Southcentral Regional Council. The Eastern Interior Regional Council deferred to Southcentral, the home region, and we agree that the Southcentral Council, that there is insufficient evidence at this point available to support a positive customary and traditional use determination at this time.

MR. CESAR: I'll second that.

CHAIRMAN DEMIENTIEFF: It's been moved and seconded. Further discussion.

MR. CESAR: Question.

CHAIRMAN DEMIENTIEFF: Question has been called for. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Proposal 12 has been rejected. Proposal 13. Who's doing the analysis?

MR. BOYD: Donna.

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. DEWHURST: Proposal 13 was submitted by the Paxson Fish and Game Advisory Committee. It was to reduce the caribou bag limit in Unit 13 from two to one and to reduce the seasons, mainly removing the winter season,
October through March season.

The area involved involves very little Federal lands, and Unit 13 is only about 10 percent. The main issue is the decreased -- recent decline in the past couple of years of the Nelchina Caribou Herd. That herd has a long history of being a roller coaster as far as going up and down. It peaked at one point at 70,000. ADF&G's management goal is trying to keep it around 35 to 40,000. Currently, in 1999, it was surveyed at 33,000, with a very low calf recruitment and a high adult mortality rate.

The current information for the Federal hunt, this past fall, the State closed their Tier II season with an emergency closure but the Federal subsistence season remained open. Our current numbers on that, we have hunters that are eligible from both Unit 13 and Unit 20(D). Had a total of 2,660 hunters get permits. We have about 58 percent reporting at this time. Based on that, we've had 345 caribou reported killed and about 52 percent of that was male. So about half and half. And that's the current update on the Federal harvest. The numbers are a little bit different than what's in the book.

And that will conclude my analysis.

CHAIRMAN DEMIENTIEFF: Thank you. Summary of written public comments.

MR. MATHEWS: Yes, Mr. Chairman. There were five in opposition. Basically they appreciated the winter season because of the colder temperatures -- or cooler temperatures, excuse me. Of the five opposing, two were individuals and the three remaining were from the Tok Cutoff/Nabesna Road local Fish and Game Advisory Committee, the Copper River Native Association, and the Wrangell-St.Elias Subsistence Resource Commission. There was one public comment in support of the proposal. Basically their support was because of increasing hunting pressure and the need for some action. There was one in support with modification, that was from the Denali Subsistence Resource Commission. They support reducing the fall season stage to keep current winter season and harvest limits but have a cap of 600 animals harvested.

That's all the comments that I'm aware of.

CHAIRMAN DEMIENTIEFF: Department comments.

MR. HAYNES: Thank you, Mr. Chairman. We
support this proposal with modification. We support
elimination of the September 21 through 30 season and
recommend that the bag limit be changed to either one bull
or two bulls. We believe that eliminating cow harvest is
essential at this time.

The Department projects a 30 percent annual
mortality rate for the Nelchina Caribou Herd this
regulatory year. Continuing to authorize the harvest of
cows in the Federal subsistence hunt will exacerbate this
population decline. Approximately 3,000 Nelchina caribou
overwintered in Unit 13 during the past two years.
Continuing a winter harvest will result in the harvest of
more cows and members of the non-migratory segment of the
herd. The Department of Fish and Game emergency closed the
current year, Nelchina caribou season in early September
and limited harvest to bulls only then closed the season
altogether in November.

The Department has been reviewing population data
to determine if a State hunt will be held next season. And
I'd like to turn the mic over to Jeff Hughes who's regional
supervisor for Southcentral region wildlife conservation,
and he'll present some additional information on this
proposal.

CHAIRMAN DEMIENTIEFF: Thank you. Jeff.

MR. HUGHES: Thank you. I'm here today to
encourage you to conserve cow care and to adopt the one
bull bag limit for the Federal registration hunt for
Nelchina caribou. I have just a few brief remarks this
morning. I think Staff has prepared a thorough biological
analysis of the Nelchina situation.

Back in March of 1996, the Board of Game held a
meeting in Fairbanks and the Department shared a concern
for the short-term welfare of the Nelchina Caribou Herd.
At that time, the herd numbered over 50,000 animals and
there were already signs that the herd was beginning to
decline. The Department was concerned the herd could
exceed the carrying capacity of the summer range.
Productivity was declining and predators were increasing.
Indeed, the Nelchina herd declined dramatically between
1996 and 1999 from over 50,000 caribou to an estimated
31,000 animals.

Calf production has been poor with many
unproductive two year old cows in the herd, indicative of
poor summer range conditions. And calf survival has been
poor with increasing numbers of wolves in Unit 13. Last
fall, the calf/cow ratio was the lowest we've observed in
the Nelchina basin. Winter mortalities of adults has also
become a management concern. Increased predation and
incline winter weather further reduced the survival of
cows and calves this past winter.

Last year, the Department issued 8,000 Tier II
permits, this was a reduction of 2,000 permits from the
previous year. This year we anticipate issuing no more
than 2,000 permits and limiting the harvest to no more than
1,000 bulls. At this point in time, we believe the cow
harvest is unacceptable and violates the principles of
scientific wildlife management and sound wildlife
conservation. Presently, there is a need for you to
eliminate cow harvest in the Federal registration hunt.
Any cow harvest at this point will accelerate the
population decline, worsen the effect of predators and
delay the eventual recovery of the herd.

The Department strongly recommends that the Federal
Subsistence Board take responsible action to eliminate the
harvest of cow caribou.

Thank you.

CHAIRMEN DEMIENTIEFF: Thank you. We have
one request at this time for public testimony, Donna
Williams.

MS. WILLIAMS: The CRNA does not support
shortening the caribou season in Unit 13. Keep the hunting
status quo. The shortened fall hunting season and doing
away with the winter hunt would adversely impact the
subsistence users in Unit 13.

CHAIRMEN DEMIENTIEFF: Thank you. We have
the Southcentral Regional Council recommendation in the
book, do you have anything to add to that Ralph?

MR. LOHSE: The Southcentral Regional
Council, in their deliberations on this, the main driving
idea was behind the fact that we're there to protect
subsistence rights. And as long as we saw that the State
felt that they could hold a sport hunt on it we felt that
that needed to be eliminated for subsistence hunting was
eliminated.

CHAIRMEN DEMIENTIEFF: Thank you. Staff
Committee recommendation.
MR. THOMPSON: Yes, Mr. Chairman. The Staff Committee recommends the Board reject this proposal consistent with the recommendation of the Southcentral Advisory Council.

We felt that while there was some biological and management concerns associated with the high adult caribou mortality rate and low calf recruitment, the Southcentral Regional Council's concern that subsistence opportunity be maintained was compelling given the relatively small number of caribou harvested by Federal subsistence hunters. However, a special action by the Board may be necessary for bulls only harvest following a completion of the summer surveys.

CHAIRMAN DEMIENTIEFF: Thank you. Is there any Regional Council or Board member comments before we move on with the motion -- Bill.

MR. THOMAS: Thank you, Mr. Chairman. I know with regards to deer, we don't have many caribou in Unit 1 through 5, but I was just wondering, biologically, how do they determine sizes of either herds or how do you count them? I know with regard to deer they use a method known as a pellet count and I was wondering how they monitor caribou and other species of the Interior, just a curiosity, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: How will those counts be done this summer, Ken, do you know?

MR. GOODWIN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. GOODWIN: The way they count our half a million caribou is they take pictures and then count the caribou in the pictures.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: I was hoping to hear from one of the biology people.

MS. DEWHURST: I'll defer to Jeff Hughes and ADF&G on that.

CHAIRMAN DEMIENTIEFF: Jeff, are you going
to be involved with the counts this summer, could you run it by us?

MR. HUGHES: Thank you, Mr. Chair, members of the Board. We use our experienced area biologists and we use two methods. We use aerial surveys where we fly over and estimate numbers and then we back that up with, as was pointed out, an aerial photo census where we take pictures and count. The Nelchina is a little bit different from some of the larger herds, the Western Arctic, we frequently encounter cloud cover. The animals may not aggregate. We do this survey at the end of June or the first of July, again, we shoot for two things; we shoot for clear weather and for aggregations of the herd.

We also then, after we do a census, go in with helicopters, do what we call composition counts where we count the number of cows, bulls and calves. That gives us an idea of the make up of the population. And then in the fall, we go back again and do another composition count, again, using helicopters so we can get a very good estimate and back that up with photos to see what the survival of the calves has been.

MR. THOMAS: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Any other discussion. Fenton.

MR. REXFORD: Yeah, just a question or observation on Proposal 13. The TransAlaska Pipeline, right away, I'd like to get some information where that -- which part of the regulation are saying that the right-of-way is prohibited hunting and also 25 feet on the other side of the pipeline; where that authority came from or where -- because we deal with a five mile buffer zone on our area where the pipeline is and probably more apt to use the lenient more version or there's authority from TAPS.

CHAIRMAN DEMIENTIEFF: Can any of the Staffers respond to that?

MS. DEWHURST: I don't have any history on that. I'm not familiar with the regulatory history on that area.

MR. BOYD: Mr. Chair, I was present, I think, early in the Federal program when this regulation was modified. I don't remember the particulars. I do remember a discussion surrounding concerns about damage to
the Pipeline, maintaining some sort of a safety corridor in that area. I don't remember the particulars but the Board did pass this regulation based on what it heard. I think it goes back to 1990 or 1991.

CHAIRMAN DEMIENTIEFF: Just a follow-up.

MR. REXFORD: Yes, we tried to pass one through the Board of Game and that was State authority for access going back and forth, east and west of the Pipeline. But anyway, this might be on Federal lands, I'm not sure, but I'm curious where that authority or okay came from.

MR. BOYD: As I understand it, we'd have to look at a map but the Federal lands that we're dealing with generally parallel the Pipeline corridor along the Richardson Highway and it's a fairly narrow -- relatively narrow strip of land along the highway that we have the -- the Federal harvest on primarily.

CHAIRMAN DEMIENTIEFF: Ida you had a comment.

MS. HILDEBRAND: Mr. Chairman, in response to Mr. Rexford's question, that Pipeline language authority comes from the Pipeline Act that directs the corridor language regarding the corridor and hunting in the corridor. I don't have a cite for it but there is an act that governs it and that's where that comes from.

CHAIRMAN DEMIENTIEFF: Any other discussion, if not we're ready for a question.

MR. ALLEN: Mr. Chairman, I had a question.

CHAIRMAN DEMIENTIEFF: I'm sorry, go ahead.

MR. ALLEN: And maybe either Jeff or Terry can answer it. Is it true, did I understand that the State hasn't made a decision yet on how many permits to issue or whether it will be bulls or cows or bulls and cows and, if not, when do you expect that decision to be made?

MR. HUGHES: The decision that's been made at this point has been that we will issue no more than 2,000 permits for bulls only.

MR. ALLEN: Okay, so that decision has been made for conservation reasons?
MR. HUGHES: That is correct.

MR. ALLEN: And there's a -- one other question, there is a spring survey that's planned?

MR. HUGHES: That is correct. That should be at the end of June, first of July.

MR. ALLEN: End of June, first of July, okay.

MR. HUGHES: There will be a census and a composition count.

MR. ALLEN: Okay, thank you. Mr. Chairman, just a comment. It seems to me that based on what Staff Committee had indicated that we should watch this very carefully from the standpoint of what this population looks like, and it may be necessary, I agree, to reconsider the issue of whether cows should be harvested this year. But at this particular time, it seems to me we can deal with that once we have better information on the actual population numbers.

CHAIRMAN DEMIENTIEFF: Any other discussion.

MR. HUGHES: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: You have additional, go ahead, Jeff.

MR. HUGHES: Thank you, Mr. Chair.

Presently our models indicate that even with good production the herd will decline again this year. There was almost a complete loss of the calf crop over the past two years, that's why we're particularly concerned about the continued harvest of cows. The herd will decline again this year even with good production. We're quite concerned about that. And the issue for us really is to continue to hunt this herd and take cows out a declining herd will further steepen the decline and lengthen any recovery.

CHAIRMAN DEMIENTIEFF: Thank you. Additional comment, if not, we're ready for an action.

MR. CESAR: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.
MR. CESAR: I move that we accept the Staff Committee proposal to reject the proposal as recommended by the Southcentral Regional Advisory Council.

CHAIRMAN DEMIENTIEFF: There's a.....

MR. WILSON: Second.

CHAIRMAN DEMIENTIEFF: Is there a second?

MR. WILSON: Second.

CHAIRMAN DEMIENTIEFF: Okay, thank you. Ralph, you guys -- has the Regional Council, you've heard the biological concerns expressed by the Department on some caution on the part of the Federal Staff, were you guys aware of these concerns when you considered the action?

MR. LOHSE: Not to the extent that we've heard them today. At the time, and if I understood Terry right, the only permits that the State's thinking of issuing this year are 2,000 Tier II permits and that there are no sport -- there is no intention for a sport hunt on the caribou herd this year; was I correct in that assumption?

MR. HUGHES: Mr. Chair, we've not had a sport hunt for at least 10 years.

MR. LOHSE: So basically it's just 2,000 Tier II permits then? Our biggest concern was the fact that if there was basically sport hunting on it then we didn't feel like the subsistence hunting should be curtailed. I don't think we had -- we didn't have the data that they have given us today. I'm not sure that that would have changed our opinion. I see the need for caution though.

CHAIRMAN DEMIENTIEFF: I'm curious because I'm wondering if the Council would be willing to reconsider based on, you know, additional biological data which I'm sure would be available, at least preliminary, by mid-July or so, which would give us plenty of time. Do you think the Council would be willing to revisit this?

MR. LOHSE: I'm sure the Council would be willing to revisit it whether the opinion would change I'm not sure.

CHAIRMAN DEMIENTIEFF: Yeah.
MR. CESAR: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yeah.

MR. CESAR: Additionally, I think that most members of the Federal Board share some concern about opening it up to a cow harvest. I think we -- at least, I am looking towards that spring count to give us a little more definition, and I think that the Regional Council would probably revisit it and we could deal with it by special action, I believe.

MR. CAPLAN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Jim.

MR. CAPLAN: Yes, sir, I agree with Mr. Cesar. I think this is the kind of situation that we often have to act with a special action, with better information, and I'm looking forward to getting that, too.

MR. WILSON: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. WILSON: The majority of the land that is there is BLM and we're already discussing making sure we monitor what's going on very closely.

CHAIRMAN DEMIENTIEFF: Thank you, Kurt.

Judy.

MS. GOTTLIEB: Perhaps this question for BLM then, I guess we're concerned with calf survival as well as numbers of caribou so hopefully that will be part of both the monitoring survey at the State as well as BLM are planning on doing?

CHAIRMAN DEMIENTIEFF: Kurt.

MR. WILSON: Yes, I think that's the case.

MR. CESAR: Question.

CHAIRMAN DEMIENTIEFF: Yeah, before we go there, I do intend to support the proposal but I'm just a little bit concerned that the Council didn't have the full information that we had when you made your recommendation. But if we do get other information, I'm gratified that the Council would revisit and would have the full information.
Like I said, you don't know how the vote would have come out based on that information but, I think, you know, it's going to bear some looking into. I intend to support the Council action. But, you know, I think we're all kind of on notice that we might be doing a special action this summer.

MR. LOHSE: Mr. Chair, I think the biggest difference in the way the Council will look at it is is the reduction in the State season. I think that would have probably a bigger impact than anything else.

CHAIRMAN DEMIENTIEFF: Okay, further discussion. Hearing none, all those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed. (No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Proposal 14.

MS. DEWHURST: Proposal 14 is for a mountain goat harvest in Unit 6(D), propose to -- mountain goats are managed in very small areas and subareas by Fish and Game. And -- well, actually it's a joint management with the Service and we're looking at RG243 and RG249. In the case of RG243, there was no prior harvest, at least, not in recent years. It was closed to allow the goats in that area to increase which they have. And then in RG249, there has been a history of a split harvest. 249, if you look at the graph in the books it's on Page 54 and we also have it up on the slides. There has been a dual management harvest in 249, the vast majority of that has been on the State side. The Federal subsistence side has been pretty negligible as far as the number of permits issued in the harvest. So there is a request to put a couple more animals in on the Federal side from that -- from that dual managed harvest. so that's the primary issue, is just increasing the Federal -- the Federal permits issued in 243 and 249.

The issue of giving full allocation to Tatitlek has been withdrawn by the proponent, and that was done at the Council meeting. And that concludes my analysis.

CHAIRMAN DEMIENTIEFF: Thank you. Written
MR. MATHEWS: Yes, Mr. Chairman. There was one public comment submitted from the Copper River/Prince William Sound Local Advisory Committee. They opposed the proposal because it would prevent residents having a positive C&T for Unit 6 from participating in the goat season.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman. The Department supports this proposal with modification. We support the increase in permits issued for subarea RG249 from two to four since most of the lands in this subarea are Federal public lands. If this proposal is adopted, the number of State permits will be reduced to compensate for the increase in Federal permits.

We recommend that the Federal permits not be allocated in subarea RG243, since only 57 percent of the lands there are Federal public lands. The Department intends to open a hunt in this subarea and issue permits if the Federal Board does not. Hunters using State permits could hunt in the entire sub area and would not have the burden of determining land ownership patterns in the hunt area if they were to hunt there.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you, Terry.

There's no request for public testimony at this time.
Regional Council or Board comments. Ralph.

MR. LOHSE: Mr. Chair, the only real objection has been from the Copper River/Prince William Sound and that was answered when the proposal was modified to eliminate the sole reference to Tatitlek. So I think as it stands, you know, our support of this proposal still stands as it is modified.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

Any other Board discussion or Regional Council comment, if not, we're ready for a motion.

MR. CESAR: Mr. Chairman, I move that we adopt the interagency Staff Committee recommendation which was to adopt the proposal as modified by the Southcentral Subsistence Regional Advisory Council.
CHAIRMAN DEMIENTIEFF: There's a motion, is there a second.

MR. CAPLAN: Second. Mr. Chairman, just to take a moment, too, we might want to ask for the Staff Committee input, we skipped that step, sir.

CHAIRMAN DEMIENTIEFF: Did we skip Staff Committee recommendation?

MR. CAPLAN: Yes. You know how it exasperates them when you do that.

MR. THOMPSON: Oh, you're doing good work, Mr. Chairman, you're right on track for the Staff Committee.

CHAIRMAN DEMIENTIEFF: Now, that the train has left the station let's have a recommendation. We agree, but go ahead.

