MEMBERS PRESENT:

Mr. Mitch Demientieff, Chair
Mr. Taylor Brelsford
for Mr. Fran Cherry, Bureau of Land Management
Mr. Gary Edwards, U.S. Fish and Wildlife Service
Ms. Judy Gottlieb, National Park Service
Mr. Charles Bunch, Bureau of Indian Affairs
Dr. Wini Kessler, U.S. Forest Service
Mr. Keith Goltz, Solicitor
Chairman Demientieff: We're going to go ahead and call the meeting to order. Yesterday we left off with testimony on Special Action Request 01 and 02. If there are additional people willing to testify, it's still timely. Just pick up the blue testimony card at the table immediately outside the door and Staff out there will bring those up to me. The first person to testify today will be Eric Johnson.

MR. JOHNSON: Good morning everybody.

Chairman Demientieff: Good morning. You got to push the button on there.

MR. JOHNSON: Good morning. My name is Eric Johnson from the Association of Village Council Presidents. I'm testifying this morning on both the Yukon and the Kuskokwim Special Action Requests. AVCP supports both of these Special Action Requests. You have before you today a letter from President Arthur Lake of AVCP as well as my written testimony.

Yesterday the State testified that they would close sportfishing in-season, "if subsistence activity is restricted." And the Federal Staff analysis of these two proposals already pretty clearly demonstrates that such a restriction is happening, and that these weekly subsistence closures will severely restrict subsistence. Subsistence harvests have been poor even with seven day a week fishing. There's no improvements in the abundance of king or chum salmon forecast. Reducing opportunity to four days a week or to two 36-hour openings per week under these circumstances is a severe restriction and it greatly increases the likelihood of subsistence needs not being met. Scheduled weekly closed periods also make it quite possible that all or most pulses of salmon will pass through during these closed periods. In deed, a stated purpose of the closed periods is to let pulses of fish pass through. What if most or all of the pulses of salmon are missed, leaving subsistence users to fish an empty river. People are basically prevented from fishing when the fishing is good and are told to fish by a fixed schedule instead.

Closed periods will also severely disrupt traditional subsistence use patterns. Instead of families
fishing off and on in relation to their processing capacity, these closures will force families to concentrate fishing effort much like a commercial opening. This degrades the quality of the subsistence experience. Subsistence is more to the people of the AVCP region than just a quantity of fish.

And the State says that despite the bleak outlook for subsistence and escapement this year, sportfishing should not be closed at this point but only in in-season, once we know a little more about run strength. But by the same logic, subsistence also might have only been restricted in-season. Obviously the State has some faith in preseason forecasts or there would be no subsistence schedule in advance of this season.

The State claims that Federal managers will be unable to assess when run strength is sufficient to allow sportfish openings. As Federal Staff recognized yesterday on the Kuskokwim there isn't even any real information of overall run strengths. But by the State's logic, the State or Federal in-season managers would be equally unable to accurately assess when run strength or subsistence needs would require a presumptively open sportfishe to be closed.

The State should not be allowed to defeat the Federal subsistence priority simply by hiding behind its lack of data on the overall run strength on the rivers it manages.

Federal in-season management can reopen closed fisheries as easily as State in-season management can close them. Both the need to ensure subsistence opportunity and the need to apply precautionary management to this important subsistence resource call for action ahead of the season.

Neither the State nor the Federal managers are even pretending that there really is any real possibility of dramatically improved runs this year. Allowing sportfishing in the face of severe subsistence restrictions of the sort imposed here denies a meaningful preference. It denies users an opportunity to come closer to meeting subsistence needs that will likely not be met. These are not routine use restrictions or regulatory requirements imposed on subsistence, these restrictions make it unlikely that needs will be met. And every fish taken for sport under these circumstances increases the unmet need.
Under these facts, subsistence and recreational fishing cannot be balanced consistent with a meaningful preference and if the subsistence priority is to mean anything, then surely it means that under facts like these to ensure a meaningful preference for subsistence this Board should close all recreational fishing on Federal waters anywhere in the Yukon and Kuskokwim drainages. Needs for subsistence users likely will still be unmet but at least people will be a little bit closer to meeting their needs.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Paul Allred.

MR. ALLRED: Mr. Chairman. My name is Paul Allred. My wife and I, Sharon, own OUZEL Expeditions. We've had our business 23 years in Alaska. We operate float fishing trips on the Aniak River. I am in favor of subsistence use of fish and game with a preference for rural residents. People in Anchorage can get jobs and buy food, in the Bush it's different, food costs too much. I think commercial fishing and sport fishing should take a backseat to other uses of fish and game that's there. I agree with the Alaska Department of Fish and Game's position on this issue. I think they have much more experience and are much better able to handle this plan than U.S. Fish and Wildlife Service is.

I also favor the new Alaska Department of Fish and Game proposal to further limit the retention of only one king salmon. This would put some more extra salmon in Aniak to spawn, not very many.

According to the way I understand this proposal, I would still be able to take my guests fishing on the Aniak River. We would be able to catch and retain king salmon above the Buckstock River, above the Yukon Delta Wildlife boundary area. This proposal will not have the desired effect of limiting the retention of king salmon. According to the proposal statistics, most of the pressure on the king salmon on the Kuskokwim is on the Aniak River. Since guides will be allowed to take people fishing up the river to keep fish that is what they will do. It will make economic sense to them. They will run their motorboats up there to get their guests fish to take home. There are many problems that this will generate on the Aniak River. Some of them are, this will cause more wake damage to an already highly silty lower Aniak River,
while increasing wake damage to the middle river up to above the Buckstock. This will further cover up spawning beds with silt, thus lowering the hatch rates for the salmon. Very counterproductive to the goal of this proposal. It will waste a lot of gasoline. This will cause guides to take their guests way up the river and they will, because for the price they pay, it will be worth it to them. This will cause more traffic on the river, which is difficult at best to operate on. It may even cause accidents to people who are unfamiliar with the different bends, log jams and the increased traffic flow. This will probably create an area where the lodges and the motorboats will go up to to catch and retain king salmon for their clients up river, a boundary if you will, where they can keep kings. The middle of the river will become busy with lots of motorboats.

The actual sportfishing harvest on Aniak is so small. According to the information that I've gotten and at this meeting, the average annual is only 500 king salmon. The records seems to be about 800. Last year, I'm not sure what the sportfish catch was but it was way down because the season was closed just after it began.

Please take a minute and look at the Kuskokwim subsistence chinook harvest, can you put that on the screen, the numbers that were actually caught and kept by subsistence use. If you look at those numbers, '99 and 2000 and '98, the average of about 500 king salmon puts the sportfishing harvest at under six-tenths of one percent of the subsistence catch during 1999. It's about the same for '98. During these two years, the subsistence catch was 64,917 fish and 73,194 king salmon. During 1995, I'm sure the king salmon sportfishing was probably less than 500 kings. But still, if it was 500 kings, this would be about one half of one percent of the subsistence catch of 96,000 king salmon. This does not even take into account the amount of fish that were caught for commercial fishing. If someone is taking a lot of king salmon from the Kuskokwim it is not the group of sportfishing guides who seem to be concentrated in Aniak.

I would like to now read you our company's retention record for king salmon, 1995 we kept five kings. 1996.....

CHAIRMAN DEMIENITEFF: Just a second, if you could just hold on, how much more do you have here?
MR. ALLRED: About one or two more paragraphs.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

MR. ALLRED: Thank you. 1996, six kings. 1997, seven kings. '98, seven kings. '95, five kings. In 2000 we served halibut on our fishing trips, the season was closed. I know other guides who served shrimp. Last year we were not even allowed to keep char, rainbow -- I mean not rainbow, we haven't been able to keep them in a long time, grayling or even pike. We have never kept a chum salmon on the Aniak and do not intend to in the future.

We are not bad stewards of this land who need to be punished. We pick the garbage, the cigarette butts, the beer cans, the messes, the foil, the glass, the bottles, the camp wrecks, the boat wrecks, we clean up the place. We do not go around walking through the areas where salmon are spawning mixing up their eggs to float stream. We depend on this area, too, for our livelihoods, like you do. We take care of it the best way we know how. We infuse the local economy with money. We provide a service to our clients and we have a right to be there and we provide some jobs for the local economy, too.

We are lucky. Fish runs are not really endangered out there. The habitat at the Aniak supports thousands upon thousands of fish. The United States Fish and Wildlife Service does not need to close the sportfishing on the lower Aniak River as the king salmon are not endangered there. The people upriver, along the Kuskokwim do not need to worry about the guides in the Aniak, because their fish are going to go right on past that river. The people down river don't need to worry because they've already gotten their chance to catch them and they've already gone past their towns.

I would just like to say that the other letters that the other guides read, all that was read by them was they said, oh, they don't like it. I would like to have them read.

CHAIRMAN DEMIENTIEFF: Thank you. LaMont Albertson.