MR. THOMPSON: You're right on track, this is what the Staff Committee's recommending.

CHAIRMAN DEMIENTIEFF: Okay. Okay, motion -- do we have a motion -- I'm all upset here, we've got it moved and seconded -- okay. Additional discussion.

MR. CAPLAN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CAPLAN: A couple things, number 1, of course, I will support this as I seconded it, but I also wanted to comment that I appreciate ADF&G's support for this proposal since I wasn't aware where they were going to come from to begin with, and I do appreciate that, so thank you.

CHAIRMAN DEMIENTIEFF: Any other discussion. Hearing none, all those in favor of the motion please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)
CHAIRMAN DEMIENTIEFF: Motion carries. Proposals 15 and 16 are on the consent agenda. I think we're going to take a short break here right now and come back to Proposal 17.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: We'll come back to order. The next item up will be Proposal No. 17, Staff analysis.

MS. DEWHURST: Proposal 17 is for moose in Unit 6(D).

This area is under a joint moose management plan that has been worked out cooperatively with the State and the Forest Service and the local community, which has established a fairly complex system harvest between the two units, 6(B) and 6(C). The request was to set up some sort of a Federal subsistence moose harvest and what was originally suggested was to go with 10 bulls per subunit in the two areas.

Under the current State regulations, were mainly done with Cordova residents here and most of the residents refer to hunts in 6(C) because it's the closer subunit and a drawing permit is dealt with for that and then generally if they don't get one of the drawing permits, then they go under and try to get into 6(B) and that is done by State registration permit. And then they also have antlerless permits.

We looked at that and looked at the population. Basically the population, the moose population in 6(C) is doing pretty good. All of these were -- it was -- it started with an original transplant to 24 moose calves back in the 50s and 6(C) is doing fairly well, 6(B) is not doing as well. There are some problems with the moose population with, there again, calf production, predation have played a toll in 6(B) so there is some concern to watch 6(B), but 6(C) is doing fairly well right now and projected that they'll actually -- under the management plan that they'll actually be increasing the number of State permits in the near future if that population keeps going up.

We had a lot of discussions early on with the State, with the Forest Service and tried to come up with something that could increase subsistence opportunity but would have the least disruption to the overall moose
management plan that was in effect. And with the local
discussions that's when the proposed modification came up,
the issue of potentially taking the cow harvest which is
under a drawing, right now it's 10 cows for 6(C), and
taking that portion out. Because that way we wouldn't set
up a dual State/Federal system. If we went with the bulls,
which is what was proposed, we would then be splitting the
bull harvest between the State and the Federal system and
creating another a dual management issue. And we're trying
to minimize the complexity. It's already a complex --
complexly run hunt under the State system and throwing in a
Federal system, it wouldn't increase the -- it would not
propose any substantial increase in subsistence opportunity
for the local residents by putting some of the bull permits
under the Federal system. Where we did look and say, well,
if we took those 10 cow permits and put it under the
Federal system that could potentially increase the
subsistence opportunities, giving, basically the local
residents the first shot at -- at those cows which are
usually preferred by subsistence hunters anyway over bulls.

So that's where we went with this. There was a lot
of issues involved. In 6(C), the amount of Federal land is
limited and where most of the hunting occurs is along the
road corridor there, if you look on the map, and most of
the Federal land doesn't occur along the road corridor, so
that was the one complication with setting up a Federal
hunt in 6(C), is that, we would be restricting where folks
could hunt primarily along the road. But that was -- that
was the original kind of compromise that we all came up
with early on and has followed through to this point.

CHAIRMAN DEMIENTIEFF: Thank you, very
much. Summary of written public comments.

MR. MATHEWS: Yes, Mr. Chairman. There is
an error in the book there and if I get it wrong, staff
from Wrangell-St.Elias can correct it, but the book has it
as the Wrangell-St.Elias opposing the proposal but in
actuality their letter says they took no action on that
proposal because of a lack of familiarity. So I assume
that's correct. If not, then I think Park Service Staff
will log in on that.

The Copper River/Prince William Sound Advisory
Committee opposes the proposal. They oppose the proposal
because this proposal would make this drawing hunt
exclusive for the residents of Cordova. These hunts would
have to be co-managed. There would be confusion as to the
areas available for access and would eliminate many points
to the moose management plan. There was one public comment in support and it was from the Native Village of Eyak. They support it. We make it very clear that the Copper River/Prince William Sound Advisory Committee does not represent the Native Village of Eyak.

That's all the comments I have, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman. I'll read our comments into the record but if the Board has questions, Mr. Steve Machida is here with me this morning and he's management coordinator for Division of Wildlife Conservation and can provide additional information on -- on this proposal.

The Department does not support this proposal as written. We do support a part of the proposal as it was modified by the Southcentral Regional Advisory Council for a harvest of five cow moose. The Department recommends establishing an August 15 through October 31 season in Unit 6(C) consistent with the existing State season.

Our records indicate that in previous years most hunters have successfully harvested moose by October 31st. If this proposal is adopted, the State's cow drawing permit hunt in Unit 6(C) probably will be closed. This would disallow moose hunting on State and private lands in Unit 6(C), which are among the most road accessible in that subunit.

If this proposal or the Regional Council recommendation is adopted, we question the Council's suggestion that this be administered as a drawing permit hunt. To do so assumes that all eligible rural residents are similar situated. Evidence has not been supported to support this assumption. We recommend this hunt be administered according to the provisions of Section .804 of ANILCA. If the Staff Committee recommendation is adopted we request the Board discuss how the limited Federal registration permit hunt would be administered and if the intended approach is consistent with the provisions of ANILCA, Section .804.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you, Terry.

Tom, you had a comment or a follow-up comment.
MR. BOYD: I wanted to bring to the Board's attention the comments that Vince Mathews just shared with regard to the Copper River/Prince William Sound Advisory Committee. And I'm doing this on behalf of Tom Carpenter who made a phone call to me to express and reemphasize his concerns and I shared with him that I would share his concerns with the Board that, they oppose this proposal for the reasons that Mr. Mathews stated.

MS. DEWHURST: Mr. Chairman, I had a correction, too, to my previous -- I kept saying 10 cows, it's five.

CHAIRMAN DEMIENTIEFF: Yes. Okay. I'm not the only one asleep at the wheel here this morning, uh. Okay, we have no requests for additional public comment at this time. Regional Council recommendation is in the book, do you have other comment?

MR. LOHSE: Mr. Chair, as you can see, our Regional Council supported this with modifications. We did deal with a lot of the issues that have been brought up this morning. One thing we did recognize is that, you know, the hunt in Cordova has been basically run for the benefit of Cordovans and over the years Cordovans have taken most of the moose out of that transplanted herd. The reason we didn't look at it as an .804 thing and just considered an open drawing as we looked at all Cordova as being rural residents.

On the length of the season, that was an issue that was brought up. We didn't see any -- with only five moose being taken and under a Federal drawing hunt, with an agency right there to report at any time, we didn't see any reason to have any length on it but we just decided to close it at that point in time. It really is not going to effect the take of the moose. The five moose will be taken whether, you know, whatever the length of the season is.

The one thing that was an issue and did cause us some concern is this actually limits the area that these five moose can be taken on instead of expands the area. At this point in time, those five moose are still available through the regular drawing hunt. They can be taken on any land with the -- making it a Federal drawing hunt, we're going to be taking a lot of land out of the hunting area and a lot of the land that people have normally liked to hunt in the past.

Mostly, I think, we did this basically because we
were recognizing the fact that there was Federal land there and this would be more consistent with the subsistence hunt and by using the cows, the cows are more of a subsistence animal.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. THOMPSON: Yes, Mr. Chairman. The Staff Committee recommends the Board adopt the proposal as modified by the Southcentral Regional Council, which recommended providing a limited Federal registration permit harvest for five cows in Unit 6(C), August 15th through December 31st to be administered by the U.S. Forest Service office in Cordova.

Staff Committee, however, recommends that the Board not include the cow harvest in Unit 6(B) due to the declining moose population trend. We felt that the changing cow portion of the State harvest to a Federal hunt would provide a rural subsistence priority on Federal public lands while keeping the existing State run bull harvest intact. Providing a Federal registration permits harvest for bulls in 6(B) would provide no additional opportunity for subsistence users since currently the State has an open registration hunt for bulls.

CHAIRMAN DEMIENTIEFF: Thank you, very much. Board or Regional Council discussion.

MR. CAPLAN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CAPLAN: Just a quick question, sir, for Terry. Is the State system going to continue just as it is or did I hear you say that?

MR. MACHIDA: Mr. Chair, no, if the Federal Board passes this proposal as recommended, then we would not hold the State cow hunt. I mean we've already written that into our permit hunt supplement so the hunting public is aware of that situation. So if the Board passes this proposal then we would cancel our cow hunt.

MR. CAPLAN: But you would continue your bull hunt as presently done?
MR. MACHIDA: Yes, that's correct.

MR. CAPLAN: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Ralph.

MR. LOHSE: Mr. Chair, I think one of the things that needs to be pointed out is it's been talked about that this has been a very regulated, very managed moose herd, probably one of the more successfully managed moose herds in the State. And as a community we have gotten together and made a management plan for it. One of the reasons we have a five cow limit right at the moment is we're trying to grow the herd in Unit (C) to a certain extent to where we can increase the take of bulls and increase the take of cows. So it's under a fairly regimented management regime at this point in time.

So all you're doing with this right here is you're going into the management plan and you're taking animals that were in the management plan and changing it from one hunt to another hunt but they're still part of the management plan. I would hope that in the future if you continued, that you would buy into the management plan for the sake of the welfare of the moose herd that's being managed for the local community. In other words, don't if you're going to make decisions, make sure that they fit within the health and welfare of that moose herd for the long-term goals that the community has set up.

CHAIRMAN DEMIENTIEFF: Thank you.

Additional comments.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: Thank you, Mr. Chairman. Just listening to the discussion here it sounds like this is a pretty sensitive system and I appreciate that. And it sounds like there's been some extra care into the management of this particular herd. And that being the case, I'm hoping that we're on notice to see whether the current management exercises are enhancing that particular herd in terms of increasing numbers and I am hoping that their data is current to reflect an up or down trend with those. I really appreciate the comments. It's just an observation I had and I wanted to alert us to keep an eye on that.
Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

Additional discussion. Yes, Fenton.

MR. REXFORD: Thank you, Mr. Chairman.
Fenton Rexford, North Slope. I just wanted to maybe get a copy or if there's a policy on drawing permits. I know there's various systems or mechanisms of issuing permits once the regulations are drawn it kind of changes within our area from regulation to agency policy or something we are starting to conflict with. So if there's something in writing defining the permitting -- the way they draw permits or the way they issue permits, that's where it starts getting regulatory or agency restrictions.

CHAIRMAN DEMIENTIEFF: You're talking Federal permits?

MR. REXFORD: Yes.

MR. BOYD: Well, I hope I can respond. I don't think we have an official policy as I think as you articulated, Mr. Rexford. What we've done, I guess, over time and as the Board has deliberated on the various ways of regulating a harvest of a particular population has applied a tool, either a drawing permit or a registration permit or used the existing State permit as it applies to the particular circumstances surrounding, you know, that particular population.

So I don't think I'm being very helpful to you. I mean I think there's a variety of tools that the Board could choose to use and we've applied them as those circumstances have dictated.

CHAIRMAN DEMIENTIEFF: Ken.

MR. THOMPSON: Yes, Mr. Chairman. It is our intention for this particular hunt to issue those permits in Cordova because the hunt is for the residents of Unit 6(B) and 6(C). So those permits would be issued on a preannounced occasion in Cordova and there will be permit applications, hopefully, issued within the next couple of weeks for local residents to apply for those. But the drawing would actually occur later.

CHAIRMAN DEMIENTIEFF: Fenton, maybe you can get with Tom on a break or something and he'll get you started in terms of looking at the various tools that may
be out there and where we've applied them. Terry, you had
something.

MR. HAYNES: Thank you, Mr. Chairman. I
guess I need some clarification as to how, sort of -- if
there's going to be a drawing permit hunt, only a limited
number of permits are available, are the applicants or the
successful perimees going to be selected by drawing names
out of a hat? How is that consistent with Section .804 of
ANILCA provisions? I guess I just have a question about
that.

CHAIRMAN DEMIENTIEFF: Greg.

MR. BOS: Thank you, Mr. Chair. I think
there's been a number of hunts around the state where the
number of registration permits has been limited by the
Federal Board. And the Board has used different methods of
distributing those permits to eligible subsistence users.
In some cases we've gone through IRA councils or elders.
When we determine that all of the residents of the affected
community or communities are similarly situated with
respect to their customary and traditional uses of those
populations we then issue them by lottery. But it's not --
it may be improper to call this a drawing permit, it's a
registration permit, which may be issued by lottery when we
determine that all of the applicants have similar
preference to use that resource.

CHAIRMAN DEMIENTIEFF: Any other
discussion. Yes, Ralph.

MR. LOHSE: Mr. Chair, I think it was the
intention of the Council that in the case of Cordova, since
it is a rural community and the herd is a transplanted herd
that all residents have the same C&T on it and so they
would fit Greg's definition of the fact that all are of
equal stature when it came to doing the drawing, at least,
at this point in time. I think that was our intention and
that was our understanding.

CHAIRMAN DEMIENTIEFF: Thank you. No other
discussion, I think we're ready for a motion.

MR. CAPLAN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Jim.

MR. CAPLAN: I move to adopt Proposal 17 as
modified by the Southcentral Advisory Council, which
recommended providing a limited Federal drawing permit
harvest for five cow moose in Unit 6(C). The harvest to be
scheduled during August 15th through December 31st. The
hunt is to be administered by the Forest Service district
office in Cordova and we offer that we exclude Unit 6(B)
due to the declining moose population in that subunit.

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

MS. GOTTLIEB: Second.

CHAIRMAN DEMIENTIEFF: Additional
discussion. Yes.

MR. LOHSE: Mr. Chair, I don't know if it's
possible to have that as part of the motion but I would
sure like to see the Federal government be willing to buy
into the current moose management plan the community has
worked out and that their proposals and bag limits would
fit within the ramifications of that plan.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Mr. Chairman, I appreciate
what you're asking and you certainly caught my ear when you
mentioned the plan but I really would like to get a copy of
it and look at it and I'm sure it's something we'd all like
to endorse after we're more familiar with it. But I
commend the efforts to solve problems at the local level.

CHAIRMAN DEMIENTIEFF: Yeah, Ralph, the --
you know, we've done that many times in the past and
Regional Councils basically have brought us plans,
management plans, you know, basically for Board
endorsement. So if we can just advance it through the
process. I don't know if we're going to be able to get to
it before next year. I don't know, if it's not a real
special action request -- but if the Council advances it to
us next year we'll be glad to take the time to take a look
at it. We've done it many times.

Okay, any further discussion. Hearing none, all
those in favor of the motion please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same
sign.
(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Proposal 18.

MR. SHERROD: Thank you, Mr. Chair.

Proposal 18 was submitted by the Eyak Tribal Council. It would allow the Native Village of Eyak to take one bull moose for an annual memorial sobriety day potlatch.

The communal consumption or feasting is an intricate part of Alaska Native cultures regardless of their linguistic affiliation. Since 1992, the Board, through special action and regulatory changes have accommodated numerous requests to allow for the communal consumption of resources harvested for those specific purposes. The Eyak and the other Native individuals residing in Cordova certainly fall within this body of people that have a history of a communal consumption of resources. And it's in these context that cultural values are transmitted and reaffirmed. While sobriety in and of itself lacks a precontract history, certainly the values associated with this act have strong cultural depth, not only for the Eyak but for other Alaska Natives as well.

CHAIRMAN DEMIENTIEFF: Thank you. Summary of written public comments.

MR. MATHEWS: Yes, Mr. Chairman. We had three public comments submitted. One in opposition, the Copper River/Prince William Sound Advisory Committee is in opposition to it. This proposal has caused for much debate in Cordova. These moose are not indigenous. These moose were planted by the residents of Cordova in the 1950s. The Federal Board has found that all residents of Cordova have a positive customary and traditional use for moose in Unit 6(B) and 6(C). Granting a specific group within the community special privilege for harvest divides a community. There are many indigenous animals with higher allocative harvest levels that could be used at a potlatch.

The two comments in support were from the Wrangell-St.Elias National Park Subsistence Resource Commission and from the Native Village of Eyak.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments. Oh, Tom has a comment first.

MR. BOYD: Again, I want to speak for Tom Carpenter, Chair of the Copper River/Prince William Sound
Advisory Committee who called me by phone to discuss his comments and his council -- or his committee's comments regarding this proposal. I think Vince just read the summary verbatim so I won't go back through that.

But I think another concern that he expressed to me was taking this particular -- passing this particular proposal would take one moose out of the total allocation that could be directed for other users in Cordova and that was a concern that he expressed.

CHAIRMAN DEMIENTIEFF: Thank you. Okay, Department.

MR. HAYNES: Mr. Chairman, the Department does not support this proposal. We remain concerned about the absence of clear guidelines in the Federal subsistence regulations as to what constitute customary and traditional activities for which special permits can be issued.

The Staff analysis for this proposal is a good start at examining a range of cultural events and providing guidance for developing such guidelines. In the absence of standard guidelines, it is difficult to determine whether the memorial sobriety day potlatch meets the test.

CHAIRMAN DEMIENTIEFF: Thank you. We don't have any request for additional public testimony at this time. Regional Council recommendation.

MR. LOHSE: Our Council supported this request. It's a case of where we realized there are no specific guidelines on it, we thought it fit within the ramifications of what we would think would be a worthwhile and acceptable use of moose in the community.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. THOMPSON: Mr. Chairman, the Staff Committee recommends the Board adopt this proposal consistent with the recommendation of the Southcentral Regional Council.

The Native Village of Eyak's memorial sobriety potlatch is an annual reoccurring event, which the Board has endorsed by previous special actions. This would make it -- this would put it into the annual regulatory process whereby it would stand unless modified.
Taking of one bull moose for ceremonial purposes will not significantly impact the moose population. And another persuasive piece of testimony that was provided at the Council meeting by one of the members is that these potlatches are attended, not only by the local residents, but by a cross-section of communities in Prince William Sound, which in our minds further legitimizes the event.