MR. ALBERTSON: Good morning Mr. Chairman, members of the Board, audience. First I want to thank you for the opportunity to come before you and address what is a most important issue for the residents of the Kuskokwim
River. I've lived in Aniak since 1967 and I started guiding on the Aniak River in 1969. We started with a catch and release operation and pretty much tried to go by Trout Unlimited philosophy, abided by their philosophy. I've raised six children on the banks of the Yukon and I worked as an educator on the Kuskokwim for 25 years. In addition to that I worked a couple summers as a fisheries technician for the Alaska Department of Fish and Game where we did specific surveys on the Aniak River, the Kwethluk River, the Kisaralik River, the Eek River and also some work in the lakes in the Kilbuk Mountains there.

I testify here this morning operating under the assumption that we're all in agreement that protection of our fisheries resource for future use is something that there's no question in our minds about. And I, based on what I've seen and the changes I've seen in the Aniak River, have serious problems with any sportfish bag which will include the retention or the killing of any king salmon. I have problems with them trying to say one salmon, in fact, I don't think that we should be killing any king salmon or any chum salmon at the Aniak River. And, again, this is just based on years and years of observation, the numbers of fish that are coming back and then the mushrooming pressure that's on that fisheries population right now.

Okay, now, why do I feel that way? Well, I've presented to the biologist in Dillingham in the past my opinion that our fish were disappearing at a rapid rate up the Aniak River, not just kings and chums but grayling and char and rainbow trout also. They've come back with a good argument and that is that I don't have any statistical information or any research to back up the position that I'm taking, and that's true. I do lack that sort of information, I lack it because that sort of research simply has never been done. But I do understand the difference between presence and absence, and there is a serious absence of fish on the Aniak River compared to what there was just a few years ago in the year 2001.

I could use grayling as a specific example. It used to be that the communities in the late 60s and the early 70s, even up as late as 1980 would, in the falltime come together and catch a lot of grayling at the mouth of the Aniak River. You'd have grandparents having their grandchildren out there, parents, families out there, a real cultural event, a real activity in Aniak, and that fishery has been completely wiped out based on just the pressure of guiding and sportfishing on the Aniak River.
And again, these are things that I've called to the attention of the State and there has been.

And this is the second point I want to take, there is zero enforcement or monitoring of the Aniak River by State officials. I mentioned that I've been guiding up there since 1969, that's over 30 years of guiding. Once have my clients been checked by a warden. Once that we've been asked to, and it wasn't by a warden, it was by a biologist down at Dillingham who asked to see our licenses one time, and there's just zero enforcement. No monitoring, whatsoever, of what's going on up there.

Last year, I appreciated very much that the State Fish and Game took in shutting down our small fishery on the Kuskokwim and also shutting down the salmon fishery but my friends who work over at the airport over there, some 20-plus flights that we have, round-trip, a week to Anchorage, tell me that just as many coolers and boxes of fish went out last year as had gone out in past years. Now where are those fish coming from? Well, I don't know exactly where they come from, you don't either but the point is that there's just no monitoring whatsoever of what is going on on the Aniak River right now.

There is also zero educational effort being made and that's one of the things that concerns me the most. The most successful programs that have existed out there, I think, specifically of the goose management program that took place on the Yukon-Kuskokwim Delta, that was successful because agencies came together and made an educational effort where we teach people. We tell people why regulations and rules are passed, that is not taking place at all.

There is, and I don't need to address this, there are better people around the table who can address it and I'm just going to mention it in passing; there is a serious lack of cultural understanding of how important these fish are to people in Aniak. As hard as I might try as a long-term resident to understand, I realize that I just do not understand, truly, how important this fishery is to the culture of the area out there. And like I say, there are people better than me who can address that.

So basically what I'm saying is that unless we get some sort of monitoring or some sort of enforcement out there, I'm not sure there's going to be any changes unless regardless of what we say here today and that we just need some sort of follow up on what is happening.
I, personally, would have a great deal of trouble if I were a subsistence fisherman there, accepting this four day restricting unless sportfishing has to release their fish also and I don't think that's going to fly, and Mr. Chairman, I think that's just common sense. If we're going to restrict our subsistence fishery, we need to restrict sportfishing also. It troubles me greatly when I see a raft, several rafts of people on one pool where you got 10 or 12 people with fly rods, spinning rods, casting rods or whatever standing around trying to get the three or four salmon that are out in this one pool who are trying to go through their spawning process, and that happens on the Aniak and it happens on the Aniak every year.

When I first started guiding up there in 1969 there was zero molestation of the fish once they got to the reds, zero. There was nobody up there harassing them. Today it's an entirely different story, the harassment is not intentional it's just a part of the fishing when you put that sort of pressure on so few fish.

There are some changes, I think, that we need to address which go beyond what's being said today here and I know we have a limited amount of time and I'll rush right through these. We do need to come up with a policy where there's no molestation whatsoever of our fish when they're on the reds. We need to keep power boats completely out of the feeder streams of the Aniak River, they should not -- boats should only be allowed in the main channel. When there's just two or three feet of water and you got a giant jet boat passing over the top of that thing and there are salmon spawning there, I have to believe that that interferes with the spawning process. The Buckstock River is an example that I'll point out to you. There used to be salmon spawning from the mouth of the Buckstock River as far as you could go up that river and now the only place that salmon are spawning is way up in the river and they've just been completely run out of the lower part of the river by the excessive usage.

All right, I realize also that this is really a hot button, political issue, and I understand there are two sides here and that's why we come together today but I'm hoping that this Board will understand that there have already been a lot of unaddressed changes that subsistence users in the Bush have had to deal with, they're not being enumerated. And I'm hoping that you will stand your ground and not allow any sportfishing for king salmon or chum salmon, I'd like to say all of our fish on the Aniak River until we can bring our numbers back up but
I realize that's unrealistic.

And with that, I'll close and I'd be delighted to answer any questions if anybody has any questions of me.

MR. BRELSFORD: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BRELSFORD: Mr. Albertson, in relation to the specific request that is before the Board, I believe I understood your position, the request is to preclude sportfishing for chinook and chum; it sounds as though you believe that catch and release fishing might be acceptable but any retention, any bag limit in which fish would be retained would not be acceptable in your eyes; have I understood your position correctly?

MR. ALBERTSON: Yes, you've articulated my position probably better than I did. I definitely believe that we shouldn't be keeping any kings or chums up there, the numbers are down.

You know, we're to the point where a single fish is really important and once those salmon start spawning up there, they should be left completely alone. I'm sure there are a lot of fishermen in this room but you catch a king salmon when it's going through its spawning process and it just spawns out while the angler is catching it and so you've basically lost a fish. So 500 fish, maybe there were just that few fish killed on the Aniak last year, I suspect there were a lot more, but 500 fish is just the tip of the iceberg; there's another thousand fish that anglers, I think, injure and ruin the spawning process for by catching them up there.

MR. BRELSFORD: Mr. Chairman, one follow up question.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. BRELSFORD: You've also commented about a long period of time operating as a guide on the Aniak River, what would be the affect to your operation if you were limited to a release policy, no retention; would your operation fold for the summer?

MR. ALBERTSON: It would be zero effect. It would be zero effect. The fishermen are coming up and
they realize that you run a catch and release operation, they're going to come up anyhow if they know that ahead of time. And more and more fishermen by completely into a catch and release operation. If you sold your fishing trip that you're going to send fish back with them, then that's what they expect. For a long time, you know, and the State, to their credit, addressed this, people were coming up and wanting to smoke their fish right on the gravel bar and then take smoked fish home with them, many, many pounds of fish. But to answer your question, specifically, it would have zero effect whatsoever.

MR. BRELSFORD: Thank you.

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. KESSLER: Thank you, Mr. Chair. Just so I understood a couple of statements you had which I'm trying to reconcile in my mind, did you say that the act of catching the chinook, it causes it to spawn out so the reproductive potential is lost? I mean even if that fish were let go, that opportunity for it to spawn is gone; is that what you said?

MR. ALBERTSON: That is what I said.

MS. KESSLER: Okay.

MR. ALBERTSON: Once the kings get on the reds, and once they start spawning and you catch a fish and you fight it and put it through all that stress, it usually -- you can pull a king salmon, and I regret that I've done this in the past, but you can pull a king salmon into your boat and it will just spew its eggs all in the bottom of your boat and the same way with a male, you pull it up there and it will just spray its sperm all over everywhere. There's some research, I understand in talking to biologists that kings that are caught like this in the process of spawning that they then, often times, will not expel all of their eggs if they're injured, if the injury is such that their body loses its energy to spawn, they just don't continue the spawning process.

MS. KESSLER: So biologically, would catching a fish and releasing it have the same effect as keeping it?

MR. ALBERTSON: If they're on the reds, I believe that it would, yes.
MS. KESSLER: Okay.

MR. ALBERTSON: I think there should be an absolute no molestation policy whatsoever of salmon once they start spawning.

MS. KESSLER: Okay.

MR. ALBERTSON: I absolutely believe that.

MS. KESSLER: Thanks.

MR. EDWARDS: I guess in following up on your last, sort of observations, then might it not be better to actually not target these fish as opposed to a catch and release policy?

MR. ALBERTSON: I think they shouldn't be targeted, yeah, you're right.

MR. EDWARDS: Not targeted?

MR. ALBERTSON: They should not be -- maybe I'm not understanding your question.

MR. EDWARDS: My question is based upon what you said, then would it be better not to target these fish as opposed to catch and release which would indicate that you weren't targeting them but you were going to release them once you caught it?

MR. ALBERTSON: I think the State right now has a policy of you can't bother the fish on the reds or something after July 15th on the Aniak River. That's my understanding and they can correct me if I'm wrong. And so that policy is already in effect, but it happens all the time when you've got raft-loads of people coming up from the Lower 48. You know, whether the fish is targeted or not. When these people have seen all these pictures of all the reds in National Geographic from Bristol Bay nose to nose and they come all the way up here and they're just seeing very few salmon, they really hit the very few that they see very hard. So what I'm saying basically is I do not believe that we should even be fishing for these salmon once they get on the red, we should avoid them.

And, secondly, the only time that we ought to be practicing catching and release up there is when those fish are on their way to the reds and then once they get there we shouldn't be bothering them.
CHAIRMAN DEMIENTIEFF: Thank you.

MR. ALBERTSON: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Greg Roczicka. How do you saw it, Roczicka. Roczicka. Roczi

MR. ROCZICKA: Keep trying. Mr. Chairman, for the record my name is Greg Roczicka. I am here to speak in behalf of Orutsararmiut Native Council which is the tribal governing body for the community of Bethel. And we would very strongly urge that you do accept the Staff recommendation and the majority recommendation when you take this and come to your final deliberations.

Specifically, and just following up on Mr. Albertson's prior testimony on the take versus the harvest. I've seen over the years various studies that catch and release, depending on who sponsors it, and essentially you can be looking anywhere from a five percent mortality up to a 60 or 70, and I've seen some as well that even set as much as an 80 percent mortality rate. So if you're looking at the numbers of people coming in there, potentially, catching five to 10 additional fish over the one that they're allowed to keep, you're looking at a huge, huge greater impact than otherwise.

We've looked at what's been called the lack of data, well, in this case I think it's a significant enough concern that it deserves to be recognized and that you do take the conservative approach in this case.

There's been such a huge explosion in the number of guides, outfitters, transporters throughout that have essentially spilled over the mountains in the last 10 years, and we're not talking just about the Aniak. We're talking about Kisaralik, Kwethluk, George, Holitna River drainage as well, and of course it extends beyond your jurisdiction to address here and certainly needs to be looked at with a broader form.

But the bottom line I heard fairly impassioned statements yesterday about what's being asked regarding your management decisions of what's the right thing to do versus what your legal parameters are and whether something's politically, socially or emotionally correct, and sadly enough that's what's been driving our management. I mean there shouldn't be a reason that we're here dealing with that, management in many cases has the ability to provide for all uses but because of the
political driving of management actions, they're not allowed to occur, and that is a very sad statement on the state of affairs of our management but there it is and we can only try to work forward to change that in whatever way we can.

So with that, I'd thank you, Mr. Chairman. I'd just subscribe to the earlier statements and I won't repeat them. I had several of the same issues to bring forward but I believe they were well said already and in the interest of time I'll stop there. Thank you, sir.

MR. EDWARDS: You'd indicated that you supported the majority of the Staff Committee's recommendation. Would you also support that portion of it that would exclude both rural and non-rural subsistence users that would not have C&T? For example, my understanding is that folks in Bethel who traditionally go over and subsistence fish on the Yukon will not be able to do so under what's being recommended?

MR. ROCZICKA: Yes, that is a downside to what is there and the Council, when they did discuss this issue, specifically, talked about that and even we were being asked to decide what days would be preferred for the closure and looking over the prior years records which the State of Alaska Subsistence Division has for Bethel, the dates that are there -- not the dates but the days which are set in place now, the Wednesday through Saturday, is not going to accommodate the traditional times or when the majority of people who reside in Bethel are catching their fish, but the Council recognizing the gravity [sic] of the situation said if this is what's going to provide the best opportunity for the most people who really do rely on these fish then this is what we'll do, this is what we'll support. As far as between the two rivers, if there was something you could do to accommodate that perhaps for people who have chosen to come and live and work because of an economic base to be able to get a paycheck, and you could make it within the conservation unit or something of that nature, that would certainly be appreciated.

But, yes, it was discussed and they accepted that, although not happily.

MR. EDWARDS: Thank you.

MR. BRELSFORD: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Go ahead.
MR. BRELSFORD: Mr. Roczicka, I believe that ONC has been active in voluntary conservation measures for king salmon and other species on the Kuskokwim River over the years, could you talk a bit about what the impact might be of adopting a closure or not adopting a closure in terms of local support for the limitations, the sacrifices by subsistence users?

MR. ROCZICKA: Well, the real emotion surrounding the whole issue, as you know, is tremendous, that people have. The Kuskokwim is the last area in the state where up until this year there were no restrictions on subsistence and it's only been in the last generation, actually, that management, per se, came in and many people have the view of managers as being at the fault of all this because there was never any problems before people came in and started to manage.

When you get into the issues of fairness and especially in context of the current proposal or the Special Action Request that you have in front of you, well, Lamont put it so good, there's just such a huge gap in the cultural understanding or misunderstanding, no common base of perception. And it brings me back to there was one old fellow from Quinhagak that put it so well, and I think I mentioned it to this Board several years but I see several different members here as well, and his question that he could absolutely not understand when people were sportfishing, catch and release fishing, was were these people never taught any manners by their parents as children to play with your food in such a way. When your mother brought you that plate of food and sat it down in front of you and you sat there and messed around with your mashed potatoes with your fingers and threw it around the room and essentially threw it back in her face, and he was really coming from his heart, he just absolutely could not understand how someone could do that. So there's such a deep-seeded resentment -- or it's not really a resentment, that's the wrong word to use, it's such a total confusion as to how people can act that way.

One point that I guess I did hear mentioned yesterday, when the State was giving their position that there is no public safety concern, I would say that there is something there to be considered. If we're going to be having a closure for subsistence use on some of these tributary rivers and you have boat loads of people coming down that are there for recreational or keeping their few fish that they're allowed to keep but yet subsistence users are going to have to sit on the bank, there could well be
concern there for somebody just blowing up and saying, this is not right, and putting holes in the boats.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMENTIEFF: Yes.

MS. GOTTLIEB: I do want to thank you for your testimony, I thought it was very informative and I really appreciate your efforts and all of those people who are willing to make compromises or sacrifices and hold back on some of their fishing in order to make this whole plan work. Thank you very much.

MR. ROCZICKA: Thank you, ma'am.

CHAIRMAN DEMENTIEFF: Thank you, Greg.

MR. ROCZICKA: Thank you, Mitch.

CHAIRMAN DEMENTIEFF: Leo Morgan.

MR. MORGAN: Good morning, Mr. Chairman. My name is Leo Morgan. I'm the acting executive director of Kuskokwim Native Association. I'm a lifetime resident of Aniak and have used that river all my life.

The KNA Board of Directors haven't met and they don't have a position regarding this proposal. They simply haven't met yet. It's interesting to hear comments and concern that are now being expressed about the Aniak River, to me, because 15 years ago our cries for help was but a whisper to the State, mainly, on we were concerned about the record numbers of catch for commercial and no record numbers of escapement on the Aniak River. I agree with all what Lamont Albertson had to say about the Aniak River. He used it probably more than me in my lifetime, simply because he's a guide that used it every summer. But Aniak River used to stink horribly of rotten fish, that was just the nature of the Aniak River. Everybody that lived around there knew that. And nowadays, you don't find that. Even if you go further up above Buckstock, you don't smell it. Even before coming into the Aniak River, down below about a mile or two it would stink because of the rotten fish, it was just the nature of that and now it's not happening.

But it's good to see people that were on the other side of the table 15 years ago when we were crying for help, that they're now seeing that what we were
complaining about, it's good to see the State using our
same arguments that we had 15 years ago. We need fish for
our grandchildren. I heard them the other day, it was just
a shock for me. But, you know, it took that long and it
looks like too long.

But I just have a few comments. The State
came to our community last Wednesday and met with the
community to discuss the fishing schedule and some of the
concerns of the community that were there, they said that
they're very concerned about the spawning river of the
Aniak, sportfishing is increasing, concern about large
boats in the critical spawning grounds. There's absolutely
no protection of them. And a lot of people were stating
that it was unfair for subsistence users to be restricted
for fishing and sportfishing is continuing on a daily
basis.

I know the State came out and told the
people that they need to conserve, but more than several
times they had to remind them that subsistence users do
conserve. They only get what they need and quit. Whether
it's going to be fishing four days or whether it's going to
be fishing seven days a week, it doesn't matter. They will
get what they need and quit. That's what they're used to.