CHAIRMAN DEMIENTIEFF: It's funny I just come from -- a couple of weeks ago I came from potlatch, it was called a memorial potlatch but it was held in Fairbanks and there were two principal families, my family and a family from Nulato. And I really don't know if it would stand the test of being a traditional memorial potlatch either but it was -- we just kind of worked it out between us, the family from Nulato did things their way and then I kind of supervised a potlatch from our point of view and it turned into just an absolutely beautiful event because the two principal families, you know, they had lost a loved one and they, you know, even it wasn't a Nulato-style memorial potlatch, it wasn't a Nenana-style memorial potlatch, it definitely was a beautiful memorial potlatch so I don't know about all these standards. I don't think potlatches really have standards. If they're a traditional cultural event, you know, that's good enough, I think for me.

MR. THOMAS; Mr. Chairman, thank you. There's been mention of lack of specific guidelines. I beg to differ. You'll find those specific guidelines in the first paragraph of Title VIII. Title 801 makes all those provisions. It does it in generality but it covers them and it doesn't ask for any of those specifics. So those guidelines are in place.

Thank you, Mr. Chairman.

MR. CESAR: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CESAR: I think this, obviously, is an appropriate use of the resource. And the Eyak memorial sobriety has been growing over the number of years and, in fact, has taken on a life of its own. I am, though, of the mind that we really should begin to look at these things and give a little more definition to them. Because I think as the program grows and as a request for the resource grows, it just makes our case, I think, stronger that we have some definition to the program but are still flexible. And so I think, you know, we can use our independent
judgment now and come together and make a decision but at
some point I think the pressure begins to build and I just --
if we're building a record of it and we're looking at it
on a case by case basis, we still, I think, can give a
little more definition to what it really entails. And I
would encourage that the folks give some thought to that in
the future.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: Although they're really good
observations but as long as Section .801 isn't amended,
regardless of how these are used within either culture
meets the standards of the provisions listed in .801.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: I pretty near
appointed a committee of one to look into this. I was
toying with the idea -- no, I think your points are well
taken, Niles, and that may be an exercise we'll have to --
I don't know, it may be something for a Board workshop one
day, you know. Because we do those once a month now, and
that may be a topic where we could take a look at it during
our monthly meeting where we don't have the pressure of
regulations in front of us.

Ron.

MR. SAM: Thank you, Mr. Chair. I'd like
to make the Board aware and our Regional Council members
aware that we do have this in place within the Interior
under the State Department. We do not have any annual
memorial potlatches but we do -- they do grant us the right
to harvest moose for funerary purposes and memorial
potlatches, whether -- they're not annual, just memorial
potlatches for our people, and I'd like to make our people
aware of this. It is already in place in the state, and I
would like to see that reflected somehow in our
regulations.

Thank you.

CHAIRMAN DEMIENTIEFF: Ralph.

MR. LOHSE: Well, Mr. Chair, I think one of
the reasons that -- and I'm not speaking for them but I
think one of the reasons that Eyak has requested this as an
annual thing is the fact that our moose herd down in
Cordova is a community moose herd and it is under very
tight management plans. This moose will affect the
management plan. And they want this in as part of
recognition that that's one of the reasons that the moose
are there. The availability of doing like we do in
Interior wouldn't be there simply because we don't have
that vast source of moose to draw from or even that kind of
management plan for the moose. So I think that was one
of the main reasons that they would like to put this in as
an annual event so that that can actually become part of
the moose management plan so that that's recognized ahead
of time that that's going to be something that's taken out.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CESAR: Mr. Chairman, could someone
remind me of where we're at, did we make a proposal for
MR. ALLEN:

CHAIRMAN DEMIENTIEFF: Board discussion.

MR. CESAR: Okay.

CHAIRMAN DEMIENTIEFF: We remembered the
Staff Committee this time and we're ready for a motion if
we've exhausted our discussion.

MR. CAPLAN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CAPLAN: I move to adopt Proposal 18 as
recommended by the Southcentral Advisory Council. Thank
you, sir.

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

MR. CESAR: Mr. Chairman, I'll second it.

on the motion. Hearing none, all those in favor signify by
saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same
sign.
CHAIRMAN DEMIENTIEFF: Motion carries.
Okay, Proposal 19 is linked with 21, they're both on the consent agenda. So with that we'll move on to Proposal No. 20. Analysis.

MS. DEWHURST: Proposal 20 was a deferred proposal from last year. And it is to discuss the requirement for keeping evidence of sex attached for moose in Units 11 and 13 in cases where the harvest is single sex harvest.

It has gone through extensive discussion and review, actually reviewed by all the Regional Councils this year, and it was decided to defer it back to the original proponent. So we are dealing with it only in Units 11 and 13.

A lot of the discussion was trying to come up with some sort of alternative and what seems to work for this region is the additional options. Still having one option being that you have sex parts attached as an option but the additional option that was discussed and proposed is to provide the option of having the entire head, with or without antlers. Even this option has had a lot of discussion as to its ability to be enforceable. For example, if the antlers were cutoff at the skullcap, we discussed that recently and said, well, if antlers were cutoff with the skullcap then you could pretty much assume the animal had antlers and was a male or you wouldn't bother to skullcap a cow. So we felt like the entire head was still a very viable option and it is a customary and traditional practice in this region to take the head anyway for either headcheese or head soup. So that option was felt was viable and could provide legitimate enforcement.

The Interior region brought up an additional option recently of the hoofs. And with discussion with our technical folks, State technical folks, it was felt that the hoofs are not enforceable as a means of determining sex. There's too much variability in the hoof size and shape.

So basically what was felt was the head was a viable option and, of course, the existing regulation of sex parts attached.

CHAIRMAN DEMIENTIEFF: Summary of written public comments.
MR. MATHEWS: Yes, Mr. Chairman. We had several comments. We had three in opposition. One from an individual and the other from a Paxson local Fish and Game Advisory Committee. And I won't summarize the comments of the State Division of Fish and Wildlife Protection since they have a representative here.

There were two comments in support with modification. The Copper River Native Association supports the proposal with the modification that most of the antlers are carried with the head. The Wrangell-St. Elias Subsistence Resource Commission supports the proposal as modified by the Staff. The Denali Subsistence Resource Commission took no action on it but the Commission, in general -- their general consensus was that leaving sex organs attached is not a traditional practice.

That's all the comments I have.

CHAIRMAN DEMIENTIEFF: Thank you. We're going to move on to State's comments. First off, Mr. Lorring, I see you're representing Department of Public Safety here, I'm just going to throw away this public testimony because you can testify here with the Department. Okay, go ahead, you guys have it worked out how you're going to do it.

MR. HAYNES: Thank you, Mr. Chairman. I'll present some brief Department comments and then turn over the mic to Lieutenant Lorring.

The Department does not support this proposal. We're concerned that this proposed change in the evidence of sex requirements in Units 11 and 13 put the cow moose population at risk to harvest in those units. Due to the low cow moose densities and declining moose numbers in the Copper River Basin, any regulatory change that might result in the harvest of cow moose in these units is biologically imprudent and raises significant conservation concerns in one of the most heavily hunted areas in the state.

Enforcement efforts will be more difficult if the State and Federal evidence of sex requirements are different. It's our understanding that Federal law enforcement presence is very limited in the Copper River Basin so most of the burden of monitoring hunters falls on State enforcement personnel whose resources are already stretched thin during the fall hunting season.

Federally qualified subsistence hunters will have
the additional burden of ensuring that they take moose from Federal public lands if they choose to use the head to meet the evidence of sex requirements. This will be done more easily in Unit 11, which is predominately Federal land than in Unit 11 [sic], which contains very little public land.

LT. LORRING: Thank you, Mr. Chairman, Board members. My name is David Lorrning, I am the detachment commander for the Interior with the Department of Public Safety, Fish and Wildlife Protection. I work in Fairbanks. I'm representing our division, Public Safety.

The Division is opposed to changing the evidence of sex requirements that are currently in Proposal No. 20. Currently the State and the Federal regulations mirror each other. They have the same language. The State regulation has been in existence since statehood and has remained unchanged since that time. This regulation is a biological regulation in nature. It is designed to protect the female segment of the ungulate population in those areas where that protection is deemed necessary by the biologists.

Since this proposal is biological in nature, the regulation has provided a set of tools for enforcement officers to enforce that regulation. And those tools that the regulation provides are the evidence of sex, the sex parts that must remain attached to the carcass after it's killed. These tools are easily followed. They're 100 percent accurate every single time. Every enforcement officer knows what he's looking at and every hunter knows what he's looking at.

In the last three years I've checked our numbers of citations that are issued for this violation and they've been under 20 for each year and this is for all animals statewide that our officers have contacted hunters in the field on. So that tells us that this regulation is very easily complied with by the hunters.

Our main concern about allowing the head to be used as evidence of sex is that through our experience when hunters try to cheat and take cow moose under -- in a bull area they do two things. First they bring in evidence of sex parts from other moose that were taken and bring those back into the field and try to use those again to cover the moose that they just killed that wasn't a bull. And secondly, they bring heads or antlers back into the field to try to cover that animal.

This is a practice and it's the two main ways to
try to get around the cow moose that they just took in a bull only area.

The head is not 100 percent accurate every single time because it can be brought in from another animal a day or two before or even a week before and brought back in the field to cover a cow moose that might have been taken illegally. Again, we're trying to protect the cow moose segment of the population.

If an enforcement officer does come across a situation that the animal is not readily identifiable as a cow moose, then he's going to have to take those steps required to preserve the evidence and most of the time that includes the seizure of the whole carcass. We try not to do this because it interferes with the hunter. We don't want to be intrusive upon the hunting process that the hunter's involved with. And by allowing the regulation to stay in place the only thing that has to stay on the carcass is the evidence of sex and that animal is then positively identified as the correct sex.

Our current Division policy with the State is that if we can readily identify an animal as the correct sex even if the animal's sex organs were removed, we will not cite that person. So if we go into the field and he did accidentally take that off but we can readily identify that animal as the correct sex we will not cite that person. Again, trying to be less intrusive on the hunter.

The last thing and Terry referred to that briefly, is that, the State has not changed its current regulation. It was addressed at the last Board meeting in March in Fairbanks, it remains the same. Most of Unit 13 is under State jurisdiction because of the large amount of State land and parts of 11 are also. And I think if the Federal Board would change this, there could very well be confusion upon the hunters part where they may be hunting in State land and not have the evidence of sex attached. At that point they'd be cited if we couldn't readily identify the animal as being a bull. Again, we don't want to do that but that possibility would exist if the regulation were to change having a dual regulation with different types of format.

That's all I have at this time and I'd be willing to answer any questions if any of the Board members have any questions about numbers or different types of problems that we do have. Both the Federal, U.S. Fish and Wildlife Service and the BLM enforcement divisions are also opposed
00047
to this although I see that that point of view did not come
out from the Staff reports.

Thank you.

CHAIRMAN DEMIENTIEFF: Yeah, I'd ask that
you stay through the deliberation stuff anyway so we can --
because often times things do come up as you've seen
already. Okay, we have one request for public testimony,
Donna Williams.

MR. WILLIAMS: I'm just here to tell you
that CRNA does not support -- wait a minute, wrong one.
CRNA supports this proposal that we submitted with the
modification that part of the antlers be carried out from
the field with or without the head and taking the sex
organs from the moose is not a customary and traditional
practice.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Regional
Council recommendation.

MR. LOHSE: Mr. Chair, this is an issue
that's come before us before and I know it's come before
you. To a certain extent this is a culturally -- I don't
like to use the words, repulsive practice, but it's not
only not part of the culture but it's also not -- in a way,
ot acceptable in the culture in the Interior. So they
brought it to us and we did the best we could to try to
come up with some other means of identification so that it
could be used. We know it's not perfect, we're definitely
open to other suggestions. It is like the Copper River
Native Association said, it -- it's not customary and
traditional in their practice but when we listen to them
it's more than not customary and traditional, it's -- it's --
I don't like to use the word, repulsive, but that's the
closest that I can come in my language to put on it so I'll
use that.

I'm sure that if there was something else that
could be done and I know that it's the easiest method to
use, they'd probably be open to it. But the way it is,
what we did is we supported the proposal with the
modification to, at least, use the head because we
recognize that in their culture the head comes out and this
allows somebody who doesn't want to take the head to remain
using the sex organs.
Thank you.

CHAIRMAN DEMIENTIEFF: Staff Committee recommendation.

MR. THOMPSON: Mr. Chairman, the Staff Committee recommends the Board adopt this proposal as modified by the Southcentral Regional Council. We felt that requiring a portion of the external sex organs remain attached to a portion of the carcass to provide evidence of sex is a reasonable requirement that protects moose populations. However, providing an additional option, such as, possession of the head would better fit customary and traditional practices of local users while still providing a reasonable approach for method of enforcement.


MR. CAPLAN: Mr. Chairman, I do intend to support this proposal when we get to the motion stage but I just want to take a moment and reflect on a couple of things. One, that I'm always concerned when law enforcement professionals, and those include both Federal and State law enforcement professionals are saying we could have a problem here. And that's one point. Because enforceability of our regulations and the State regulations is extremely important when we're talking about the conservation of resources like wildlife resources.

The second thing is I think that we may be placing some of our subsistence users at risk of citation down the road and that is always also unpleasant to contemplate.

So although I realize and agree that the Advisory Council has done a tough and good job -- or a good job with a tough subject trying to get us a proposal we can work with, I really want to encourage the Council and the State and others to be vigilant and report back to us if we start having problems in law enforcement, citations of people who are well-intended, want to do the right thing culturally but wind up being cited and perhaps lose their -- you know, the yield of their hunting, but it's -- it's -- you know, I think this is one of those more troubling proposals that we work with and we do have to be vigilant down the road to make sure that it's effective.

In addition, I think I'd ask others who are currently in opposition to the proposal to be thinking about alternatives. I note that they talk about DNA
testing, that, of course, takes a while and it's expensive. There may be other means in the field to determine whether the pieces of the carcass are connected or not and we might be -- we might want to consult some specialist in wildlife forensics to see what those might be if we haven't already.

Thank you, sir.

CHAIRMAN DEMIENTIEFF: Go ahead, Bill.

MR. THOMAS: This has been an interesting discussion. I hate to see the practice disappear from the Game Warden trying to catch the hunter. You know, when I was growing up that was part of our recreation was to outfox the Game Warden. And that made his job interesting and it made our harvest much more nutritional. So it looks like there's no other option left available but for the DNA, so if I was you I'd get the experts from New York on -- put him on paid standby and we'll pay $30,000 apiece for DNA testing of the species. I'd be embarrassed to shoot a moose now after listening to all this. I wouldn't know what to do with it. I don't know whether I'd have a transvestite or what I'd have there.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Any more interesting Regional Council comments.

MR. GOODWIN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. GOODWIN: Would one nut be sufficient for an external sex organ?

CHAIRMAN DEMIENTIEFF: I didn't -- I don't know what you said, Willie.

MR. BOYD: I don't think you want to go there.

CHAIRMAN DEMIENTIEFF: Oh, all right. We normally get this goofy about mid-meeting and we're starting out first thing in the morning.

MR. THOMAS: This should have been in the middle part of the agenda.

CHAIRMAN DEMIENTIEFF: It is very much a
serious issue and I think with our mandate, you know, we've basically been stuck on this issue. I'm going to have to support the motion even though I am concerned as well. But I think finally I'm -- you know, we've tried and tried and wrestled with this thing. I don't know if it is going to pass, you know, but we'll decide with what that is but we'll need to know right away -- I would agree, that we'll need to know right away if we're either -- with regard to the concerns that Mr. Caplan was raising, I mean if we are endangering subsistence hunters out there, causing them problems or causing enforcement problems that are bad for the resources. You know, I think we've all talked about it before, we're challenged to find some kind of a medium here.

But given all the effort that we've put into it, we haven't really been able to come up with anything else as of yet. But I will support it, and like I said, if there's a slightest hint of trouble, I mean I wouldn't hesitate at all coming back with a special action, even during the season, you know, if it's -- also I think if we could flag this proposal for a report after the season, I'm not sure, I don't -- you know, if it lasts the whole season and during one of our work sessions come back and see -- revisit it without the pressure of a regulatory proposal so we could take a look at it. I'd invite the State also, you know, to that work session for that part of it if we can make it. We don't want to cause the problems but we got to find some way to balance this if it does pass, you know, I think we all need to revisit it in a work session atmosphere.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Certainly, noting some hesitancy here, and I also notice that there's far more Federal lands in Unit 11 than in 13 and I'm not sure how Donna or CRNA might feel about this but I don't know if we want to discuss approaching it for just Unit 11 for starters, just a thought?

CHAIRMAN DEMIENTIEFF: Under what -- or is it just the State hunting license that they're hunting under now, that's all they're using? That's just what I was just thinking, I mean we may want to seriously think about going with a permit, you know, just for those hunters that are going to be hunting on Federal land, a special permit that we would take the initiative, we would have to
issue it. But that, at least, would -- it would probably eliminate some of your problems as you're in contact with hunters. I mean they would have -- it would be a special permit by the Federal Board, if they don't have that on there then they've got to comply basically with the State law. That would probably, at least, eliminate the pools.

(Pause)

CHAIRMAN DEMIENTIEFF: Okay, just for the benefit of everyone, we're just looking it up right now but we're thinking we have a Federal registration permit already in place for Unit 13, we don't have one in 11. Ralph.

MR. LOHSE: Mr. Chair, in talking to Gloria, one of the things that she brought up is the proposal is for Unit 11 and 13, and I think that you'd probably have to take it back out for public comment before you could modify it to exclude one or the other. That you'd probably have to leave it as Unit 11 and 13 and either accept it or reject it. I'm not sure of that myself but that was her understanding.

MR. BOYD: I didn't hear all of that.

CHAIRMAN DEMIENTIEFF: Okay, so the bottom line is we do have a registration permit for Unit 13?

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

CHAIRMAN DEMIENTIEFF: And we don't have one for 11?

MR. BOYD: No, not from our regulations. We do have designated hunter permits available in those units but not a Federal registration permit for Unit 11. So we would rely on the State harvest ticket. That's correct currently.

CHAIRMAN DEMIENTIEFF: Okay. I'm struggling on how to get back to this. Let's just stand down for a couple minutes here.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: I think it is a serious concern, you know, it's a serious concern. One of the things that would minimize any potential biological
damage and yet give us a tool to utilize, to look at this. I mean it's a thorny issue, it's not going to go away. We need to find some way to deal with it that doesn't put the species at risk.

And one of the things that we're talking about is adding a registration permit hunt to Unit 11, Federal registration permit hunt. Currently on the regulations there is a Federal registration permit that you have to have for Unit 13. So what we're thinking is in order to give it a try is to add a Federal registration permit for Unit 13 and to make possession of that Federal permit a requirement for implementation of this proposal.

In other words, if we pass the Southcentral Council recommendation we would have to modify the proposed regulation to include.....

MR. BOYD: Actually you would modify another regulation, it would be for the taking of moose in Unit 11, to add the requirement for a Federal registration permit, that's where that would go, this is in another part of the regulations.

CHAIRMAN DEMIENTIEFF: Then we have to amend this proposed regulation to include the hunter must have a Federal registration permit in possession?

MR. BOYD: I think if you just make that motion we'll make it fit into wherever it belongs in the regulation.

MS. FOX: Yes.

CHAIRMAN DEMIENTIEFF: Okay. Then are we noticed enough to be able to require a Federal registration permit hunt, Bill, can.....

MS. FOX: Yeah, we're well in advance of the season.

CHAIRMAN DEMIENTIEFF: Pardon.

MS. FOX: We're well in advance of the season, we can issue public notice about that requirement.

CHAIRMAN DEMIENTIEFF: Okay. Charles.

MR. MILLER: Yes, Mr. Chair. Wouldn't this develop a burden on the subsistence hunter in that area or
another burden on them? I mean would it have to go through this process again in order to get this thing done, the public comment period and all that?

CHAIRMAN DEMIENTIEFF: No. We can -- see Unit 13 already has a Federal registration permit, you have to have to hunt, we'll just add that to Unit 11 and then you have to have that permit -- actually, no, if I understand right, if we did take that action it would actually make it easier on the subsistence users that have brought this proposal to us. Because right now they don't have that option of doing this, that is not traditional and customary with their people.

MR. MILLER: Mr. Chair, so in other words, with this permit you don't have to go through all this of having the external sex organs attached or something, you just have to have the permit?

CHAIRMAN DEMIENTIEFF: Yeah. We would go with the proposal but we'd just add the language that you must have that Federal registration permit in your possession. The Southcentral Regional Council recommendation, I'm talking about. Go ahead, Donna.

MS. DEWHURST: The only question I had was, I understand what you're talking about but if we're adding that requirement for Unit 11, the primary purpose I'm seeing would be that if a Federal subsistence user would be caught by a State enforcement officer and with the very small amount of non-Federal land in 11, I wonder what the odds of that occurring. Because if the Federal subsistence user was caught by a Federal officer, it wouldn't be an issue. It would only be if they were stopped by a State enforcement officer, and looking at the land status that's not a likely possibility in Unit 11. So I guess I question the need of having the Federal registration permit.

CHAIRMAN DEMIENTIEFF: Well, one of the obvious things is that, you know, people when they're coming out of the field, I mean if you've got an animal in your truck and you're stopped, you know, there's all kinds of different ways this could work.

MR. ALLEN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. ALLEN: You know, I understand the intent of the proposal but I think we need to bear in mind
that the Federal registration permit still, you know, does not provide a State law enforcement officer any information about where the moose is taken if the interview occurs away from the harvest area. Now, while in the case of Unit 11, you might, you know, be more likely to be given the benefit of the doubt, I would doubt that that would be the case in Unit 11. So to me it's problematic. The benefits that are derived from issuing or having a Federal registration permit especially for Unit 13.

And for those that are -- well, anyway, that's the only concern I would have. I'm not sure that what we're trying to accomplish here is going to occur because of a -- if a hunter in Unit 13 brings out a head and has a Federal permit and the State enforcement officer has to rely on where that animal was taken, having the permit by itself does not, in fact, protect them from possible citation from the State. That was my only point.

So still we're exposing subsistence hunters to -- by having a different regulation, we are still exposing subsistence hunters to possible violation by the State, being in violation if they don't have the sex organs.

CHAIRMAN DEMIENTIEFF: So what does anybody else feel about this, does that seem like a reasonable compromise? Ralph, you're willing to go with it for a year or two?

MR. LOHSE: Well, Mr. Chair, I agree that it's something that's going to have to be watched. And I think that one of the things -- one of the problems that is going to be a possibility is exactly what Dave was just talking about and we're going to have to see how much of a problem that is.

The idea that once you've transported it off of Federal land you're on State land and State jurisdiction and you might have trouble showing where you got it is -- you know, this is how it works in other places. I know I'm thinking back to one of the places that I fished as a child on Federal land, it had different regulations than State land did but as soon as you crossed on State land you were under State authority and your ducks better be in a row.

I think one thing that's going to have to be made evident on your permit is you're going to have to make sure and inform people that this only applies on Federal land. There are some risks involved that they -- you know, that they want to make sure and be aware that they are going to
have to show. And also that it's behoove on the people who would like this proposal passed, that they make it work. I mean if it turns out that we find that this has increased a lot of illegal moose take and stuff like that you're going to have no choice but to take this proposal back away. And so it's going to be up to the people who are out in the field to make sure that they abide by the intent of the law and not use it for a way to circumvent the law.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: I don't think this is going to be an isolated circumstance. So I think it would be an opportunity to find out the compatibility of the two governments and their two systems of management. We have to give credence to the credibility of the hunter in either case and we need to see if that will stand the test of that. And if it doesn't, it will give us something to work on in the future.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Doesn't the registration permit, doesn't that have your location of where you harvested or does that come on the State harvest ticket; how does that work?

MR. BOS: Mr. Chair, there's a harvest report form that's part of the registration permit. But that's not required to be filled out immediately. There is a punch harvest ticket section on the registration permit that the person indicates the date taken. It's afterwards that he sends the report form in, that he fills out where the location of the kill was.

MR. ALLEN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. ALLEN: Greg also informs me that we already have a similar regulation with the State having to do with antler size in Unit 13. In other words, it's, right now, if I understand this right, technically, a subsistence -- a legitimate subsistence hunter who is in possession of an antlered animal, which is a lesser than an animal with a larger antler conceivably could be cited and being in violation of the State regulation. In other
words, the situation already exists, and this is just going to be another example.

I'm not aware, unless the State, you know, has any information, anybody's been cited that way. But this separation, if it continues to widen, obviously, you know, could be cumulative in terms of the exposure that a subsistence user might have. I'm not sure that since the situation already exists, that adding this change of an option of sex organs versus head greatly increases their exposure in terms of differential enforcement.

The permit in Unit 13, similar to Unit 11 perhaps gives some additional information to an enforcement officer but clearly it does not completely remove a potential citation.

So I guess in summary, we're already across that line in having some differential regulations that expose subsistence users, this is just going to be one more situation added to it.

CHAIRMAN DEMIENTIEFF: So we have that in place in Unit 13 right now, is that what you're saying?

MR. ALLEN: That's what I understand with antler size.

CHAIRMAN DEMIENTIEFF: With taking the head out on the Federal registration; is that what we have?

MR. BOYD: I think what Mr. Allen is referring to is that the State requires a spike-fork 50; is that correct and we require any bull so there's a differential, a difference in those requirements, antler requirements.

MR. ALLEN: And the State regulation requires that the antler be taken out with the animal; is that correct?

CHAIRMAN DEMIENTIEFF: So nobody knows of any problems with that regulation in Unit 13? Have you heard of any, Ralph?

MR. LOHSE: No, I haven't heard of any. I think the person to ask that would be Dave Lorring, I think he's still here. Because that's an issue that I haven't thought of is the fact that we already have differential regulations there and this would just add one more thing to
LT. LORRING: Mr. Chair, I don't have any information about this regulation difference at all. Unit 13 is not my area so I would have to contact the people down in Palmer and ask that question, if there's been some problems, so I can't help either.

CHAIRMAN DEMIENTIEFF: I want to backup a second here and invite either Gloria or Donna, if you would, do you guys know of any problems up in that area with the differential in the moose regulations at this point? Have their been any problems in Unit 13, Gloria, that you're aware of?

MS. STICKWAN: I don't know of any problems. I just would like to say that -- could I speak to this proposal?

CHAIRMAN DEMIENTIEFF: Pardon?

MS. STICKWAN: Could I speak to what you guys are talking about here?

CHAIRMAN DEMIENTIEFF: No, really, I -- you know, we're past the point of public testimony.

MS. STICKWAN: Okay.

CHAIRMAN DEMIENTIEFF: But you can go through your Regional Council rep and get things to -- I don't want to backup right now at this time.

MR. CESAR: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CESAR: I just can't help but think that if we had had even more than minor problems with this dual kind of situation we'd have heard about it. I mean as much scrutiny as these programs are coming under, it seems to me like a change that causes, you know, someone to be arrested because of the difference wouldn't stay silent too long, I wouldn't think. I guess it would be my initial reaction that it's probably an anomaly but, hey, we got a lot of them in our lives, you know.

CHAIRMAN DEMIENTIEFF: The other thing, too, is that we could really take a look at putting, like the State tag, where you've got to put an area on the form
where you put down the area that you harvested from right there, you know, right at the time. That you got to have that registration form on you and yet, I don't know if we can do it this year but, you know, at least for next year to where you disclose the area, this was hunted in Unit 11, specifically at, you know, like that and just have that have to be punched out right there as well.

Terry, I'm sorry.

MR. MACHIDA: Thank you, Mr. Chairman. I believe I could address or answer, to some extent, the question that you have. We don't really believe that the difference in antler requirements for subsistence hunters versus non-local hunters is really that much of a problem. Because currently the State, for Unit 13 has a Tier II hunt for moose in place and one of the requirements of the Tier II hunt is that they just need to take an antlered bull. The 50-inch three brow-tine requirement doesn't apply to Tier II moose hunters. And the local resident is probably going to obtain both the Federal permit and a Tier II permit and most of them would qualify for a Tier II permit and the reason for that is because with these two permits they can virtually hunt anywhere in Unit 13 and take a moose.

So, you know, we just haven't seen this dual antler regulation as being a requirement because the State already has a provision for local residents to take just an antlered bull and not comply with the 50-inch three brow-tine requirement.

CHAIRMAN DEMIENTIEFF: Okay. Ralph.

MR. LOHSE: Mr. Chair, just a question. On the permit that you were talking about having, you're just talking about the current permit that's in place at this point in time, not an additional registration permit, aren't you? It's just the standard Federal permit that you have in place in Unit 13 right now?

CHAIRMAN DEMIENTIEFF: Yeah, in Unit 13. Basically, talking about adding Unit 11 and you have to have that permit in hand for this regulation.

MR. LOHSE: But it's the same permit that you already have?

CHAIRMAN DEMIENTIEFF: Yeah, right.
MR. LOHSE: Thank you, muchly.

CHAIRMAN DEMIENTIEFF: The only thing I was suggesting we may want to do is do like the State tag and disclose the site where you killed before you transport. You know, so that would clear that up, anyway. If somebody was to get stopped at least they'd say, well, I harvested here under these Federal regulations and I'm transporting home.

What's the pleasure of the Board here?

MR. ALLEN: Do we have a motion on the table?

CHAIRMAN DEMIENTIEFF: No. We've just been.....

MS. GOTTLIEB: Are we ready for one?

CHAIRMAN DEMIENTIEFF: Yeah, I think so.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I move that we support the proposal as modified by the Southcentral Regional Council but with the addition that we would have a -- add a permit hunt to Unit 11 and disclosure information about the hunt, the kill site.

CHAIRMAN DEMIENTIEFF: And also you had in your motion that you must have the Federal permit in your possession?

MS. GOTTLIEB: Correct. Federal permit must be in possession.

CHAIRMAN DEMIENTIEFF: Okay. There's a motion, is there a second.

MR. CESAR: I would second that motion.

CHAIRMAN DEMIENTIEFF: Okay. Well, I think it's one of the things I'm willing to support it, you know, in trying to put something together that can work. And if we have a problem I am just as willing to come back with a special action and make the problem go away until we can work out something in the longer term.
And, yes, that is the challenge, basically. If this is successful in adopting, the burden's going to be on the people in that area and we're going to have to communicate that to them. If it's going to work they're going to have to make it work. Clearly, there's no doubt about it. Otherwise we go back to square one until we can come up with another idea to resolve the problem.

Okay. Further discussion.

MR. CAPLAN: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CAPLAN: Yeah, I just wanted to say, I continue in my support of this proposal and also think that the changes as offered are good changes. It will decrease the risk to the subsistence hunter and I think that's very valuable.

Thank you.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

Further discussion. I agree that it decreases a risk to the subsistence hunter, I think it's going to make enforcement a little easier. At least it will be clear that they have to have that. And I don't think it jeopardizes the resource, you know. Like I say, if we do have a problem we'll have to take action quickly.

Any further discussion. Hearing none, all those in favor of the motion signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Next item, 22 is a consent agenda. The next proposal up is Proposal 23. Analysis.

MS. DEWHURST: Well, I'd like to hope that Proposal 23 will be a little bit easier than the last one. This is for a beaver summer hunting season in a number of units in Southcentral. This was at the request to provide additional subsistence opportunity in the summer and to allow the subsistence user to be able to hunt beaver versus just trapping. So they would be able to take beaver with a
The beaver population is incredibly healthy in that area. It's hard to keep it down because the price of pelts is, of course, low so it doesn't provide a lot of trapping incentive. And this proposal was primarily geared not so much acquiring pelts because pelts aren't very good in the summer, more as a meat, using beaver as a meat source. So at this point there's no biological reason to oppose it.

CHAIRMAN DEMIENTIEFF: Written public comments.

MR. MATHEWS: Yes, Mr. Chairman. We had four public comments in support. The Copper River/Prince William Sound and the Cooper Landing local Fish and Game Advisory Committee supported as well as the Copper River Native Association and the Wrangell-St. Elias Subsistence Resource Commission.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman. Although the Department has no biological concerns with this proposal we do have a few comments. At its January meeting this year, the Board of Game classified beaver as a fur animal which allows beaver to be harvested under terms of a hunting license.

However, the State currently has no beaver hunting regulations in the units covered in this proposal. Beaver can be taken with firearms under provisions of a trapping license during the established trapping seasons. If this proposal is adopted, beaver hunting before and after the current trapping seasons would be authorized only on Federal public lands in the affected units. Similarly, beaver hunting would not be authorized on State and private lands during the trapping seasons. Federal subsistence hunters would then have the burden of determining what are the Federal lands on which beaver hunting is authorized in the Federal regulations.

CHAIRMAN DEMIENTIEFF: When does the Board of Game take up beaver in that area again?

MR. HAYNES: Mr. Chairman, March of next year.

CHAIRMAN DEMIENTIEFF: That may be an
opportunity for them to -- for the Board to consider aligning the seasons with the Federal if they're going to go under one regulation. If there's no biological concern, which there isn't, throughout most of Alaska anymore right now for beaver. But we may suggest that to the Council or somebody, who proposed this one?

MR. BOYD: It was proposed by the Southcentral Council.

CHAIRMAN DEMIENTIEFF: Thank you. Public testimony, yes, Donna Williams.

MS. WILLIAMS: I would just like to say that CRNA does support the beaver season proposal just to go on record.

CHAIRMAN DEMIENTIEFF: Okay. Thank you, very much. Regional Council recommendation.

MR. LOHSE: Mr. Chair, as you can see this was actually submitted by Southcentral Regional Council. At this point in time beaver are probably at the lowest monetary value than they've been in 200 years in real dollars. They actually have a bigger value as a meat product than they do as a fur. This would give opportunity to people in summer camps, cultural camps, fish camps to access these animals for meat and there is no biological reason not to have it. So we thought this was a good way to make use of a resource that currently isn't being made use of.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. THOMPSON: Mr. Chairman, the Staff Committee recommends adopting the proposal as recommended by Southcentral and Eastern Interior Councils.

CHAIRMAN DEMIENTIEFF: Good. We'll move on to deliberations. I think the only thing I would encourage the Councils is to make proposals to the State, to the Board of Game. They're going to be -- I don't know when they go out but they're going to meet in March to take it up but you might want to align your seasons up in that area and reduce the burden.

Any other discussion. Is there a motion.

MR. WILSON: Mr. Chairman.
CHAIRMAN DEMIENTIEFF: Yes.

MR. WILSON: I move to adopt the proposal in support of the Southcentral Council.

CHAIRMAN DEMIENTIEFF: Thank you. Is there a second.

MR. CAPLAN: Second.

CHAIRMAN DEMIENTIEFF: Seconded by Mr. Caplan. Further discussion. Hearing none, all those in favor of the motion signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay, 24 is consent. 25 is the next proposal.

MS. DEWHURST: No. 25 was.....

CHAIRMAN DEMIENTIEFF: Well, excuse me, Donna. I'll just say we're probably going to try to get through Southcentral. We've got 25 and 26 is consent and 27 is, so even if we run a little bit late we'll just adjust our lunch hour but I think we can get through Southcentral before we move on to the next region. Sorry, Donna.

MS. DEWHURST: 25 was submitted by the Paxson Fish and Game Advisory Committee. It was to align Federal with State regulations adjusting the ptarmigan bag limit from 20 and 40 to 10 and 20, so we're basically cutting it in half. And this is Unit 13.

The only biological concern I was able to come up with is that there is some evidence that there's pretty good ptarmigan hunting pressure or increasing ptarmigan hunting pressure along the Denali Highway but the Denali Highway is not where our Federal lands occur as we've talked about in previous proposals. We have very limited Federal lands in Unit 13 and the evidence I was able to come up with is that there are no problems with the ptarmigan populations on Federal lands in Unit 13. So basically there is no biological reason to support this
proposed restriction of Federal subsistence users.

CHAIRMAN DEMIENTIEFF: Thank you. Summary of written public comment.

MR. MATHEWS: Yes, Mr. Chairman, there were three in support. One from an individual and support also from the Paxson local Fish and Game Advisory Committee and the Wrangell-St. Elias Subsistence Resource Commission. There were two in opposition, the Copper River Native Association and the Denali Subsistence Resource Commission opposed the proposal because there is no biological need for it.

That's all.

CHAIRMAN DEMIENTIEFF: Thank you. State.

MR. HAYNES: Thank you, Mr. Chairman. The Department supports this proposal. Although we agree that there currently is no biological need to reduce the ptarmigan bag limit in Unit 13, the small amount of Federal land in this unit requires that hunters be able to verify the land status when hunting and ensure that they are on Federal public land if they take more ptarmigan than are allowed under the current State regulations.