But we're concerned about the -- well, I
am, concerned about the proposal. I don't really
understand the map up here, but if it's closed from
Buckstock down river, I'm concerned that -- for the
sportfishing people, they'll go and move further up river
and that's where our critical spawning grounds are. It
will impact the spawning beds more. We're concerned about
the jurisdiction. If I'm going up the river, I turn right,
that's Federal jurisdiction, if I turn left it's State. So
it's just confusing. And you know, where does that end,
how is it going to be worked out, what the penalties are
going to be? I know with subsistence they said there are
going to be write-ups, as for penalties they didn't have
that part worked out yet. So I don't know, if this
proposal is adopted, what are the penalties? Who's going
to enforce it? Those types of things.

Well, I just want to express that, you
know, all our people want to do is continue to fish for
their needs, whether it's four days or seven days, you
know, they're going to fish and I'm glad to see that, you
know, there is focus now in our spawning grounds up the
Aniak River. And there should be more focus on all the
other streams because those are the spawning beds that our
salmon use to lay their eggs and go out to sea to make sure that everybody has a chance to fish whether it's in the high seas or at the mouth of the Kuskokwim or wherever, so that's our concerns from Aniak.

And I agree with all what Lamont had to say.

CHAIRMAN DEMIENTIEFF: Thank you very much.

MR. MORGAN: Thank you.

CHAIRMAN DEMIENTIEFF: Gabe Sam.

MR. G. SAM: Thank you, Mr. Chair. My name is Gabe Sam. I am the director of Subsistence Advocacy for RuralCAP. I will be testifying on behalf of the organization's official position. Thank you, Mr. Chair and Board members for this opportunity to testify on the issue before you concerning the closure of sportfish for king salmon and chum salmon on the Yukon and Kuskokwim Rivers and its tributaries.

As it was stated earlier already in the analysis, the fisheries have been in a disastrous state for three or four years now. It is passing the point where subsistence fishermen farther up the Yukon and its tributaries could not meet their subsistence needs. The outlook for the coming season is not looking promising either. Already, before the fishing season is even started, I hear rumors of possible further restrictions, in-season management, predictions of the runs resulting in further subsistence restrictions.

It is the recommendation of RuralCAP that the conservation of the salmon resource be protected and that the people that live out there in rural Alaska have the opportunity to meet their subsistence needs first. That is before sport and commercial as it is stated in Title VIII of ANILCA. It has been brought to my attention that sportfishermen take a small percentage of king and chum salmon. My answer to that is it has gotten to the point where we are counting every fish that is going to the spawning grounds. It is no longer in the hundreds of thousands that enter the spawning grounds, it is now just in the thousands. Every fish counts.

And I thank you for this time.

Mr. Chairman, when I worked for Tanana
Chiefs last year, we supported the closure of subsistence fishing on the Kuskokwim and then further along, the season came along, the State Department asked for TCCs support to close on the Yukon but we could not support that because the people farther up the Yukon, their subsistence needs were not being met and I thought I'd bring that up.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Thank you, Gabe.

MR. G. SAM: Thank you.

CHAIRMAN DEMIENTIEFF: Joe Daniak, Daniels.

MR. DANIELS: Good morning. It's Daniels, for the record.

CHAIRMAN DEMIENTIEFF: Your writing is as good as mine.

MR. DANIELS: I have terrible handwriting, sorry. Thank you, Mr. Chairman, members of the Board. My name is Joe Daniels. I'm the executive director of the Alaska Sportfish Council. Through direct membership and affiliated groups, we represent approximately a thousand sportsfishermen, sportsfishing lodges and businesses associated with the sportfishing industry. For my testimony, I will be referring to your Staff analysis, and I would ask, for the record, my testimony may apply to both Special Actions. I assume from the previous testimony that's the case?

CHAIRMAN DEMIENTIEFF: Correct.

MR. DANIELS: Thank you. For the Yukon, Staff analysis shows an average sport harvest of 28 chinook out of a total run in 2000 of approximately 36,000 fish. Sport chum harvest averages 48 fish compared to a total run in 2000 of approximately 400,000 fish. For the Kuskokwim, Staff reported a maximum sport harvest of 800 chinook. It's been previously mentioned, this represents well under one percent of the total run. Chum harvest averages 55 fish for the sportfishery in the Kuskokwim and in 2000 the Kuskokwim subsistence harvest exceeded 51,000 fish.

For 2001, the Board of Fisheries has further reduced Kuskokwim chum and chinook harvest with decreases in bag and possession limits. In the Yukon, the
Board of Fisheries has mandated that area managers manage the sportfishery to achieve escapement goals and subsistence priority. Using your criteria, this amount of sport harvest is not sufficient to; 1, threaten the continued validity of the fish population; 2, threaten the continued subsistence uses of the fish or; 3, to threaten public safety. This amount of harvest by sportfishing has no biological -- little to no biological impact to the chinook and chum runs within the Yukon and Kuskokwim River drainages.

I urge you to weigh the cost of this proposed action in human terms against the lack of benefit in fish terms.

The sportfishery is being further restricted. The sportfishery causes little to no biological impacts, yet is already contributing a 50 percent reduction in harvest commensurate with the reductions in subsistence and commercial. These reductions will carry a significant impact to the economy associated with the sportfishery in these areas. In areas that already suffer economically from low fish returns, it makes no sense to further burden, if it won't help the fish or add to subsistence availability.

I thank you for allowing me the time to testify in front of this body.

CHAIRMAN DEMIENTIEFF: Yes, Joe, several years ago up on the Yukon River, between Circle and Dawson there was an outfit running a large catamaran that had a seven foot displacement hull, displacing seven foot of water each and every time it went by and it totally changed the runs. Instead of fish normally running where they run, the fish runs started going just right along the bank on each side instead of taking their normal route and totally changed the fishing pattern. Do you think these large sportfishing boats on the spawning grounds in shallow water would disrupt the fish spawning on their spawning grounds?

MR. DANIELS: Mr. Chairman, I believe that would be the case.

CHAIRMAN DEMIENTIEFF: Yes.

MR. DANIELS: Along those lines, if I may, Alaska Sportfish Council certainly doesn't advocate any kind of fishing that is disruptive and lacks a conservation mentality. We support the sustainable yield policy and no,
sir, I would hope that that has been stopped also.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: Earlier, we heard testimony from a gentleman from Aniak who indicated that he was a guide and I don't know whether he's a member of your organization or not, but he did, you know, express considerable concerns about targeting salmon on the spawning grounds as well as the effect that catch and release has on chinook that are just prior to them getting ready to spawn. How would you respond to some of his concerns?

MR. DANIELS: Mr. Chair, Mr. Edwards. First of all, there are policies that State Fish and Game has in place to restrict any kind of fishing on spawning salmon. Secondly, in regards to catch and release, I believe that, again, that had to do with fishing over spawning grounds and unless I'm missing something, and I would apologize if I am missing that that is allowed in these areas; I don't believe that it is. That is fishing over the spawning salmon.

CHAIRMAN DEMIENTIEFF: Thank you very much, Mr. Daniels.

MR. DANIELS: Thank you, sir.

CHAIRMAN DEMIENTIEFF: I got it right.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Bill.

MR. THOMAS: If I could, Mr. Chairman, thank you very much. Mr. Daniels, I really appreciate your comments and I very much appreciate the emotions and the passions that you use in representing your group. I have a lot of respect for organizations, regardless of the organization. With regards to numbers and quantities, do you have any idea of -- there was mention earlier about what seemed to be an excessive amount of sportfish pulled out of the river areas by visitors from out of state, would you have any guesstimate as to what those quantities might be?

MR. DANIELS: Mr. Chairman, Mr. Thomas. You're assuming, I guess, numbers of pounds of fish going out of, in your area, I do not, to answer that.
MR. THOMAS: Okay. Another thing, you mentioned a number of sportfishermen that you represent. You may not have information for the second question either with regards to out of state visitors that come up to fish the rivers. Do you have any idea what those numbers are?

MR. DANIELS: Mr. Chairman, Mr. Thomas. Not in your area specifically, no. The number for the state is.....

MR. THOMAS: No, I'm talking about the Yukon-Kuskokwim.

MR. DANIELS: I do not.

MR. THOMAS: Okay. No, my area is in good shape, I don't have any problems down there.

MR. DANIELS: Yeah.

(Laughter)

MR. THOMAS: We have management in my area so thank you very much.

(Laughter)

MR. DANIELS: I lived for three years on Prince of Wales Island myself, so I know.

MR. THOMAS: Thank you.

MR. DANIELS: Thank you.

MR. THOMAS: Mr. Chairman, there's one more.

CHAIRMAN DEMIENTIEFF: Yes, Ralph.