If this proposal is adopted, we recommend the Federal Staff provide local public outreach and education to ensure that hunters easily identify the Federal public lands in Unit 13. Since the State and Federal hunting regulations differ for several species in Unit 13, this outreach effort should address more than just ptarmigan.

CHAIRMAN DEMIENTIEFF: Thank you. Donna Williams, public testimony.

MS. WILLIAMS: I'm wearing out a path here. CRNA does not support -- or Copper River Native Association does not support limiting harvest for ptarmigan.

That's all.

CHAIRMAN DEMIENTIEFF: Thank you. Regional Council recommendation.

MR. LOHSE: Mr. Chair, our Regional Council opposes this proposal. And basically we proposed it on -- we oppose it on the reason that if there is no biological reason to limit harvest there's no reason to restrict
subsistence access. So we recognize that there could be
problems crossing borders and things like that but we don't
believe in restricting access if there's no biological
reason.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee.

MR. THOMPSON: Mr. Chairman, Staff
Committee recommends the Board reject the proposal
consistent with the recommendations of the Southcentral and
Eastern Interior Councils.

CHAIRMAN DEMIENTIEFF: Thank you. More
Regional Council discussion.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: Mr. Chairman, the intent of
this proposal is in direct conflict with .801. .801 says
that continued opportunity must be in place.

CHAIRMAN DEMIENTIEFF: Any further
discussion. We're ready for a motion if somebody is so
inclined.

MR. WILSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. WILSON: I make a motion that we reject
this proposal in support of the Southcentral and Eastern
Interior Subsistence Regional Advisory Councils.

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

MS. GOTTLIEB: Second.

CHAIRMAN DEMIENTIEFF: Moved and seconded.
Additional discussion. Hearing none, all those in favor of
the motion signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same
sign.
Chairman Demientieff: Motion carries.
Okay, 26 consent -- 27, analysis please.

Ms. DeWHURST: This proposal requested two things. One was to extend the Federal trapping seasons for marten and weasels and the other was to realign the way we organize our trapping regs as far as marten, mink and weasels.

The issue of the seasons change, you already approved, basically the -- the requested season change under Proposal 2. So the only thing remaining in this proposal was the issue of realigning the way we organize our trapping regs. And the concern was our trapping regs currently are organized the exact same as the State's so the user could hold the two next to each other and it would be very easy to compare trapping regulations between the State and the Federal system. If we reorganized, it would make it a little more difficult for the Federal subsistence user.

Chairman Demientieff: Summary of written comments.

Mr. MatHEWS: Yes, Mr. Chairman. The Paxson local Fish and Game Advisory Committee supports it. The Denali Subsistence Resource Commission supports with modification to align with seasons listed in Proposal 2. The Copper River Native Association opposes the proposal because it does not support increased trapping season with no limit. And just note for the record that the Wrangell-St. Elias Subsistence Resource Commission deferred for clarification not with clarification, they deferred for clarification and that's all.

Chairman Demientieff: Department.

Mr. HAYNES: Mr. Chairman, the Department supports the intent of this proposal to align the State and Federal subsistence trapping seasons for marten and weasel in these units. However, the current State trapping season for marten in Unit 13(E) is November 10 to December 31, current Federal season there closes on January 31 and the proposed change would extend the season to February 28th. Proposal analysis does not indicate what, if any, impacts an additional month of trapping would have on marten populations on Federal public lands in Unit 13(E).
If extending the already longer Federal season in 13(E) would not have any biological impacts, then we do not oppose the season extension there.

CHAIRMAN DEMIENTIEFF: Thank you. Let me see, Donna Williams, public testimony.

MS. WILLIAMS: I would just like to go on record that Copper River Native Association does not support eliminating trapping season for marten.

CHAIRMAN DEMIENTIEFF: Thank you. Regional Council recommendation.

MR. LOHSE: Mr. Chair, our Regional Council took no action on this because we felt that we had already covered this under statewide Proposal 02 which aligned the seasons with the State season. We didn't see any reason after aligning all the rest of the seasons with State season to take one specific set of animals and change them back out of the alignment.

CHAIRMAN DEMIENTIEFF: Thank you. Do you have comment, too, Charles?

MR. MILLER: No comment.

CHAIRMAN DEMIENTIEFF: Okay. Staff Committee.

MR. THOMPSON: Mr. Chairman, Staff Committee recommends the Board adopt the recommendations of the Regional Council.

CHAIRMAN DEMIENTIEFF: Okay. Board comments, additional Regional Council comments.

MS. GOTTLIEB: Mr. Chairman, just so I'm clear, Staff Committee adopts the recommendation that no action be taken?

MR. THOMPSON: (Nods affirmatively)

MS. GOTTLIEB: Thank you.

CHAIRMAN DEMIENTIEFF: So then that would leave us in line with the State system. Good. Any other discussion. We're ready for a motion.

MR. WILSON: Mr. Chair.
CHAIRMAN DEMIENTIEFF: Yes.

MR. WILSON: I move that we adopt this proposal as it's supported by the Southcentral Alaska Subsistence Regional Advisory Council. That would keep it consistent with Proposal 2.

CHAIRMAN DEMIENTIEFF: So what would a motion to table do, that would keep it the same, right? Is that what we're saying, basically? And that's consistent with the interagency Staff Committee recommendation and Southcentral Regional Council. Is there a motion to table?

MR. CESAR: I so move.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. ALLEN: Second.

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay, at this time we are going to recess for lunch we'll come back at 1:00. Terry.

MR. HAYNES: Mr. Chairman, could you roughly indicate how far you plan to go today?

CHAIRMAN DEMIENTIEFF: 4:30, 5:00.

MR. HAYNES: Do you intend to stop if you get to a certain region?

CHAIRMAN DEMIENTIEFF: No. It's really tough to say. I mean we're going to go -- we're going to do a full day's work unless we -- sometimes when we get to 4:30 or so and if we're going to switch regions sometimes we'll do that. It's hard to say, we only have 12 actual proposals to do.

Anyway, listen up, before we recess here, I want everybody to understand what our plan is for this
afternoon. We're going to come back at 1:00 or shortly thereafter and we're going to go to -- we're going to flip-flop Western and Eastern Interior. We're going to have public testimony, we've already got one request for public testimony right at 1:00. And then we'll have Western Interior, all of their proposals are on the consent agenda but there is a report, Mr. Rogers is here from Fish and Game on the Koyukuk River Moose Plan and so we're going to hear a report and then we'll move into the Eastern Interior. So that's how we're going to start out the afternoon. And there are only 12 proposals left so we may have a day off tomorrow.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: I'll call the meeting to order. Robert Willard, Jr., is going to open up public testimony on general issues not on proposals from the Southeast Native Subsistence Commission. Welcome, Bob.

MR. WILLARD: Thank you, Mr. Chairman. Mr. Chairman, members of the Federal Board my name is Robert Willard, Jr. I'm from Angoon, which is located on Admiralty Island. My wife and I reside in Juneau. I'm here on behalf of the 4,500 Alaska Natives and American Indians that reside in Juneau. I serve on the executive committee of the Southeast Native Subsistence Commission. Each of our communities in Southeast elect a commissioner to represent their community. We also have representatives from the Tlingit and Haida Central Council, the Sea-Alaska Corporation, the Grand Camp of the Alaska Native Brotherhood and the Grand Camp of the Alaska Native Sisterhood.

In the past 10 years we have approached the Federal Subsistence Board to address the issue of subsistence opportunity for Juneau. We realize that the Federal Board determined in 1990 that subsistence eligibility was based upon rural determination. I might take issue with that but I think the greater issue right now is what is happening to the Native community in Juneau. The Federal Subsistence Board closure of Juneau in 1990 likely precipitated a determination by the Alaska State Legislature to declare and enact legislation that created the non-subsistence user in 1992. Since then, I have approached the U.S. Senate Oversight Committee in 1992 appealing to them to correct the 1990 Federal Subsistence Board decision. We have also submitted proposals to the Federal Subsistence Board over the years.
I'm here on behalf of all 28 Native organizations in Juneau to appeal to you to consider declaring subsistence opportunity for Juneau. We are not asking for a preference, so to speak, as is -- as we believe in the rural preference of when the resource declines in population. We support that decision in Title VIII of ANILCA. The opportunity, though, we believe is available in Section .801(3) of Title VIII.

What is happening now in Juneau is that the knowledge that kept the culture alive all these thousands of years is being systematically destroyed by laws, Federal and State, regulations interpretations thereof, public policy, court decisions, and delay after delay. We have a generation that, if they were born in the early 1980s have no memory of their mother and father going out subsistence hunting, subsistence fishing, food gathering and that activity. You must understand that we have a tribal obligation to pass the knowledge of our cultural existence on to the next generation. What is particularly dangerous for us at this point is that those children will have no knowledge to pass on to their children, and that is the problem, Mr. Chairman.

We have made several attempts to explain to the children the subsistence lifestyle and the subsistence culture which Congress determined to be a cultural existence with very little success. They need the wisdom of where to hunt, when, when not to, where to fish, when, when not to, and how to and where to gather berries, when, and the effects of weather and the timing and how to prepare these wild renewable resources for preservation and the preparation thereof. They have no personal knowledge of these activities that is common place in all of our other communities, having been closed to subsistence.

The Juneau Native community petitions the Federal Subsistence Board to reconsider their 1990 decision. We submitted a proposal to the Federal Subsistence Board on January 2, we accompanied the Schmidt report of 1943, 1946, that details the customary and traditional uses of the Juneau, Douglas and Auke Bay areas that well establishes the customary and traditional uses. These uses would continue except that the laws of the state and the laws or the regulations of the Federal Subsistence Board prohibit such activity. We feel that we do have a very serious situation in Juneau. We ask that the Federal Subsistence Board allow subsistence opportunity in the Juneau, Douglas and Auke Bay area. As I indicated, we are not asking for a preference. The harvest by other users
continues in the Juneau area. The sport, personal use, charter vessel fishery, except that subsistence is closed, and we believe that is wrong and we would ask that it be reconsidered.

I will be returning to Juneau to deliver a report of your determination and to the other Southeast communities. We have tried so many times over the years because we feel that the culture is being very severely destroyed because of the lack of subsistence opportunity.

I might appeal to you and ask that it is our determination and for you to consider, we believe that Title VIII of ANILCA was enacted by the Congress to protect and continue the cultures of the Alaska Natives whose cultures are dependent upon the harvest and uses of the wild renewable resource, except that ironically it is Title VIII that is destroying the cultural existence of our people in Juneau. And I humbly ask for your determination on behalf of our children, our grandchildren and their children.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Mr. Willard, are you expecting a decision this week; is that what you're saying?

MR. WILLARD: We would ask that the Board consider that.

CHAIRMAN DEMIENTIEFF: Yeah, that's.....

MR. WILLARD: When the Legislature began their work this year, I approached several of them, they were reluctant to do anything this year. The action of the Legislature to repeal their 1992 subsistence law would be influenced by your determination this year.

CHAIRMAN DEMIENTIEFF: Yeah, the reason I'm saying that is because there's no way we could even consider that this week. We've got regulatory -- we're right in the middle of our regulatory meeting.

MR. WILLARD: Yeah.

CHAIRMAN DEMIENTIEFF: But I think if you get with Staff, we can get the right paperwork filed for, you know, petition for recon -- to reconsider, is that what we call them Keith, a petition to reconsider a previous ruling? Is that how we -- that's how we did it when --
anyway, we can make sure you got the right paperwork and
get that filed but I mean there's no way -- I mean if I
realized that you were going to do that I probably would
have shortened your testimony so we could get on with our
regular -- no -- I mean no insult meant.....

MR. WILLARD: Sure.

CHAIRMAN DEMIENTIEFF: .....but, you know,
if you get a petition for reconsider in then we're going to
hear it. You'd have ample opportunity to present your
views in support of your petition at that time. So, you
know, basically that's where we're at. But I thank you
anyway. You just get the right paperwork filed this week
and then we'll take it up as soon as we can.

MR. WILLARD: Thank you, Mr. Chairman. I
don't want to interfere with your region considerations.

CHAIRMAN DEMIENTIEFF: Okay, thank you very
much.

MR. WILLARD: Thank you, very much.

CHAIRMAN DEMIENTIEFF: If one of the Staff
can make sure that he gets the right paperwork to file
from, Tom, Peggy, I don't know, make sure we get it squared
away.

MR. BOYD: I'll talk to him.

CHAIRMAN DEMIENTIEFF: Okay. At this time
we're going to do Western Interior, which has all of their
items, as I said before lunch, on consent agenda, but we
have the Koyukuk River Moose Management Plan; is that the
one we're bringing up right now, the report on it -- yeah,
that's fine, wherever you're comfortable.

MR. ROGERS: Thank you, Chairman
Demientieff. My name is Randy Rogers and I'm here
representing the Alaska Department of Fish and Game. I
know your schedule is busy and I appreciate the Federal
Subsistence Board providing me time for brief presentation
on the draft Koyukuk River Moose Management Plan.

My comments relate to the Western Interior Regional
Advisory Council Proposals No.'s 42, 46, 47 and 48. As
amended in recent Council teleconference, these proposals
will align Federal and State regulations in Units 21(D) and
24 and are supported by the Alaska Department of Fish and
First to start off I'd like to thank the Western Interior Regional Advisory Council for their involvement in the Koyukuk moose management planning process. The Western Council helped get the project underway with their resolution of support adopted at their March 1999 meeting in Galena. Council members, Benedict Jones, Michael Stickman, Ron Sam and Jack Reakoff have contributed throughout the planning process. We also appreciate the role of the U.S. Fish and Wildlife Service, Office of Subsistence Management in providing funding for additional Western Interior Council members to participate in meetings and the involvement of the Subsistence Staff. Finally, I want to thank Gene Williams, Tom Early and Staff from the Koyukuk and Kanuti National Wildlife Refuges and the other involved Federal agencies for participation in the project. We couldn't have made the progress we have without the cooperative effort of all the State and Federal agencies and representatives of both rural and non-rural hunting interests. I hope the Koyukuk planning process can be an example of cooperation that we can all try and build on in the future.

I won't have time to describe the planning process and results in detail but I'll try to cover some of the main points from the plan and I'm available for questions any of you might have.

We've passed out copies of the draft plan and a recently completed newsletter. I understand we may be a little short in copies of the plan but we can certainly get more of those.

The Koyukuk River Moose Hunters Working Group is composed of members of the Koyukuk River, Middle Yukon River Advisory Committees, the Western Interior Council, non-local advisory committees and a commercial guide. This was a special organization that we put together just for this planning process to bring all the stakeholders together. Overall, eight members, including the commercial guide are from the local area while four members represent non-local hunting interests. Representatives on the working group were intentionally drawn from existing wildlife management advisory bodies and emphasized persons who personally participate in Koyukuk moose hunting. Agency personnel were involved as technical advisors.

The working group held a series of six meetings between May 1999 and February 2000. All meetings were open
to the public and everyone was encouraged to participate. We used a consensus decision-making process. Following each meeting, meeting summaries were mailed to all who had expressed interest including the village councils in the area, members of the Western Interior Council and local advisory committee members. The preliminary recommendations of the Koyukuk River Moose Hunters Working Group were circulated for public review in fall 1999. The Middle Yukon and Koyukuk River Advisory Committees supported the preliminary recommendations during their joint meeting in Huslia as did the Western Interior Council at its meeting in Aniak. I traveled to nearly every village in the Middle Yukon and Koyukuk River last fall trying to share information on the planning process and solicit feedback from folks in the villages. Unfortunately, I got sick before I made it to Atlatna and Allakaket, so I didn't get to Ron's town.

While rural and urban members on the working group achieve consensus on major changes in the lower Koyukuk moose hunting regulations, not everyone agreed with the planning process and the regulatory changes. Early in the process, a coalition of local residents calling themselves the Koyukuk River Tribal Task Force on Moose Management filed a lawsuit against the State. Tanana Chiefs Conference was kept informed as a technical advisory but did not participate as closely as we had hoped. During the Board of Game meeting last March, some urban hunters going by the name Koyukuk River Moose Hunters Association testified against restricting general hunting opportunities at all. Representatives of the Koyukuk River Tribal Task Force testified that the general hunt should be completely eliminated. And by general hunt I mean, in the Koyukuk area there's two separate hunts set up right now, there's a subs -- there has been a subsistence registration hunt and a general drawing hunt. The general hunt is, you know, more commonly referred to as the sport or trophy side of it, although many of those folks, the meat is just as important to them.

The local subsistence hunters have been understandably concerned with the steadily increasing numbers of non-local hunters, residents of the area have maintained a reasonably high level of subsistence use of moose. Division of Subsistence 1999 harvest survey results for Middle Yukon and Koyukuk River communities indicate that 91 percent of households use moose, 69 percent hunted moose and 49 percent harvested a moose.

Presently there are indications of a decline in the
Koyukuk River moose populations and this is of concern to both hunters and State and Federal biologists. Nonetheless, relative to many other areas of Interior Alaska, moose in the Koyukuk Basin, particularly in the lower river remain abundant. At it's spring meeting, the Board of Game carefully reviewed the status of Koyukuk moose populations and the harvestable surplus. The Board increased their determination for the amount of moose necessary to meet subsistence needs and they noted that the harvestable surplus exceeds the subsistence need at this time.

The Board of Game adopted all the regulatory proposals stemming from the planning process with only minor revisions. There were no reductions in subsistence opportunity, however, the subsistence season in the Koyukuk Controlled Use area was shifted five days forward to provide hunting opportunity for local residents before general hunters arrive in the area.

One revision made to the proposals by the Board of Game was to provide a five day antlerless season in the fall subsistence hunt. Both State and Federal biologists had recommended no fall cow harvest. Representatives from the Middle Yukon Advisory Committee felt it was not appropriate to completely eliminate all fall cow harvest when as recently as last year cow harvest was allowed in the general hunt. Because antlerless moose seasons require an annual reauthorization, this provision can be closely monitored and changed, if necessary.

The most significant action the Board of Game took was changing the general hunt from a registration system to a drawing hunt with a strict limit on the number of permits to be available. The Board authorized the Department to issue up to 320 resident and 80 non-resident general hunt permits for a total of 400 permits in the entire Koyukuk Controlled Use area. This is approximately the level of general hunting that occurred in the 1998 season and was recommended as the maximum allowable level of general hunting by the working group.

At the same time, the Department informed the Board of Game that based on indications, a decline in the moose population, we would only issue 258 permits for the fall 2000 season. This compares to 380 general hunt registration permits issued in 1999 in the portion of the Koyukuk Controlled Use area downstream from Huslia. So overall we're looking at a very significant reduction in the level of general hunting in the Lower Koyukuk.
For the Fall 2000 general hunt -- or 2001, excuse me, the permit application and drawing schedule is going to be changed to occur in December and January rather than spring. The Department is going to have to project permit numbers earlier in the year and we're going to need to be conservative in doing so. The Koyukuk River Moose Management Plan provides that reasonable subsistence opportunities must be provided before general hunting opportunities.

So if, for example, Glenn Stout, the Galena area biologist, projects a 10 percent decrease in the moose population and a commensurate reduction in the harvestable surplus of moose, the number of general hunting permits must be reduced to achieve the appropriate reduction in harvest. This scenario may result in a further reduction of general hunting permits for the 2001 season. The key point here is that first the general opportunities get cut back before there's any reduction in subsistence.

If subsistence demand increased or the moose population declined to the point where the entire harvestable surplus is needed for subsistence, the management plan provides for discontinuing the general hunt. If restrictions among subsistence users became necessary a Tier II permit system would be required. Under Alaska State law, all Alaska residents are potentially eligible for the subsistence permits. We don't know how many Alaska residents will choose to participate in the subsistence registration hunt. If there's a significant increase in non-local subsistence users, further adjustments to the general permit numbers or regulations may be needed. Hopefully, implementation of a strict policy on destroying the trophy value of antlers in the subsistence hunt by sawing through one palm and requiring the hunter to salvage the head along with all the meat to the final point of processing will discourage increased participation in the subsistence by non-local residents.

The Department has announced that we'll keep the comment period open on the draft Koyukuk River Moose Management Plan through November 1. Following that, we intend to have another meeting involving members of the working group and others to determine if further adjustments to the hunting regulations are needed. Also, as recommended in the draft plan, the Department will closely monitor hunting in the Upper Koyukuk and Middle Yukon for increased pressure that could result from changes in the Lower Koyukuk hunting regulations.
Not everyone has fully supported the Koyukuk River Moose Hunters Working Group planning process or the regulation changes adopted by the Board of Game. However, the working group composed of local and non-local hunters achieved consensus on significant changes in Koyukuk River basin moose management. The opportunity remains to make further changes if public comment or observations from the fall 2000 hunting season indicate they're needed. It would have been difficult to achieve this level of agreement without a forum where all local and non-local hunters could share information and ideas and develop a better understanding of each others perspectives.

Non-local hunters have been amazingly supportive of the planning process, especially considering the reductions in general hunting opportunity that are taking place. Local residents will more fully appreciate the changes that have occurred through the planning process when they personally observe an improved hunting situation this coming fall.

Thank you. That's it for a quick summary. To go through the details of this at the board of Game meeting it took us two hours so I know you guys have short time but I will be happy to answer any questions you might have now or in the future.

One point I would mention is that we will be looking at other areas where we can generate these cooperative planning processes and a possible location for future efforts might be working in the Yukon Flats area and if that was the case we would certainly want to work very closely with members of the Eastern Interior Regional Advisory Council.

Thank you.

CHAIRMAN DEMIENTIEFF: Ronny, you're going to be looking in the future for the Board to endorse the plan?

MR. SAM: Well, I haven't given that thought but I just wanted to get this on the floor as an example of how we can work with the Department in -- it more or less culminates a two and a half year effort to come up with a consent agenda as we did.

CHAIRMAN DEMIENTIEFF: Well, just so you share with your Council when you get back that you have that opportunity, you know, to have the Board endorse the
plan if your Council is so inclined to advance it to us
we'd be glad to look at it.

Randy.

MR. ROGERS: Yes, Mr. Chairman. The reason
we didn't specifically seek endorsement from the Board of
Game or your Board, initially, was we were on a really
tight time line and putting meetings together of the
working group just as closely as we could. We had a final
working group meeting in February where we made decisions
from that group as to what to move forward to the Board of
Game and into the Federal Subsistence Board and we really
didn't have a chance to spread that particular draft out
for widespread public review and comment. Even though,
conceptually, the Western Interior Council endorsed the
plan, they didn't have -- I walked into their meeting and
delivered the plan and so it would have been a little
unfair of us to ask for full endorsement without them
knowing the details of what was in the package.

CHAIRMAN DEMIENTIEFF: Yeah, well, normally
our process -- the way our process works, it would be the
Council who would advance it to us. And even if you did
advance it to us we'd just pass it back to the Council, so,
you know, if and when they decide then we'll be glad to
take a look at the plan in a little more detail.

MR. ROGERS: Great, we appreciate that.

CHAIRMAN DEMIENTIEFF: Thank you, very
much. Okay.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: May I ask for a comment?

CHAIRMAN DEMIENTIEFF: Pardon?

MR. THOMAS: May I ask for a comment on
this?

CHAIRMAN DEMIENTIEFF: Sure.

MR. THOMAS: Thank you, Mr. Chairman. I
really appreciate the work that's gone into this plan. And
like any other good management approach, I always have
several up front questions. One of them is what shape is
that population in at this point? And what are the
management ambitions with regards to the subsistence
harvest? And at what point would it require the
elimination of general use in order to see that the
subsistence requirements were met? Those are just three
general type of questions that I apply to every proposal.
And I was wondering if you had any response to those at
this point?

MR. ROGERS: I'd be happy to give it a try.
I'm not sure if I got all three of them down but the first
one was what is the health of the moose population at this
point? And the Lower Koyukuk River has had some of the
highest densities of moose in the entire world for the last
decade. That's really what's attracted the large steadily
increasing numbers of non-local hunters into the area.
For many years the population has been able to
sustain this increasing harvest. Just recently, in the
last few years, we've had indications based on lower calf
cow ratios that the population may be getting into trouble.
The surveys conducted this last fall showed a potential
significant decline so I don't think anybody expected to
keep the densities that were there for a very long period
of time. Because of the low calf cow ratio, it's suspected
that a major factor in the declining densities is
predation.

CHAIRMAN DEMIENTIEFF: Randy, I'm going to
-- we're going to have to cut it off. I mean I'm really
sorry but maybe you want to get with Bill on a break or
something like that and find out a little more detail.
Because you know, the Regional Council will advance it to
us if they're ready and that's the time where we'll have
these kinds of discussions.

Ronny.

MR. SAM: Yeah, thank you, Mr. Chairman.
Just briefly, I would like to thank the Office of
Subsistence Management and the ADF&G for going forward and
culminating this plan. Thank you.

CHAIRMAN DEMIENTIEFF: Yeah. And, again, I
thank you very much, Randy, we're just going to have to
move on. We thought we had less work than we did this
afternoon and if we do as many as proposals this afternoon
as we did this morning we still wouldn't get done with the
proposals we've got to do this afternoon so I've just got
to move on. They will advance it and it will get a full
airing if they decide to, the Council does.

MR. THOMAS: I'm going to remember this action, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: What's that?

MR. THOMAS: I'm going to remember this action you took just now.

CHAIRMAN DEMIENTIEFF: As long as you don't bring your gavel, Bill.

MR. ROGERS: Thanks, we appreciate the time you've given to this, though, and we will be around for questions.

CHAIRMAN DEMIENTIEFF: Good. Proposal No. 58. Who's the analyzer here now?

MR. BOYD: Pete DeMatteo.

CHAIRMAN DEMIENTIEFF: Okay, Pete.

MR. DeMATTEO: Mr. Chair, if it's possible for 30 seconds to retool our projector here.

CHAIRMAN DEMIENTIEFF: Okay.

MR. DeMATTEO: Mr. Chair, Proposal 58 was submitted by the Tetlin National Wildlife Refuge. This proposal would delegate to the Refuge manager the authority to determine the sex of the animal that would be taken and also the opening and closing dates for caribou in the winter to be announced season in the remainder of Unit 12.

As I mentioned the season is currently a to be announced season. It's often done in conjunction with the State but not always, sometimes the Federal season is open by itself. The season mainly targets the Nelchina Caribou Herd but the main conservation concern here is the Mentasta Caribou Herd which is less than 500 animals. So the biologists up in that region make certain that before the season is open there is adequate mixing of the two herds to minimize the risk of harvest to the Mentasta Caribou Herd. In the past three years, that I'm aware of, this Board has opened that season by special action probably a half a dozen times. Because the caribou move through that area very quickly, it's hard to predict when they'll be there. And because of the delay of the special action process,
sometimes that lends for a very narrow window or
opportunity for the users. So this proposal, by delegating
that authority to the Refuge manager, would provide for a
better subsistence opportunity and allow for more
flexibility of managing the Nelchina herd.

All the important and necessary safeguards are in
place. I think the drill is down pat between the Refuge
manager and also the area biologist, the Staff of the
Wrangell-St.Elias National Park and Preserve and also the
Chair of the Eastern Interior Regional Advisory Council and
the Chair of the Upper Tanana Fortymile Fish and Game
Advisory Committee. This is done in consultation with all
those people before it is opened. And I think they've had
plenty of practice in instituting the necessary safeguards
before it is opened.

Thank you.

CHAIRMAN DEMIENTIEFF: Written public
comments.

MR. MATHEWS: Yes, Mr. Chairman. We had
three public comments all in support. The Upper Tanana
Fortymile Fish and Game Advisory Committee supports the
proposal as well as the Copper River Native Association and
the Wrangell-St.Elias Subsistence Resource Commission.
Basically they support it as Pete has laid out, that it
would increase opportunity for them to harvest because it
would get over using special actions.

With that, there was no other comments.

CHAIRMAN DEMIENTIEFF: Department comments.

MR. HAYNES: Thank you, Mr. Chairman. The
Department supports this proposal. And our only concern is
that we feel there should be some direction provided to the
Tetlin Refuge manager regarding the population or other
criteria that would be used to determine if a winter season
should be open and, if so, what season dates and harvest
limits should be established. And we'd like to recommend
that the Federal Board provide this additional guidance
before delegating its authority as provided for in this
proposal.

CHAIRMAN DEMIENTIEFF: Thank you. Donna
Williams. Okay, that was the only request we had for
public testimony. Regional Council recommendation.
MR. MILLER: Yes, Mr. Chair, we still support Proposal 58. We don't have any other comments.

CHAIRMAN DEMIENTIEFF: Okay. Thank you. Staff Committee recommendation.

MR. BOS: Yes, Mr. Chair. The Staff Committee recommendation is to adopt the proposal with the modifications recommended by the Eastern Interior Regional Council. Delegating the proposed authority to the Refuge manager would allow greater flexibility in managing the Nelchina Caribou Herd and would provide better opportunity for local subsistence users. No additional impacts to the Nelchina Caribou Herd or the Mentasta Caribou Herd or loss of subsistence opportunity are anticipated as a result of the proposed regulatory change.

Compliance with established management objectives and necessary safeguards would be established prior to opening the winter season in the remainder of Unit 12. The requirement of consultation between State and Federal managers is essential to ensure that a winter season is opened only if it does not jeopardize the management objectives for the Mentasta Caribou Herd or the Nelchina Caribou Herd.

CHAIRMAN DEMIENTIEFF: Thank you. Board deliberation, Regional Council comment. Yes, Ralph.

MR. LOHSE: The Southcentral Regional Council also supported this.

CHAIRMAN DEMIENTIEFF: All right. Yes.

MR. EDWARDS: Mr. Chairman, I then move that we adopt Proposal 58 with the modifications that have been recommended by the Eastern Interior Regional Advisory Council.

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

MR. WILSON: Second.

CHAIRMAN DEMIENTIEFF: Moved and seconded. Additional discussion. Hearing none, all those in favor signify by saying aye.

IN UNISON: Aye.
CHAIRMAN DEMIENTIEFF: Those opposed, same
sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries. 59
is a consent item, leaving 60, I believe. Staff analysis.

MR. DeMATTEO: Proposal 60 was submitted by
the Stevens Village Tribal Council. This proposal proposes
several things.

First it would increase the number of Federal
registration permits for moose in Unit 25(D) west from the
existing 30 permits to an unspecified number of permits.
The permits would be issued to the tribal governments in
the Yukon Flats area which is Stevens Village, Beaver and
Birch Creek and the tribal governments would be responsible
for doling out the permits for the residents.

The proposal also requests a decrease in the number
of State Tier II permits issued by the State of Alaska.
And also the permitted hunters would be authorized to hunt
until a combined maximum total of 60 moose, no more than 20
of which shall be cow moose are taken within the combined
Federal, State and private lands comprising Unit 25(D)
west.

The proponent also requests that the Board delegate
to the three tribal governments the authority to establish
a community based moose management program.

Because moose populations in Unit 25(D) west
continue to be chronically low, the current Federal
regulations reflect this in the total allocation for moose
and the current allocation is 30 bulls by registration
permit. The conservation concerns are still there,
however, recent analysis of composition data from surveys
and also new population modeling that's been conducted by
ADF&G recently suggests that looking at the current
population, that the total allocation of bulls can be
increased. Both the State and the Refuge feel confidently
that, considering this new information, the total can be
doubled from 30 to 60 bulls but would not support the
addition of cow harvest at this time. The population
modeling when you factor in cows, 20 cows, it does show a
decline in the population overall.

To facilitate the proposal's request and also to
meet the conservation concerns it'd be best if the total
harvest allocation remained bulls only.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Public comment.

MR. MATHEWS: Mr. Chairman, I'm a little lost here on this one. I think we have listed there under public comments, the written comments from the Wildlife Refuge, Yukon Flats National Wildlife Refuge. I don't -- there's Staff here. I think it would be redundant for me to go over their length -- they have a page and a half of items there that they have as comments and they've been part of the deliberation throughout. So I'll leave it at that. I would assume that the Board will bring forth the Refuge Staff, if needed, for discussions on their points.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department supports this proposal with modifications. At it's March 2000 meeting, the Board of Game modified the season dates for the State moose hunt in Unit 25(D) west to be August 25 through February 28 consistent with the Federal subsistence season in the area. The Board of Game also revised the harvest quota to be up to 60 bull moose. This quota applies to all lands in Unit 25(D) west and to both the State and Federal subsistence hunts.

If a harvest quota for this hunt continues to be listed in the Federal regulations then we believe it should clearly indicate that this quota applies to the combined State and Federal hunts. The Department can revise this harvest guideline annually if necessary and would consult with the appropriate Federal land managers before instituting a change. Similarly, timely consultation between the State and Federal managers will be essential if the harvest quota is reached before the season closes.

Consistent with Board of Game action, the Department also does not support a cow moose harvest in Unit 25(D) west but does support the Staff Committee recommendation that determination of a tribal role in moose management be deferred until a moose management plan has been developed for the area.
Since the Federal Board has no authority to establish the number of Tier II permits that may be authorized for this hunt, the Department has agreed to issue only 75 Tier II permits for this hunt next season, consistent with one of the objectives in the proposal. However, the Department cannot limit eligibility for these permits only to residents of Beaver, Birch Creek and Stevens Village. The Federal regulations do not clearly indicate whether State Tier II permitees from Beaver, Birch Creek and Stevens Village may also possess a Federal permit.

Even with the higher harvest quota for the combined State and Federal hunts, close coordination and timely reporting will be important to ensure that the harvest quota for this hunt in Unit 25(D) west is not exceeded.

CHAIRMAN DEMIENTIEFF: Thank you, very much. Randy Mayo, public testimony. Are you going to testify together, you and Dewey?

MR. MAYO: Yes.

CHAIRMAN DEMIENTIEFF: Okay.

MR. MAYO: Thank you, Mr. Chair. Yeah, Randy Mayo, First Chief Stevens Village Tribal Government. One of the affected communities, you know, Beaver, Stevens and Birch Creek, you know, just wanted to speak to the cow harvest issue that, you know, for all these years there has been a cow harvest out there and since we started our monitoring and data harvest collections through our tribal natural resource director, you know, through the department there that, you know, we have started monitoring the correct numbers that the community has harvested, the number of cows and that this harvest is ongoing.

You know, for a number of reasons, you know, some of the reasons there is that, you know, for some traditional reasons and, you know, different hunting practices but that there is a sustained cow harvest that has been going on for a long time there and I don't know where the agencies, how they can justify this original 30 animal limit in the first place when, you know, they don't have the correct numbers and our tribal members at home are more willing to work with our own established, you know, collection system on the ground right there. They feel more comfortable. You know, for a lot of years, you know, some of the State and Federal people had come out but they're not getting the right information. And the big
reason is, you know, afraid of being cited or, you know, arrested for the agencies irresponsibility on something that has been taking place. And I would like to hear from the agencies on how you plan to, you know, you're saying, well, no cow harvest, you know, it's -- you know how are you going to deal with the reality that it's going to go on and that the tribal members would be more willing to work, you know, through the tribal council and the natural resource department. You know, we've had meetings at home amongst ourselves and, you know, called hunter meetings and the people have turned out. But when the State or Federal agency comes around, you know, they're wandering around the community wondering where the heck is everybody, with their little clipboard under their arm, you know, saying where are all the hunters? But, you know, that we do have the correct numbers and can help these agencies, but that -- that up in our region we're surrounded by Refuge lands and it's the Board's responsibility to, you know, face these situations and, you know, fulfill the responsibility.

So if there's any questions, I just wanted to point that out. You know, that there will continue to be cows being harvested. You know, if the agencies -- you know, this gentleman here said that he suggested that tribal council involvement be excluded, you know, to me that -- that's a very inflammatory statement that you cannot exclude us. We live out there and people will continue to subsist, you know, no matter what. And cows will continue to be harvested and we'll continue to be documented and, you know, the hunters will continue to, you know, we will try to come up with, you know, local initiatives on regulating this. You know, some of the studies indicate that a high percentage of the calves are being taken by predators, especially bears in the springtime.

So if there's any questions, I'll turn it over to my natural resource director here.

CHAIRMAN DEMIENTIEFF: I guess just one question, did you get -- did Stevens participate in the Regional Council meeting, Eastern Interior?

MR. MILLER: Yes, they did.

CHAIRMAN DEMIENTIEFF: Okay. So you heard pretty much the same testimony?

MR. MILLER: Yes, we did.