MR. LOHSE: Mr. Chair, sorry, first of all I want to apologize for the fact that I was on the phone and couldn't get in here but I just heard part of Mr. Daniels from the back. And there was a question that I wanted to ask him and I apologize if this question has been asked and I just missed it. But has the State or has anybody done any studies on the percent of mortality on salmon for hook and release and on the different various methods of hook and release, single hook, treble hook, bait or anything like that? Do we have any kind of estimates at all of what the percent mortality is?
MR. DANIELS: Mr. Chair, I would believe I'd be better served by passing that off to the State reps here but I know there have been studies done, both fresh water and saltwater. But again, I think you'll get a better answer talking to the reps from the State here.

MR. LOHSE: Thank you, much.

CHAIRMAN DEMIENTIEFF: Thank you again.

Hart Lake.

MR. LAKE: Good morning, Mr. Chairman.

Before I start I'd like to acknowledge the elders from my region in the room and to acknowledge the fact that they've been great stewards of our resources. Good morning, Mr. Chairman, Board members.

I'd like to start on an exercise which you probably have not gone through before. And if you will bear with me, (In Native Language). And to expand that a little bit, how many in this room understand and live the traditional subsistence way of life, please, raise your hand? How many understand the languages of their region in which they live their traditional way of life? How many agency representatives and directors fully understand the traditional and customary value systems of the people they serve? That's Federal agency personnel please? There lies the fundamental difference.

Mr. David O. David from Quinhagak, at one point, did almost the same thing but he wrote his comments in Yupik and gave it to the Commissioner of Fish and Game. And his point was that the Department of Fish and Game did not understand the cultural and traditional value systems in which they were managing and regulating.

Thank you for that small exercise. I think you kind of understand where that is leading to.

I am here as president of AVCP, the Association of Village Council Presidents in Bethel. We provide programs and services for 56 tribes in the region. We advocate for and on behalf of those tribes and AVCP's mission statement also says that when our way of life is challenged, that we champion their causes to protect those forces from within and without that challenge our traditional way of life. There's a thing called hungry because of no money and hungry because of no food. Our people have exercised this for generations. They have gone through and survived in the harshest environments in this
world. It is not easy to stand up in your house, walk out the door and go to the grocery store. 1, there's no jobs out there; 2, there's no grocery stores that would do the same thing that the ones like here in Anchorage. The world around us is our table, our environment is our table, much like the supermarket is to yours.

When we start regulating, we should do so, hopefully in understanding and being concerned about those that will be affected when we manage and regulate.

I appreciate the comment of Mr. William Thomas, who commented about the gentleman concerning wolves, asking about his biology and our biology. I appreciate the comments made by Mr. Demientieff, the Chair of this body, who indicated that we are here for a purpose. The Federal government's responsibility to the American Indians and Alaska Natives should be one that is understood by those that manage and regulate in order to assure that the Federal government's responsibilities and duties to the American Indians and Alaska Natives is understood.

I appreciate, Mr. Charlie Bunch's comments yesterday about siding on the error with Natives, that's Federal policy and regulation. Your responsibility as Federal agencies is to the Alaska Native people and the American Indian must be understood in order to assure us that the work that you do is in keeping with the parameters of the relationship that the Federal government has with the American Indians and the Alaska Natives.

Getting to the subject of the Special Action Request of Mr. Mike Savage of Lower Kalskag, Mr. James Luke of Mountain Village. Two people in our region that live the customary, the cultural and traditional way of life and they did these things for a reason. And I believe that one of those reasons is our cultural and traditional value system that says you do not play with your food. You only take what you need in order to feed your family, your extended family. You do not play with the food and that's exactly what it is to us.

You see people standing on the shores of the rivers with a rod and reel, the fish come in, they pick it up, grab it right around the gills and you see tears in their mouths and they look at it and see how pretty it is and throw or put it back in the river. You don't do that in our culture and traditions because of the respect that you have for the resource. Oh, and by the way, I'm sorry, there is no such word as subsistence in my language, and
when you have that definition and you know where you're coming from and you try to define subsistence so that those that do not understand it have some idea but it's very difficult to do so. Subsistence means the taking of resources or fish in this instance. To us it's a lot more than that. It's the weather, it's the appreciation for the greater spirit, to provide this to you. You're observant of the weather and the conditions and you recall the things that your elders and your parents have said concerning the handling of and the respect of the resources that you're going out for because you're doing this to feed your family. And we do this only because so that our families do not go hungry.

We do not fish for money and that's why we're so concerned about the sportfishing and the commercial aspects of this whole discussion. It's for food. It's to provide food for our families.

A lot of comments fly back and forth, well, these are the modern times, and there are modern technologies and utilities that are available, that does not change who and what we are. There's very few people in this room and in the Federal managers that can sit at the same table with me and eat stink fish and eat stink heads and aged seal meat and stuff like that. These things are natural to us, generations upon generations of living in the harshest environment. Much like it's so easy for you to enjoy hot dogs and chicken.

These things I speak about, I always say, you know, I'm a pretty darn good cook but my mother-in-law has a hard time, she'll eat the rice but not the other things that I cook up because I use a lot of spices and things like that because that's the way they are, 98 percent of their diet is from the land and the waters around us, and yet we don't mention any of this in the discussions that we have concerning the preservation and the conservation of these resources. We are very concerned and we will do things necessary to ensure that these resources are available for our children and our grandchildren and those that come behind us. And we don't do it because we're concerned about anything else but the continuation of the provision of food for our families and to carry forth the cultural and traditional value systems that go along with the harvesting of these resources.

The Special Action Request, we support and we ask the Federal Subsistence Board to act in favor of those Special Action Requests.
And in one of those there's a dorsal fin removal.

CHAIRMAN DEMIENTIEFF: Excuse me, that issue will be taken up later, could you please summarize your comments on Special Action Request 1 and 2 now, please?

MR. LAKE: Yes. The people of my region are very concerned about the continuation of sportfishing, although they've been reduced to one. They're very concerned that some people or, you know, about sitting on the banks of the rivers while they see rafters go down casting for fish, releasing fish. At the end of the day, they're concerned about sitting at the docks watching these coolers and boxes of fish leaving our region while we sit with our nets out of the water because we can't do that.

There's a difference and we must understand, you know, these little things that may not seem like very much. Well, we reduced the sportfishing take from three to one, but they're still leaving the region and the rivers on a daily basis to Europe, to Japan, to the Lower 48, and our people can't fish to provide food for their families.

We appreciate the concern and hopefully the wisdom that is made in the decisions that you make concerning these Special Action Requests.

Thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: Sir. Art.

MR. LAKE: Yes, sir.

MR. EDWARDS: Earlier, I asked the question that as part of this recommendation it would also exclude both rural and non-rural subsistence users without C&T, what is your view on that exclusion because my understanding is it would include some of the villages in all areas that your organization represents?

MR. LAKE: Mr. Chairman, Mr. Edwards.
That's not rural or non-rural, that's Federally-qualified subsistence users. There's a difference there.

MR. EDWARDS: I guess my question is that would exclude some subsistence users that have historically used these areas for subsistence purposes.

MR. LAKE: Well, we agree that Federally-qualified subsistence users should have a preference, but at the same time also I think that's a question that you must deal with with the tribes. It's a tribal issue. It's an internal issue for them. And I think you should have that discussion with the tribes, consult with the tribes and discuss these things with them.

MR. BRELSFORD: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. BRELSFORD: Mr. Lake, you've sketched a rather stark picture of the differences between traditional cultures and societies, and the management agencies and certainly we're confronting one of the most severe challenges in terms of these limitations on subsistence users that we've seen perhaps ever. I think of AVCP as one of the organizations that's really made a tremendous effort to bridge management and cultural practices through institutions like the Goose Management Plan and many efforts of that sort. I understand that AVCP is actually sharing in some of the voluntary conservation measures, the discussions in the communities at this point. Could you tell us a bit about what we might have in common in this situation? I believe everyone recognizes the severity of the decline of these resources and everyone supports extraordinary measures at this point and it seems that there's no argument about the commercial fishery being suspended until the runs return. But you're active in these conversations in the villages and could you tell us a bit more about what it will take to have support in the villages for these sacrifices this year and what risks might arise if the sportfisheries are allowed to continue?

MR. LAKE: Thank you, Mr. Brelsford. The joint appeal, I support, but I'm concerned about the method that we're sending out. We all say that we are seriously or gravelly concerned about the numbers of fish that kings and chums that are returning and that we are actively working to reduce subsistence harvest, or closing commercial fishery, but we're allowing sportfishers to continue to have fish leave the region and the rivers and
it's hard for my people to say, Art, or AVCP we'll sign on right now because we're concerned about the fish, we're concerned that our children and our grandchildren will not have these resources available. But they're hesitant because they say, well, if the State is also as concerned as we are and knowing that subsistence is a priority for both Federal and State regulations, but to continue to allow the exportation of these fish is a hard pill to swallow for my people. It's very difficult.