CHAIRMAN DEMIENTIEFF: Okay. Dewey, you
MR. SCHWALENBERG: First off I'd just like to say that this proposal represents an awful lot of cooperation. After all these different issues were put on the table between the State, Federal, tribal programming people we basically only have one issue that we're not in agreement on. So this was a very cooperative process and I'd like to think we helped move the process forward because we brought these issues up.

Now, to clarify just a few of the points, number 1, there is no increased harvest of moose in this proposal. That was always a very difficult thing for people to understand. When they had 30 permits or 30 bulls allowed and they want to go to 60 bulls, people automatically assume there's going to be increased harvest. Well, we found out from our traditional harvest data collection programs and that was Council of Athabascan Tribal Governments, prior to the Stevens Village people doing their own, we found that the harvest of bulls was 60 to 64 animals per year, so it amounted to the State and Federal permit allocations were not in accordance with what the local practice was. What we also found, and I think we were the first community that I know of to testify openly last year at the number of animals that Stevens Village took because the testimony indicated that the Stevens Village people were in non-compliance with State and Federal law, which was always the local people's concern.

Randy and the tribal council are not interested in making their people into criminals. That's what drove this entire process. Our people need to be able to hunt legally out there. If the State and Federal system doesn't allow them to do it legally, then we need to sit here and make sure that that system allows it.

Okay, so, what we did is the harvest data collection. We found out that last year 24 moose were taken out of Stevens Village, six of which were cows. We testified to that. This year we did the harvest data collection, again, with all of our people -- and when I say collection, the difference is, I have a full-time staff person that works in the tribal program who literally goes out and deals with every single hunter in the village or anybody that comes in and finds out what the information is. We don't depend upon handing out a survey form in the community and hope somebody fills it out and sends it back to us, and that's where we really have had the problem with collecting adequate data and information. So our figures
are as close as humanly possible we can get to every animal
that's taken. All right. And then the second thing is we
are not asking for authorization to take cows, what we're
doing is saying that cows have been taken. They are
currently being taken. They've always been taken. They've
been taken for subsistence purposes, traditional,
spiritual, cultural, so we're reporting a number of cows
that are being taken. These have always been taken. To my
knowledge we had meetings with the other two communities,
they came in to tribal council meetings and we asked how
many animals are being taken. So all we were doing in this
proposal was reporting what's going on.

Now, let's get to the heart of the management. We
have a few management factors out there. Number 1, we have
a low density population of moose. Over the last nine
years that State, Federal agencies and us have looked at
that population and the population has not declined. It
has remained relatively stable. It's low but stable. So
our question became, if everybody's always been harvesting
moose at the level of 60 to 64 animals, if they're taking
cows to the level of 20 animals per year, and the
population is staying relatively stable, then we didn't
feel that there was an emergency conservation issue. Yes,
we have to deal with cow harvest, but how do you deal with
it? You don't deal with it by sticking your head in the
sand and saying it doesn't exist. We have to deal with it
by saying, should we start putting a limit on the number of
cows harvested? And that's what the tribal council in
these three villages really had to deal with. They had to
say, now, is the time to put a limit.

So we explained this at the Board of Game meeting
and said, all we're suggesting is that some level of cow
harvest needs to be recognized, made legal or all of our
hunters out there are going to be illegally hunting. So we
suggested lowering the Tier II's, lowering the outside
number of people coming in, using our harvest data at 20
animals for the three villages for cows, call that the
starting point for a legal harvest and then monitor the
population of animals to see if we have to adjust that.
Now, what that's going to do if it becomes legalized is it
will allow the tribal council to go back and consider codes
and ordinances for regulation of its tribal members in the
harvest of cows. And that's what our strategy has been all
along, to get everything recognized and not to immediately
impose a burden of eliminating all cows in one year for
people that have customarily, traditionally used them but
we just feel that the cow harvest has to be recognized.
So again, most of the other elements of the proposal we've agreed with. We feel this is more of a co-management development program between the tribes, Federal and State and, therefore, the tribes have to come up with their own type of system. So issuing permits, again, increasing permits, there's no additional hunters that are going to go in the field because the hunters have always gone in the field. The Federal people issued 12 permits the last few years, we issue them through our natural resource program, but anybody out there that needed to go hunting went hunting. When the Federal permits were done, people didn't go with a permit. So that's why we suggested, make the number of permits equal to the number of hunters out there that want to go in the field. And that's what you, you know, the Federal people agreed with us on that this year. So this year we'll have those things.

So all of our efforts here are to coordinate this hunting activity between the State and Federal system, make it consistent, make the permits available for Federal land and within the corporation lands which are the private lands with State jurisdiction. And again, the only outstanding issue we feel that we have is the cow issue. So hopefully we can get something resolved. We've agreed to participate in a moose management planning process. We feel, however, differently than the previous speaker that our management planning process has certain elements of a Tier II hunt that are not conducive to having outside people coming in and sitting in a regular planning process. Randy and Council feel strongly that, you know, this area here does not have an open general moose hunting season. So they need to have some controls over this season and population if these animals are to expand. At some point if they expand there might be an opportunity for an open general season.

So these are the -- we've discussed everything I can think of and everything State and Federal people can think of and everything the tribe can think of but we still have this one outstanding point that we would like clarified.

Thank you.

CHAIRMAN DEMIENTIEFF: Dewey, I got one question. Did -- in your cow harvest study, did you differentiate between potlatch and other purposes, funeral, memorial?

MR. SCHWALENBERG: Well, we did, we know
what the cows were harvested for but that's also why we're saying that we think that the tribal council should be the one that would be solely responsible for those cow permits so that they would make the determination.

As an example, in one instance there was three cows harvested for a funerary potlatch. Now, the question becomes.....

CHAIRMAN DEMIENTIEFF: Well, no, I was just -- I was just asking the question because I know that that's very common in cow harvest except for where you have a cow hunt. Around Nenana, we have one down river and one up river, already on the books, cow hunts that are there every year so they harvest -- people in Nenana harvest a few more cows than other people normally do.

MR. SCHWALENBERG: Right.

CHAIRMAN DEMIENTIEFF: But I do know it's common practice, depending on what time of year, and there's a potlatch coming up, I do know that we do target does, you know, when the bulls are down. You know, if you got a respected elder passed away, you know, you want to put something good out there if you got a chance.

MR. SCHWALENBERG: Yeah, that was our findings also.

CHAIRMAN DEMIENTIEFF: So it's probably over half then.

MR. SCHWALENBERG: And most of them are. And the other thing was the cows being taken during the rut, the bull rut, I mean you know the edible meat at that particular time. So, yeah, we've differentiated. But in our case, last year we came in for a cultural harvest which includes all of the funerary and cultural, traditional reasons for harvesting these animals.

That's one other thing, the State has contended to us that the State does have allowable funerary and mortuary potlatch harvest but again we think with no numbers associated with this, we're not going to be able to get as good a management system as we want. So that's why we're willing to say, in Stevens Village case, if we can put a number of seven cows per year as a maximum number, the Council will then have to decide when those cows are going to be taken through the entire year, not just during this hunting season. So all the elements in the last couple of
years, we've put everything in place and now it's just up
to the tribe to -- it can exercise authority, it could do
that but Randy and the council wants a comanagement
agreement here between the State and Federal agencies about
that issue, not just go out and make its own tribal
regulation to allow cows to be harvested in opposition to
what the State and Federal regulations are. That's not
what our intention is. But that's a possibility of
something that could happen if we don't deal with the
issue.

CHAIRMAN DEMIENIEFF: Thank you. Chuck,
Regional Council recommendation.

MR. MILLER: Yes, Mr. Chair. We support
this proposal with the modification to delete reference to
the State Tier II hunt. And if I remember right, I think
the reasoning behind that was since we're not a State
agency, you know, to keep it separate, we don't have no say
so about that anyway.

CHAIRMAN DEMIENIEFF: Thank you. You guys
can go back to your chairs now, public testimony is over,
thank you. Staff Committee.

MR. BOS: Mr. Chair, the Staff Committee
recommendation is to adopt the proposal with modifications.
First to modify the harvest quota to specify a combined
Federal and State harvest quota of 60 bull moose. This is
inconsistent with the Council's recommendation to allow up
to 20 cows to be taken within the overall quota of 60.
Secondly, to modify the recommendations of the Council to
specify the numbers of permits to be issued and to defer a
determination of the tribal role in moose management until
a moose management plan is developed jointly by the Fish
and Wildlife Service, the Department of Fish and Game, the
Regional Advisory Council, local advisory committees and
the tribes. Third, we support the Regional Council's
recommendation to delete the reference to the State Tier II
permits.

There is consensus between the Yukon Flats National
Wildlife Refuge staff and the Alaska Department of Fish and
Game that the current population could sustain an increase
in bull harvest. An analysis of recent moose population
estimates and composition data indicate that while the
harvest of bulls can safely be increased about the current
quota of 30 bulls, even a limited harvest of cows will
affect the potential growth of the herd and may increase
the likelihood of a population decline.
The Staff Committee recommends the Board authorize a total of 60 Federal permits to be issued between the three communities. The permits would be allocated as 25 permits to Stevens Village, 25 permits to Beaver and 10 permits to Birch Creek. The 60 Federal permits reflects the needs stated by these communities. The total number and allocation were determined by the Yukon Flats National Wildlife Refuge in consultation with the villages.

Regarding the Tier II permit system administered by the State of Alaska, it is not within the jurisdiction of the Federal Subsistence Board to reduce Tier II permits.

CHAIRMAN DEMIENTIEFF: Okay, we're ready to go to Board or more Regional Council discussion.

MR. THOMAS: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: I keep hearing a reference made to sex of these various animals and their use and restrictions of their harvest. And that being the case, I think that some of those should be quantified a little better. Because .801 uses culture as a pretty big blanket. And all of these other restrictions as we go farther down into Title VIII build a conflict into the provisions of .801. I'm wondering if the people that are putting these together are considering that. Because if they don't feel like Title I is a stand-alone provision, I think I would like to hear what can supersede that.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I'm just wondering if I could ask the Chairman for Eastern Interior if you recall some of the discussions at your meeting then about the health of the herd and the taking of cows and the possible risks involved, if that does cause future problems?

MR. MILLER: I think Dewey pretty much covered it. It's going on now. You know, it's been going on so it's nothing really different they're just trying to make it legal now. They got a pretty accurate count of how
many moose that's been taken so you know it's nothing that's really new.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. EDWARDS: I think I, in listening to the presentation that was made, I think I'm trying to walk through and understand the rationale as to why they reached the conclusions that have been reached, and after listening to it I think that, in fact, I do understand that as why it got to it. I do know that the Service still remains to have concerns from a conservation standpoint with the population. That, in fact, it appears, as was indicated that at best the population has stayed a fairly level. I do understand that surveys have showed that the cow/bull ratio is spreading. The potential implications of that could be -- certainly don't bode well for the population to increase.

Saying all that, as was indicated, I think there is an interest on the part of the Refuge to sit down and work with all the parties involved. Kind of using the model of the Koyukuk River Moose Management Plan to develop this plan and then out of that, and utilizing the rationale that maybe just has been presented to come out with an approach that, in fact, would accomplish what everybody is hoping to accomplish.

CHAIRMAN DEMIENTIEFF: Thank you. Any further discussion. Yes.

MR. REXFORD: Yeah, Fenton Rexford, North Slope. I just wanted to appreciate what Stevens Village people has asked for, to have the tribal government issue the permits. I think it's one way of showing that our people in the field or tribal governments can handle those management schemes or plans. So I hope it works out -- looking at every way of issuing or drawing permits is sort of what we're into on the North Slope. So really appreciate the work done for the proposal being written for tribes to issue the permits and get us involved.

CHAIRMAN DEMIENTIEFF: Further discussion. Ready for a motion.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.
MR. EDWARDS: I move that we adopt Proposal 60 with the modifications that have been recommended by the Staff Committee.

CHAIRMAN DEMIENTIEFF: I do have a motion, is there a second.

MR. CESAR: Second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion. Hearing none, all those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

That completes our work in Eastern Interior. The Yukon-Kuskokwim Delta has Proposal 41 and that's on the consent agenda. The next region would be Bristol Bay. It would be 34, 35 and 38 as the first one up. Which one was pulled off the consent agenda?

MS. FOX: 36.

CHAIRMAN DEMIENTIEFF: Okay.

MR. HAYNES: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. HAYNES: I don't know if you have a procedure to do this but Proposal 39, we would perfectly content to see that added to the consent agenda. We didn't recommend that previously because the area biologist wasn't available so that we could confirm that the recommendation 41 to add a couple of the subunits in the Staff Committee recommendation. So we've since gotten information that we feel comfortable in supporting the Staff Committee and that being the case, I believe that proposal could be added to the consent agenda.

CHAIRMAN DEMIENTIEFF: Yeah, you were the only dissenter or still working on it. Okay, we're going to add Proposal 39 unless there's objection to the consent agenda. So the order for Bristol Bay will be 34, 35, and
38. They're going to be done together. And then Proposal 36 which has been removed from the consent agenda. And then Proposal 40 and then 61. That's the order we'll be going here. Are we ready for the Staff analysis? Maybe we'll just go ahead and take a short break while they're finishing get set up here.

(Off record)
(On record)

CHAIRMAN DEMIENTIEFF: While we're getting set up here, we'll kind of let you know what we think is going to be the schedule for the next couple of days. It looks like we're pretty well on track. We have Bristol Bay to do, we've got what, four proposals in Bristol Bay to do and that will complete our work today. We will recess when we complete Bristol Bay. Tomorrow morning at 9:00 we will deliberate Kodiak and the Aleutian's proposals. It should take less than an hour. Della's working on smoothing that out for us right now, I guess she's got some other information coming in from the Chain and whatnot. So that should be pretty smooth. And we've got about two hours worth of Southeast stuff tomorrow. And then we'll recess probably about noon tomorrow and we should be all done with proposals or our regulatory work will be all done. And then we have four more fish proposals -- or projects that we need to look at. We're going to look at those at 11:00 o'clock on Thursday morning. So we will have a late start Thursday morning. And then when we get into Kenai stuff on 1:00 o'clock on Thursday, we might be glad that we did it a little bit -- because we may go into Thursday evening. They're going to check with the hotel right now in in effort to get all of our work done on Thursday including Kenai.

So that's kind of the schedule as we have it right now. And that's it. So with that, I guess we'll go into 34, 35 and 38.

MS. ARMSTRONG: That's correct, Mr. Chair. Proposal 34, 35 and 38 have been joined because of the similarity of the analysis that went into it.

Proposal 34 was deferred from '98 as well as from '99. It was submitted by the Akiak and Akiachak IRA Councils and would expand the existing C&T determination for caribou in Unit 17 and it would include residents of Akiachak and Akiak.

Proposal 35 which was deferred from '98 and '99 as
well was submitted by AVCP and would expand the existing 
C&T for caribou in all of Unit 17(A) and (B) to include all 
rural resident of Unit 18.

Proposal 38 was deferred from '98 and was also from 
the Akiak and Akiachak IRA Council and would expand the 
existing C&T determination for moose into 17(B) and would 
include residents of Akiak and Akiachak.

The one that AVCP submitted that was dealt with 
last year for Unit 18 caribou, they did make a 
determination for Goodnews Bay, Platinum, Quinhagak, Eek, 
Tuntutuliak and Napakiak. But there were two communities 
that were left out last year, inadvertently, and those were 
Napaskiak and Tuluksak. So that portion of that proposal 
that was from last year has been included in this analysis 
because of the closeness between Napaskiak and Tuluksak to 
Akiak and Akiachak. Those communities are all within about 
40 miles of each other.

I'm not going to go through all of the eight 
factors because I think the real issue here is not whether 
or not people have hunted caribou or moose or whether they 
should have C&T for caribou and moose, generally, but 
specifically, if they should have it in Unit 17(A) and (B).
So to focus the analysis we'll just be worrying about that 
portion that deals with the question of where.

I have a series of maps, one of the reasons why 
this was deferred last year was ADF&G Subsistence Division 
was doing a study in Akiachak on their subsistence uses and 
the Board decided last year to wait until that study was 
done to determine whether or not -- where Akiachak's uses 
are today. And the first map is actually just a general 
use area map and it's a little bit dark but you can see 
that the area we're talking about is almost exclusively 
Togiak National Wildlife Refuge. There is some BLM land in 
there.

In 1985, there was some data collected by a staff 
person from Fish and Wildlife Service, and that data we had 
last year, that was for Akiachak caribou. The maps were 
taken back to the people and the elders confirmed that they 
thought that the map was accurate. That showed some use in 
17(A) and (B), this is for caribou down in Akiachak down 
here in the corner where there is some Federal public land. 
Then they also -- that same time period they did some work 
in Akiak and there was also caribou use in this area down 
here.
For moose, Akiachak also had some use in 17(A) and (B), just in this little corner in here and the same for moose in 1985, it was actually not -- in 17 it wasn't on Federal public lands it was up here where there wasn't any Federal land up in 17(B).

And then from the study that was just done, the Akiachak caribou use area, 1988 to 1997, didn't show people coming down right into 17(A) and (B), they came right up to the very edge of 17(B) there and into 17(B) just on this little corner, so there was a little bit of use in 17(B) in the past 10 years. And the same for moose for Akiachak in that same time period. There's -- they were coming right up close to the border of 17(B) and right to the border there.

There was also some interviewing that was done by our Regional Coordinator for the Y-K Delta, who went out to Tuluksak to interview people and he found that people were still using 17(A) and (B). There were people here and there who had said that they go up there. The problem has been that people have not needed to travel as far. There's been adequate caribou close to home so there hasn't been a compelling reason to go as far. There aren't very many moose in 17 right now so there hasn't been any compelling reason to go in there. So there may have been some shift from 1985 when people were going in there more. There also has not been as much use of -- in the '80s there had been people who were actually chartering planes to go up in that area. So it does appear that people are still using just -- not all of 17(A) and (B), but just the very corner up there on the -- in this area.

I do have a map when the Bristol Bay Chair, Dan O'Hara, finishes his recommendation to show you what we came up with. That concludes my analysis, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Written comments.

MR. EDENSHAW: Thank you, Mr. Chair. The Lake Clark SRC recommends accepting the Staff conclusion to fine the customary and traditional use within Unit 17(B) to the Togiak National Wildlife Refuge. Lake Clark National Park lands is within the extreme eastern portion of Unit 17(B), far from the community's addressed in this proposal.