I appreciate the difficulty and yet, I know if we don't do these cooperative efforts, that we will not have these resources available for your children, my children and the future children. We need to do that. But it's a very difficult thing to do, to say, we fully support and we'll go out and take all the efforts to do that. It makes you kind of hesitate a minute before you do something like this because of that.

MR. BRELSFORD: Thank you.

MS. GOTTlieB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Judy.

MS. GOTTlieB: I truly thank you for your comments and I know it's really hard for us to understand each other's lifestyles and ways totally but I do feel that we are very willing to be educated and hopefully capable of being educated and some of the RAC Chairs try educating me all the time.

I'm also struck by, I mean your main points are we need to communicate and we need to share information, and that's exactly the way that we approach doing business. I was struck yesterday, we were handed out a copy of the Koyukuk River Moose Management Plan and a quote from one of the elders in the area, all of us here from across the state with different lifestyles but we are all here for the same reason so we can continue to hunt and eat moose meat. Even if we disagree on some things, we have to compromise and save the moose for future generations. Well, we're not talking about moose at the moment, I know you all understand that, that has to be our approach on something as very important and critical as the fisheries and the subsistence use on the Yukon and Kuskokwim.

Thank you for your comments.
MR. LAKE: Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Eruk Williams.

MR. WILLIAMSON: My name is Eruk Williamson. I live in Anchorage and I conduct float trips on the Aniak River, guided float trips. I'm also a registered guide operating in Unit 18 and 19. I have a degree in wildlife biology and I'm a former member of the Board of Game. I'm new to the Federal Subsistence Meetings.

Public input at the State Board of Fish meeting was quite diverse and the committee structure allowed users to provide effective input. Compromises and agreements were reached on the Kuskokwim fishery. Sport subsistence and commercial fishermen all were limited and the outcome of that was an innovative and conservative regulation. That State regulation and the possible EO authority, and the EO authority of the State should actually reduce sportfishing effort and of those who come, the percentage who kill king salmon will probably decrease as well.

It's very difficult for float fishermen to take fish home. On my trips, we kill a few when allowed, jacks, to eat on the river, but no one takes any fish home and we don't kill any full-size adults, of the king salmon.

The State regulations have already placed a burden on the sportfish operators, especially those who live along the Kuskokwim River and operate in the Lower Aniak. The reduced bag limit and the uncertainty of a possible EO has likely caused an unknown number of potential clients to decide to fish elsewhere and this is a real economic impact to people who live in the Kuskokwim region.

If this Board closes sportfishing for kings completely, the greatest impact will likely be on those lodges and guides who use the Aniak below Buckstock and most of those live in the Kuskokwim region. As Mr. Allred pointed out, the main option, if this occurs, is for the guides and lodges to travel further up the Aniak River above the boundary which will exacerbate crowding in that area and cause more environmental damage from the motorboat traffic. The shoreline erosion will likely silt, you know, cause increase in silting of the salmon reds and alter the salmon movements.
Regarding fishing of the salmon in their spawning area, most guides do not allow their guests to fish for salmon who are setting up territories or on their reds spawning. Fishing effort in the upstream waters is confined to light tackle intended for rainbow, char and grayling. If any action is required I urge this Board to amend the proposal to allow no retention of king or chum salmon but leave the season as it is.

That's all.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. WILDE: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Harry, let me explain something here. A moment ago I allowed Bill and Ralph to ask questions during Board -- when the Board was taking testimony and that was just because I was so intent on listening to this. It's never been done before and it will never be done again under my tenure. Regional Council Chairmans will get ample opportunity to discuss when we move on to deliberations. Any questions from the Board. Sorry, I don't mean to be disrespectful.

Thank you.

MR. WILLIAMSON: Thank you.

MR. THOMAS: We're going to leave, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: You just made history, what are you going to leave now for?

(Laughter)

CHAIRMAN DEMIENTIEFF: John Starkey.

MR. STARKEY: Thank you, Mr. Chairman. John Starkey, attorney for the Association of Village Council Presidents and have been for the past 18 years or so. I've had a chance to see this system evolve and been involved with the State system for quite a number of years.

I guess what I'd like to focus my comments on are the, what I see as a very limited snapshot of the data being presented, 500 fish, 700 fish, 800 fish. You know, this fishery has a long and tragic history really. As Mr. Morgan pointed out, people in Aniak have been crying
for help for more than a decade. Mr. Albertson's been, as he noted, doing the same thing. Some of the sports fishermen here, I'm sure, have the same concerns. This fish stock was a wonderfully healthy stock and now we've all come to this point. So you've got the past and now you've got the future.

I don't think people on the Yukon or Kuskokwim, the users out there, the people that live there see this as this year. I think people are digging in, you know, this the future. This is not this year 500 fish, this is what this means 10 years from now. Are people going to have fish in the river? You know, what's the Aniak River going to be in 10 years.

You know, you take, let's just play with the number a little bit here. They say they caught about 1,800 chinook, that's what was reported as kept. Very conservative numbers. We've got 7,800 caught and released, conservative numbers reported. Okay. So you take the 800 and you take the 7,800 and let's just say that 20 percent, very conservative estimate were either injured or harassed to the point where they didn't spawn and you add that together and you get about 22,360 fish. Okay. Well, you multiply that by the spawner, the recruitment per spawner, each fish, theoretically, returns about four and you're up to about 94,400 fish. I mean that's the reality. That's what we're looking at. We're trying to rebuild these fish. It's not just five or 800 fish. So they mean a lot more than these little numbers that are being thrown out piecemeal for the year. This has been a long-term problem and it requires people to look into the future as to what these fish mean. That's why when people say, every fish is important, it means every fish is important. Not as one fish, but maybe four or five. And then you get four or five and you've got 100 pounds of food. A hundred pounds of food makes a lot of difference as things come down the pike.

I guess the other thing that I'd like to briefly comment on is this issue of people going above the boundary to fish. I'm convinced that the people, Mr. Allred and the others that have testified here, because they are good stewards of the river, would not do that. I'm very hopefully that they wouldn't. But if they do, and that becomes a problem, then we just have to be confident that the State, you know, takes whatever actions are necessary to keep people from going up above the boundary. But I guess I'm a bit disturbed that people who portray themselves as stewards of the river would come in and
suggest that your actions would be meaningless because other people who are using the river would go up knowing the severity of the conservation problems and try to defeat it above the Buckstock. And I just don't think that that's an argument that holds any water. If the State managers take their responsibility seriously then they'll deal with that problem and it's more of a threat, I think, it's kind of a threatening argument, which I just don't believe the Board should give any weight to and deal with if they have to.

Thank you, Mr. Chairman. Appreciate the opportunity. I'd be glad to answer any questions if there are any.

CHAIRMAN DEMIENTIEFF: Thank you. That concludes the public testimony on Special Action Requests 1 and 2. We're now going to go into the Staff report for Yukon River.

MR. NICK: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. NICK: We do have one written public testimony.

CHAIRMAN DEMIENTIEFF: Additional one?

MR. NICK: Yes, Jennifer Hooper from AVCP.....

CHAIRMAN DEMIENTIEFF: Yeah.

MR. NICK: ......she had to leave yesterday.....

CHAIRMAN DEMIENTIEFF: Oh, yeah, that's right, go ahead.

MR. NICK: ......and with your permission, Mr. Chairman, I'd like to read that testimony?

CHAIRMAN DEMIENTIEFF: Yes.

MR. NICK: For the record, my name is Alex Nick. I'm the Coordinator for Yukon-Delta Regional Council and the testimony is from Jennifer Hooper, AVCP, acting director of Natural Resources. This was written yesterday and I'm going to read it as it is written.
It says, good morning -- rather good afternoon, Chairman Demientieff, Board members. Thank you for the opportunity to testify before you today. My name is Jennifer Hooper. I am the acting director of Natural Resources for the Association of Village Council Presidents which represents 56 villages on the Kuskokwim River and the Lower Yukon River. I am here today to speak in support of the two Special Action Requests relating to closing sportfishing on the Kuskokwim and Yukon Rivers before you hear the chinook and chum stocks on the Kuskokwim and Yukon Rivers have been deemed stocks of concern.

We will be facing quite severe restrictions to our subsistence fishing schedules this summer in the name of conservation. We understand the situation our salmon are in and are willing to share the burden of conservation as much as feel we can. We also feel all user groups should as well. In your Staff's analysis it is stated from ADF&G document that even with the restricted subsistence schedule, based on the poor outlook for the season, we do not expect to meet both escapement and subsistence needs. This brings me to the sportfish issue. The Sportfish Division of ADF&G has already indicated their willingness to reduce the daily bag limit possession limit from three to one for both species. I realize that for some that is enough, to them, one fish allowed is such a minute amount. But that one fish is being foregone by subsistence fishermen in the lower rivers in order for it to reach the spawning grounds. The restricted subsistence schedule put into the regulations by the Board of Fisheries with the intention to reduce subsistence harvest was deemed a reasonable opportunity for subsistence fishing families to meet their needs. This reasonable opportunity might be applicable during a normal healthy run but we are facing the probability of one of the worst returns this summer on both rivers; that reasonable opportunity will not happen; it will not be there.

This is why this summer, any fish swimming up on rivers must go to only two places, the tables to feed our families and to the spawning grounds.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Again, as I mentioned, that concludes our testimony for both Special Action Requests No. 1 and 2, Kuskokwim and Yukon. I think we're going to go ahead and move onto deliberations on Special Action Request 1 before we go into the Yukon so that we -- there will be no additional testimony, though,
on the Yukon. Staff Committee recommendation on the Kuskokwim -- yes?

MR. EDWARDS: Mr. Chairman, I thought we agreed yesterday that we were going to hear both of them prior to following up with discussions and deliberation?

CHAIRMAN DEMIENTIEFF: Well, just procedurally we may want to just go ahead and digest the information on the Kuskokwim, although we've had public testimony on both of them, and then hear the Staff reports -- do you want to deliberate them simultaneously; is that what you're saying?

MR. EDWARDS: I guess I'm concerned about how we would then go about, you know, making a motion. I guess I would feel more comfortable if we were in a position to sort of make a motion that might address both of the issues together as opposed to each one separately.

CHAIRMAN DEMIENTIEFF: Well, that's fine if that's the way it goes, then we'll go ahead and ask Mr. Kron to come up and give the Staff analysis on Special Action Request No. 2.

MR. KRON: Mr. Chairman, members of the Federal Subsistence Board and Staff. My name is Tom Kron. I am a biologist for the Office of Subsistence Management. With Alex and I are Fred Andersen from the National Park Service in Fairbanks and Russ Holder from the U.S. Fish and Wildlife Service in Fairbanks. This brief presentation is to provide you with an overview of information concerning the stock status and subsistence fishery management issues for the Yukon River before we move into consideration of the two Yukon River Special Action Requests.

I'll be referring to this yellow information sheet that you have before you. Please feel free to look thru the information sheet during my presentation. The graphics I will be projecting on the screen come from this sheet. The information sheet was prepared by ADF&G with review by U.S. Fish and Wildlife Service and National Park Service fisheries staff last month. In the spirit of cooperation OSM technical writers formatted and arranged for the printing of 6000 copies to be distributed along the river.

First of all, stock Status and Recent Harvest Information. Chinook salmon production on the Yukon River has been depressed the past three years. This
figure depicts the total run of Yukon River Canadian origin chinook salmon over the past eight years. Canadian origin chinook normally make up about half of the catch of US fishers along the river. Chinook escapements in Canada and most other areas along the Yukon River in Alaska have been poor the past three years.

Next, summer chum salmon production in the Yukon River has been depressed the past three years. This figure depicts the Yukon main-stem summer chum salmon estimates at Pilot Station and the escapements into the Anvik River over the past five years. Some summer chum salmon do spawn in tributaries downstream from Pilot Station.

Next, fall chum salmon. Like chinook and summer chum salmon, Yukon River fall chum salmon have also been depressed in recent years. This figure depicts the Yukon main-stem chum salmon estimates at Pilot Station over the past five years.

2000 Harvest Information. Subsistence harvests of Yukon River chinook and chum salmon in the year 2000 were the lowest since 1998. In 2000, many middle and upper Yukon River residents reported not having their subsistence needs met, while lower Yukon residents generally met their needs.

Next, moving on to Board of Fisheries actions and actions subsequent to that. The Board of Fisheries established a subsistence fishing schedule for the Yukon River last January. The goal of the schedule is to provide windows of time that salmon may migrate upstream unexploited. When necessary for conservation, this schedule may be restricted based on preseason and in-season indicators. The Board of Fisheries also provided the Department additional emergency order authority for in-season management of the salmon fisheries.

In March there was a U.S.-Canada meeting between delegates from both the U.S. side and the Canadian side, and at that meeting it was agreed by that joint panel, that subsistence salmon harvest in Alaska and aboriginal fisheries in Canada should be held to no more than half of the normal level this summer to help provide for resource conservation.

ADFG and the U.S. Fish and Wildlife Service Staff met with the three Yukon River Regional Councils at their spring meetings in Fairbanks and Kotlik.
Presentations were also given at the Yukon River Drainage Fisheries Association meeting in Holy Cross and a fishers meeting called by Harry Wilde in Mountain Village last month. ADF&G, U.S. Fish and Wildlife Service and National Park Service fisheries staff are working together to get information out to the public about the upcoming salmon season. This is a major challenge given that we need to cover more than a thousand miles and more than 40 villages. The yellow information sheet that we passed out to you is one of the products from this cooperative effort with ADF&G. These information sheets are being mailed out to all subsistence fishing households along the river by ADF&G. They are also being sent to all Yukon River commercial permit holders and personal use fishers. Ray Hander from the U.S. Fish and Wildlife Service in Fairbanks developed this poster, and again similar to what you heard on the Kuskokwim, we were hoping to be able to put these up in the stores and at the post office and around towns in all the villages along the river. We have two pictures of our elders on this poster; one of them is the honored Harry Wilde, our Regional Council Chair from the Y-K Council.

Let me read Harry's statement from the poster as I believe it is applicable here today and on the river this summer.

And this, again, is from Harry Wilde.

Respect salmon and wildlife. No waste. Think of your children and grandchildren. Save salmon for the spawning grounds, and I'll pass this around for you to look at. It is a prototype, it does need a little bit of work. But again, the intent is to work from this and to help spread the word and communicate.

State and Federal Staff will be traveling together to many of the Yukon River villages to talk with fishers, present information and answer questions about the upcoming salmon season. Information is also going out via the local newspapers, radio and T.V. The Federal manager for the Yukon River, Mr. Monty Millard, is currently at public meetings in the lower Yukon with the ADF&G manager and as such was unable to make it to this Federal Board meeting today.

Based on poor returns of age four and five year old chinook salmon in 2000, we expect very few age five and six year old chinook in 2001. The Yukon River chinook run may be as poor or worse than the 2000 season. A commercial fishery in 2001 is highly unlikely; this represents a five to 10 million dollar loss to Yukon River villages. It is anticipated that the subsistence harvest of chinook salmon will need to be reduced to at least half
of the normal level in order to meet minimal spawning 
escapement needs throughout Alaska and Canada. These 
restrictions affect the basic food needs in the villages as 
well as the culture and the way of life in these 
communities. Most spawning escapement levels have been 
poor the past three years and each additional year of poor 
escapements compounds the problem even further. It is 
necessary to restrict harvest in order to assure the 
continued viability of chinook and chum salmon populations. 
In 2001, ADF&G and the U.S. Fish and Wildlife Service will 
be managing for escapement and spreading the subsistence 
harvest opportunity along the entire Yukon River. 
Subsistence harvests of chinook and chum salmon are 
expected to be less than half of normal. The planned 
subsistence fishing schedules are presented on the back of 
the yellow information sheets. The Federal manager is 
expecting to adopt a subsistence fishing schedule by 
Special Action consistent with that adopted by the State 
just prior to the fishing season. You will note that in an 
effort to achieve a 50 percent reduction in subsistence 
harvest that is spread throughout the river, subsistence 
fishing time may be reduced from the Board of Fisheries 
schedule as shown on the bottom of the last page of the 
handout.

Next, a few comments about ANILCA Section 
804. There were subsistence fishing closures and 
subsistence harvest shortfalls in 2000. The poor salmon 
returns to the Yukon River in 2001 are necessitating 
fishery management actions to reduce subsistence harvest in 
order to provide for resource conservation. We believe 
that there is a need to address the situation relative to 
ANILCA Section 804. ANILCA Sections 802 and 804 both 
identify the need to give a preference to subsistence over 
other consumptive uses on Federal Conservation Units. 
Actions being considered for this summer address these 
requirements. Efforts are being taken this summer to move 
fish upriver and to distribute the allowable subsistence 
harvest more evenly along the river and among eligible 
subsistence users. In addition to the regulatory 
restrictions, we are requesting that fishers voluntarily 
reduce their catches to the extent that they are able. 
These are among the first steps in addressing Section 804. 

Section 804 further specifies that whenever 
it is necessary to restrict the taking of fish for 
subsistence in order to protect the continued viability of 
such populations, priority shall be implemented through 
appropriate limitations based on the application of 
customary and direct dependence, local residency and the
availability of alternate resources. There is a need to proceed circumspectly to assess appropriate limitations consistent with this section of ANILCA. The development of a process for implementation of Section 804 will require close coordination and communication with the three Regional Advisory Councils along the Yukon River consistent with ANILCA Section 805. There will also need to be close consultation with the State of Alaska. Given recent trends in Yukon River salmon production, we anticipate that draft procedures for Section 804 will need to be developed over the summer and early fall such that initial discussions can occur with Regional Councils at the fall Regional Council meetings. We will keep the Board informed on progress on this issue and hope to have draft recommendations to present at your fisheries meeting next December.