That concluded written comments.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.
MR. HAYNES: Mr. Chairman, the Department supports Proposals 34, 35 and 38 as modified by the Bristol Bay Regional Advisory Council.

CHAIRMAN DEMIENTIEFF: Thank you, very much. We have no request for additional public testimony at this time. Regional Council recommendation.

MR. O'HARA: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Mr. O'Hara.

MR. O'HARA: Dan O'Hara, Bristol Bay Council. These are fairly straight ahead proposals. We appreciate those who did the research to give us -- the people who participated in these areas to be able to let them use these areas, so 34, 35 and 38 we don't have a problem with and they're pretty straight ahead.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. WILDE: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Oh, I'm sorry.

MR. WILDE: Yukon-Kuskokwim.

CHAIRMAN DEMIENTIEFF: Go ahead, Harry.

MR. WILDE: The Yukon-Kuskokwim Regional Council supports 34, 35 and 38 without modification. The Yukon-Kuskokwim Regional Council met prior to the Bristol Bay Regional Council meeting and did not have any opportunity to respond to their recommendation modification.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. BOS: Mr. Chair, the Staff Committee recommendation is to adopt Proposals 34, 35 and 38 with the modifications recommended by the Bristol Bay Regional Council.

One of the modifications, principal modification is to exclude Napaskiak from the customary and traditional use determination for caribou in Unit 17. This is inconsistent
with the recommendation of the Yukon-Kuskokwim Delta Regional Council.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. BOS: I maybe then could follow-up with the justification for our recommendation.

CHAIRMAN DEMIENTIEFF: Go ahead, yeah.

MR. BOS: Information is available from the literature and from mapped information and interviews obtained from local residents in Unit 18 communities as documented in the Staff analysis to substantiate the use of moose and caribou in Unit 17(A) and 17(B) by Akiak and Akiachak. And use of caribou in Unit 17(A) and (B) by Tuluksak. There is not, at this time, substantial evidence to support a positive customary and traditional use determination for Napaskiak for caribou in Unit 17.

Communities other than Akiak, Akiachak, Tuluksak and Napaskiak in Unit 18 were not considered in the Staff analysis because those other communities have been previously analyzed in 1998 and 1999.

CHAIRMAN DEMIENTIEFF: Okay. We're ready to go to Board deliberations. Any additional Regional Council comment. We're ready for an action.

MR. EDWARDS: Mr. Chairman, I'm ready to make a motion that we adopt Proposals 24, 35 and 38 with the modifications that have been recommended by the Bristol Bay Regional Advisory Council.

CHAIRMAN DEMIENTIEFF: Is there a second.

MS. GOTTLIEB: Second.

MR. WILSON: Second.

CHAIRMAN DEMIENTIEFF: Any additional discussion. Hearing none, all those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)
CHAIRMAN DEMIENTIEFF: Motion carries.
Proposal 36, Dan, was I to understand that you just had
some clarifying you wanted done on there or do we need to
go through the whole process?

MR. O'HARA: No, Mr. Chairman. The -- our
Advisory Council felt that they -- Togiak should go back
and go through the proper channels to bring this proposal
up and that would be going back to the Nushagak planning
herd, the caribou planning herd in Dillingham there and
bring this through those channels and then come to us with
it. So if they want to follow-up on it then they can come
back next year through the proper channels, we feel and
then we'll address it at that time.

CHAIRMAN DEMIENTIEFF: So my understanding,
I guess, it was Ida that wanted to have this one pulled?

MR. CESAR: Yes, Mr. Chairman, that's
correct.

CHAIRMAN DEMIENTIEFF: Do we need to go
through the process, is that.....

MR. CESAR: I don't think we need to go
through the process. I think Ida's comments were -- she
left me a note, she was concerned that we should adopt the
proposal as written. She felt there was no biological
reason to deny subsistence use and that the Regional
Advisory Council denial of subsistence opportunity, she
felt, was an unnecessary restriction. But having listened
and read the material here and how it's played out and how
the process is there for them to go back through the
process and do it in a better manner is satisfactory. And
so I think that we would withdraw our suggestion to have it
removed from the consent agenda.

CHAIRMAN DEMIENTIEFF: Okay, that puts it
back on the consent calendar because that was the only
objection we had to it. So Proposal 36, with those
clarifications, will go back on the consent calendar. 39
is noted earlier by Mr. Haynes from the State has been
added to the consent calendar. So Proposal; 40 is the next
one.

MR. FISHER: Thank you, Mr. Chairman.
Proposal 40 was submitted by the Togiak Traditional
Council. There's actually two parts to Proposal 40. One
deals with 17(A) and the other one deals with Unit 18. The
first part would extend the trapping season in Unit 17(A)
from November 10th to February 28th to November 10th to March 31st. In other words, they would expand and lengthen the trapping season there for 17(A). The second part of the proposal would shorten the trapping season in Unit 18 from November 1st to June 10th to November 1st to March 31st.

I believe the trapping extension and so on for Unit 17(A) was discussed in statewide Proposal No. 2. And as far as the beaver population goes in both those units, the beaver population is expanding and this proposal would not impact the population, there's no biological impact. That's currently all I have right now, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you. Written public comments.

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

CHAIRMAN DEMIENTIEFF: Thank you.

Department.

MR. HAYNES: Thank you, Mr. Chairman. The Department supports this proposal with modification. I was just looking to see if adoption of Proposal 2 actually covers every piece of the regulation for 17(A) to make the Federal -- State and Federal regulations consistent. In any event, the current State trapping season in 17(A) is November 10-March 31 up to two beaver per day may be taken with firearms during the period April 15th to May 3rd. That's the piece that I don't know if that's included in the intent of adoption of Proposal 2, whether that -- if that provision, to allow this taking of beaver with firearms, April 15 to May 3rd is part of Proposal 2, then that would make the State and Federal regulation consistent for 17(A).

We also recommend that the July 1-June 30th beaver trapping and hunting seasons be established in Unit 18 consistent with Board of Game actions taken earlier this regulatory year.

CHAIRMAN DEMIENTIEFF: Thank you. We have no request for additional public testimony at this time. Regional Council recommendation.

MR. O'HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.
MR. O'HARA: Dan O'Hara, Chair of Bristol Bay. Our Council supports the Togiak Traditional Council's recommendation on 40.

CHAIRMAN DEMIENTIEFF: Thank you. Additional Regional Council, Harry.

MR. WILDE: Mr. Chairman, Yukon Kuskokwim Regional Council recommends support. The Council unanimously approved revised trapping season for beavers in Unit 17(A) and Unit 18 as presented in overlap Proposal 40.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. BOS: Mr. Chair, the Staff Committee recommends adoption of the Unit 18 portion of Proposal 40 consistent with the recommendation of the Yukon-Kuskokwim Delta Regional Advisory Council. The opportunity for -- well, let me add to that that no action needs to be taken on the portion of Proposal 40 relating to Unit 17 beaver.

The opportunity for the subsistence trapper and hunter to harvest beaver under Federal regulations on Federal public lands in Unit 18 would be expanded by the recommended modification of this proposal. In Unit 18, alignment of Federal and State beaver trapping and hunting regulations will reduce confusion by local subsistence hunters and trappers.

CHAIRMAN DEMIENTIEFF: Thank you. Okay, we're ready to go to Board or Regional Council discussion. If not, we're ready for an action. I'm sorry, Terry.

MR. HAYNES: Mr. Chairman, I just wondered if I could get clarification on the question I raised about whether -- it doesn't appear to me that in Proposal 2, language was adopted that allows the use of firearms to take beaver during this part of the season in 17(A) and I don't see a provision made for that elsewhere in the current Federal regulations. If I'm mistaken I'd just like to -- maybe somebody could clarify that for me if you adopt this proposal so that we know that there is consistency between the two regulations.

CHAIRMAN DEMIENTIEFF: Who might be able to respond to that

MS. FOX: Bill.
CHAIRMAN DEMIENTIEFF: Bill. Are there any other discussion points.

MR. THOMAS: Is there a motion on the table?

CHAIRMAN DEMIENTIEFF: No, we didn't get a motion on the table.

MR. THOMAS: A question, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Sure.

MR. THOMAS: Thank you, Mr. Chairman. Just out of curiosity, I'm getting nightmares and flashbacks of indiscriminate shooting of beavers in these particular areas. Has that remained a concern and is it a concern now, just out of curiosity? Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: I guess not, nobody's responded.

MR. THOMAS: Thank you.

CHAIRMAN DEMIENTIEFF: Greg.

MR. BOS: Yes, Mr. Chair. I think the intent in this proposal for Unit 17 was to align the season dates not necessarily align the regulations for taking beaver with firearms.

CHAIRMAN DEMIENTIEFF: Okay. And that was the motivation, to align the season dates as opposed to the methods and means.

MR. O'HARA: It was a housekeeping item is what it was.

CHAIRMAN DEMIENTIEFF: Okay, good. Does that answer you Terry?

MR. HAYNES: Yes, Mr. Chairman. That does mean under the -- let's see if that would be a problem. The regulations would not quite be consistent concerning use of firearms during the part of the season to take beaver.

CHAIRMAN DEMIENTIEFF: How did you just phrase this, fine-tuning -- housekeeping.
MR. O'HARA: Yeah, housekeeping. Just an editorial housekeeping type thing.

CHAIRMAN DEMIENTIEFF: I mean we've already advanced through both Councils, it's already here, if we call this housecleaning -- if we have to do another consideration next year it will be fine-tuning.

MR. EDWARDS: Mr. Chairman, I'm confused, now, do we need a motion or do we not need a motion?

CHAIRMAN DEMIENTIEFF: Yeah, we do need a motion.

MR. EDWARDS: Let me make sure it's the right one, correct me if I'm wrong. Then I guess my motion would be that we adopt Proposal 40 as recommended by the Yukon-Kuskokwim Regional Advisory Council.

CHAIRMAN DEMIENTIEFF: Are they consistent, they're both the same?

MS. FOX: Uh-huh. (Affirmative)

CHAIRMAN DEMIENTIEFF: Okay, is there a second?

MS. GOTTLIBE: Second.

CHAIRMAN DEMIENTIEFF: It's been moved and seconded. Any further discussion. Hearing none, all those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries. Proposal 61, this is the last one we'll be doing today providing we can get it done.

MR. FISHER: Thank you, Mr. Chairman. Proposal 61 was submitted by Mr. Gary Carlos from Togiak, Alaska.

This proposal would establish a winter moose hunting season in Unit 17(A) from December 1st through
December 31st, one antlered bull. C&T for this area consists of the residents of Unit 17, residents of Goodnews Bay, Platinum and Kewthluk. The map there on the screen shows the land status for 17(A).

17(A) was closed to moose hunting back in January of 1981. It remained closed until August 20th, 1997 due to low moose populations. Moose surveys were started in 1971 by the Department of Fish and Game, very few animals were observed. It remained that way until real early '90s when the population started to increase. As an example in 1994 there was an estimated 84 animals, '97 there was 234, last year there was an estimate of 511 and we -- the Refuge and Fish and Game people there in Dillingham just recently completed a survey and the population is down just a little bit, they're estimating around 475 animals.

Prior to 1996 there was several special actions and proposals submitted to establish a season due to the fact that the population was starting to increase. The Federal Subsistence Board denied any season at that time still due to the low moose populations. However, the Board of Game in March of 1997 established a season of August 20th through September 15th, one bull by State registration permit. A special action was submitted and the Federal Subsistence Board acted on that special action to match the State season. However, the Bristol Bay Regional Council, at that time, approved the special action with the understanding that no additional seasons would be allowed, authorized until a minimum population of 600 animals was achieved.

Togiak National Wildlife Refuge staff and the Department of Fish and Game started moose management planning in 1996. The Special action expired after that year and there's been no Federal season since, however, there has been a State season every year. And the harvest over the last three years has been around 12 animals per year and that's by State registration permit. The Wildlife Refuge sent in two proposals to establish a fall season. One proposal was rejected and one proposal was deferred by the Federal Subsistence Board pending completion of a moose management plan.

At our last Council meeting the Wildlife Refuge and Department of Fish and Game did present a draft management plan to the Regional Council and the plan contains just about everything that's really needed to manage that herd. There was one modification to the plan that the Council recommended and that was, if you look on Page 101 of your --
in your book, Attachment 1, lays out the hunting structure based on what the moose population is. And that was what was felt by the Council that's what was needed all along so we've got this amended to the plan. The Refuge staff and the Department of Fish and Game personnel are in the process of taking the plan around to the interested parties there in the Bristol Bay area to get completion on it.

That concludes my testimony, Mr. Chairman. Thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you. Summary of written comments.

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

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, we support the Bristol Bay Regional Advisory Council recommendation to oppose this proposal.

CHAIRMAN DEMIENTIEFF: Thank you, very much. Public testimony, Gary Carlos. No Gary Carlos. Last call for Gary Carlos. Ever since I bought that bar, I've been last call this, last call that. Go ahead.

MR. CESAR: I just was kind of interested to see Mr. Carlos, I haven't heard his name since we were dealing with the Hagemester reindeer so it's been a while.

CHAIRMAN DEMIENTIEFF: No Gary Carlos, we'll move on. If he does come in or anybody sees him we'll stop if the bus hasn't left the station anymore than it already has.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: My aka is Gary Carlos.

CHAIRMAN DEMIENTIEFF: Okay. Regional Council recommendations.

MR. O'HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.
MR. O'HARA: O'Hara, Bristol Bay. This is nothing new to this Board and to our Advisory Council, we have wrestled with this for a long time. And we're just going to continue until we get the proper number of animals. There's been a great deal of success with the moose population coming up, I'm surprised to hear they're down a little bit but they've done very well. And it's been a combined effort of Alaska Department of Fish and Game and the Federal people and the people in the villages, and Dillingham, not even having an opportunity to hunt and that's in 17(A), too, they just have not gone over there. So the animals are growing and the population is coming up and you see we have a management plan in place there that we asked for a long time ago and finally got it, and we're just going to stick with that plan.

I think a number of years ago the Federal Staff may have recommended a hunt against the wishes of the Advisory Council and we had a good knockdown, dragout, and no one was asleep at that one I guarantee you, and we recommended then that they not do that again without coming to the Council. You take the little caribou herd out on the Nushagak Peninsula and there, again, is a success story of cooperation between all the entities and that's really the way it should be.

And I do feel sorry for, and I have compassion for the people who want to have that December hunt but we're going to have to hold the line and get those animals up there. A lot of good browse in the area at this point, there has not come any -- as far as I understand, Dave, no predators have really even been bothering the animals to any extent like they do in some places. And so we kind of felt like this is the direction we had to go.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. BOS: Mr. Chair, the Staff Committee recommendation is to reject the proposal consistent with the recommendation of the Bristol Bay Regional Council.

Establishing a winter moose harvest season is premature at this time. The current moose population in Unit 17(A) is below the estimated minimum of 600 moose needed to provide for both a limited fall and winter hunt, yet maintain the reproductive capacity for a growing population. The Staff Committee noted, however, that the
Bristol Bay Council had made a recommendation on deferred Proposal 98-59, however, since that deferred proposal was not published in the proposal book, eligible communities having positive customary and traditional use determination for moose in Unit 17(A) were not provided a meaningful opportunity to comment and we would suggest that the Council may wish to consider a special action request or submit a proposal for the next regulatory cycle to establish the fall season.

CHAIRMAN DEMIENTIEFF: Okay, thank you. Any Board or Regional Council discussion. Yes, Dan.

MR. O'HARA: Yes. I'm glad you mentioned that, Greg. Cliff Edenshaw, our coordinator, again, reminded me this afternoon, we got this proposal and I should have written it down then, that action would be taken -- that special action would be taken if need be so they will be covered under that hunt. And I do appreciate, very much, our coordinator getting all the information, marking up the book and additional information, he's done a good job.

CHAIRMAN DEMIENTIEFF: Good.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: I have a question regarding the threshold of 600 moose. I've seen this number for several years, and I was wondering how long that number would remain adequate and is there a fluctuation of population of people in that unit? In other words, are they consistent with each other? The potential hunters and that threshold, are they compatible?

MR. FISHER: I can try and address that Mr. Chairman. I believe all those factors were taken into consideration when the plan was put together. There was quite a bit of habitat mapping and coordination with other -- with traditional councils and so on. So the plan probably will be modified as conditions change. I think there's -- and that is written into the plan.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. THOMAS: That answers my question, thank you.
CHAIRMAN DEMIENTIEFF: Any other comments, questions.

MR. O'HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes. Go ahead, Dan.

MR. O'HARA: That's an interesting question that Bill proposes. However, you can go east of the Dillingham area in those villages and with snowmachines and good snow you can go a long ways, and there's some pretty good healthy moose populations in the Nushagak and Tikhiks and all those other areas so it's not like you don't have access -- Togiak is not going to be able to do that, they're just too far away. So it's kind of a Catch-22, because on to the east you've got a good healthy population of animals, in fact, I just was flying up the river, the Kvichak the other day and across from Levelock, a hundred cows standing on the bank, you know, and another 10 miles up another hundred cows and so I think we're on our way to getting some animals that -- Togiak probably has a thousand people, that's a lot of people. So we've got to work on that population.

Thank you.

CHAIRMAN DEMIENTIEFF: Yes, Bill.

MR. THOMAS: Is Bristol Bay taking issue with my question?

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: Mr. Chairman, I propose a motion that we reject Proposal 61 as recommended by the Bristol Bay Regional Advisory Council.

CHAIRMAN DEMIENTIEFF: We have a motion to reject, is there a second?

MR. CAPLAN: Second.

CHAIRMAN DEMIENTIEFF: Okay, seconded. Discussion. Hearing none, all those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.
(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay, we will be recessing here shortly. We're going to reconvene at 9:00 a.m., with Region 3 and probably around 10:00 a.m., we'll start doing Region 1. Yes, sir.

MR. CESAR: Am I free to assume that you may leave your books here?

CHAIRMAN DEMIENTIEFF: That's my understanding, yeah.

MR. WILSON: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. WILSON: I don't think it's a violation of the Hatch Act to remind everybody who lives in Anchorage that they should vote on the way home.

CHAIRMAN DEMIENTIEFF: Oh, are we electing a Mayor down here today?

MR. WILSON: Yeah, we're electing a Mayor.

CHAIRMAN DEMIENTIEFF: Okay, good enough then. We shall recess until 9:00 a.m., thank you.

(PROCEEDINGS TO BE CONTINUED)