This concludes my summary. I’ll take any questions or comments on this summary first before proceeding with Staff comments on the first of the two Yukon River Special Actions before you today.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Questions at this time. Judy.

MS. GOTTLIEB: Mr. Chairman, thank you. First of all, thanks, Tom, that was a good presentation and I appreciate all the cooperative work that has gone into producing these yellow pamphlets. I think they’ll be very helpful and the poster will be also.

Subsistence harvest expected to be less than half of normal. That’s extremely serious. Is that sufficient for subsistence uses and are we doing everything we can to assure at least that level of subsistence harvest?

MR. KRON: I think there will be an effort by, you know, all of the managers to do everything they can to provide fish for subsistence. But again, a major concern after three years of poor escapements is, you know, maintaining the resource for future generations as well.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you very much. Staff Committee recommendation. Tom, you had more follow up? What?
(Pause)

CHAIRMAN DEMIENTIEFF: Okay, go ahead with Staff analysis.

MR. KRON: Mr. Chairman, Staff analysis of Special Action FSA 01-02. Special Action Request FSA 01-02 submitted by James Luke of Mountain Village would close sportfishing for chinook and chum salmon in the Yukon area. ADF&G has already said commercial fisheries are very unlikely this summer.

First of all, customary and traditional use determinations for the Yukon include the residents of the Yukon area as well as the residents of the village of Stebbins. Federal jurisdiction extends throughout the Lower Yukon drainage within the boundary of the Yukon-Delta National Wildlife Refuge. There are other Federal Conservation Unit lands within the Yukon drainage which also might be considered.

Within the copies of the Staff analysis you have before you, I've included information about the regulations. In addition to this, I'd like to provide you an update that we received last Friday from ADF&G Commissioner Rue. He states: "By mid-June ADF&G salmon managers will determine whether early returns justify further restrictions in sport and other harvest." You should also note that there was a letter from the Alaska Board of Fisheries yesterday.

Sportfishing for chinook and chum salmon within the Yukon-Delta National Wildlife Refuge is limited and occurs primarily in the Andreafsky River near the village of St. Mary's. It appears that sport harvest of chinook and chum salmon on Federal Conservation Unit areas upstream of the Yukon-Delta are even smaller than those reported for the Andreafsky. Some non-Federally qualified subsistence users have subsistence fished on Federal Conservation Units within the Yukon drainage in years past. The effect of the original Special Action Request would be to eliminate sport harvest of chinook and chum salmon in the Yukon-Delta National Wildlife Refuge.

If this Special Action Request is modified the non-Federally qualified subsistence harvest of chinook and chum salmon would be eliminated. This would provide a subsistence priority and limit the harvest to village residents along the Yukon area. ADF&G has already said that commercial fisheries are very unlikely this summer.
Commercial fisheries are closed until opened by emergency order by the Department of Fish and Game. If this Special Action were implemented, it would result in restrictions to the sportfisheries on Federal Conservation Unit lands and adjacent to them. It would also limit subsistence fishers to those people in the villages living along the river and at the mouth of the river.

It would be important for in-season fishery managers to be empowered to remove such restrictions in-season in the event that it appears that escapement and subsistence needs will be met. The Federal subsistence management program and ADF&G both share resource conservation is the highest priority. There is a subsistence priority in both Federal and State law. There will be regular in-season stock, status assessments and conference calls with the Yukon River Drainage Fisheries Association and the Coordinating Fisheries Committee. This committee consists of two members from each of the three Yukon River Regional Councils. The Federal manager is committed to working cooperatively with ADF&G.

This Special Action would negatively affect guides, outfitters and shuttle service operators in support of the salmon sportfishery. Chinook and chum salmon harvest in the Yukon River by non-Federally qualified subsistence users have represented a small percentage of the total harvest in years past.

Thank you, Mr. Chairman. That concludes my Staff analysis.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. SIMMONS: Thank you, Mr. Chair. Rod Simmons, InterAgency Staff Committee for Fish and Wildlife. The InterAgency Staff Committee did not reach consensus on Special Actions 01 and 02 Requests but did support much of the intent of these requests and I'll paraphrase the regulatory recommendations of the Staff Committee.

The majority opinion of the Staff Committee is to recommend the Federal Subsistence Board close sportfishing of chinook and chum salmon within Federally-managed waters, but also only allow Federally-qualified users to take chinook and chum salmon under Federal subsistence regulations. This, in effect, would eliminate all non-subsistence uses for these two species within Federally-managed waters within the Yukon and Kuskokwim
Rivers until such time conservation and subsistence needs are likely to be met.

A second opinion presented by the Staff Committee is to recommend the Federal Subsistence Board limit sportfishing for chinook and chum salmon to catch and release fishing only but all other non-subsistence uses would be otherwise eliminated until such time conservation and subsistence needs are likely to be met.

Justification comment to both recommendations is that the Federal subsistence priority, as identified in Section 802 of ANILCA is to assure continued viability of fish and wildlife populations and to provide for subsistence uses as the priority over consumptive uses.

Based upon the performance of the chinook and chum salmon returns in recent years and the expected poor outlook for the 2001 season, escapement and subsistence needs are not expected to be met this year.

While there is always some uncertainty regarding salmon outlook or forecasts, the data available are strong indicators of expected poor returns for both chinook and chum salmon. Until there are different indicators in-season, conservative management actions are appropriate and subsistence harvest be given priority over other consumptive uses.

Since this action is before the Federal Subsistence Board the Staff Committee also recommends that the Federal in-season manager should have the flexibility to remove these Board-approved restrictions if salmon returns turn out better than expected and in-season evaluation of chinook and chum salmon run strength demonstrates a harvestable surplus beyond subsistence and escapement needs. Without the Board granting this in-season delegation removal of this restriction would require a follow-up Board action. Evaluation of in-season run strength will be a joint effort between ADF&G and Fish and Wildlife Service managers in cooperation with the Kuskokwim River Working Group and the four members of the Yukon-Kuskokwim and Western Interior Regional Advisory Council Coordinating Fisheries Committee members.

And that concludes the Staff Committee recommendation, Mr. Chair.

CHAIRMAN DEMIENTIEFF: You're done. Okay,
MR. BOYD: I'm not sure, did he give a recommendation on both?

CHAIRMAN DEMIENTIEFF: Was that both?

MR. SIMMONS: Yes, that was 01 and 02.

CHAIRMAN DEMIENTIEFF: Okay, good, thank you. Okay, at this time we're going to back up and get the Regional Council recommendations for the three regions affected. Harry.

MR. WILDE: Yeah, Mr. Chairman. During the meeting at Kotlik, we adopted Special Action for Kuskokwim. The Regional Council voted unanimously to accept Special Action for Kuskokwim River, that National Wildlife Refuge, a few miles above Anvik, in that river we get letter from one of the Anvik people to stop the sportfishing in that river of impacting too much of small fry salmon. So understanding of all that, by the support of a quorum, the Regional Council accepted that Special Action Request from one of the members from Kuskokwim. Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you. And the Yukon, did you guys deliberate that as well?

MR. WILDE: Mr. Chairman, Yukon comes after we were through with the Regional Council meeting. However, during the meeting, the fishermen meeting in Mountain Village, those fishermen they're supporting it, and one of the people, they ask me, Harry, what you going to do if you present this one, we need your support. Lower Yukon is also -- National Wildlife Refuge, Yukon National Wildlife, from below Holy Cross there, what you call Cottonwood Slough all the way down to the mouth, I promised those people in the Lower Yukon I will speak for them and help them, their concerns as much as I can. Mr. Chairman, those people are doing the first time, you see this yellow thing, first time you see in the Yukon River reduce from all the way down to the mouth all the way up to Canada. It was our pride, our duty and responsibility for our own people. I said before that I put it on the record for myself, while I am doing my responsibility and helping the people that I represent, not try to make myself, only for the people that I represent, those people are really, really concerned, even our elders. There's some of them, they're saying this, we want Federal manage the subsistence the way the law is supposed to. In the rural villages, it
should be managed by the Federal the way the law requires. 

How about the commercial, they should be in-season ready. If there's more fish available there should be opportunity for sportfishing and commercial. Today we're living in two worlds. You got to have money in order to take care of your family. You got to have subsistence in order to survive your own family. I think that these two that I'm looking at, the two pictures of these here all over hanging in the Yukon and Kuskokwim, two, one -- one from State and one from Federal. I think that we do our duties and responsibility and protect the people that we represent in our duties. Everything should be working together.

My elder people down in Yukon says, as long as we work together in Yukon River we wouldn't hurt so much. We have to help upriver people. Yeah, we are willing to -- we're asking, our elders been telling us, three or four years now, stand aside, let the few go up there. Those people up there, they want to eat too, they want to live.

Mr. Chairman, I would like to see something, is there's more fish then what the people expect or Federal or State expect, it should be there, a clause in there, right away, in-season looking at in-season if there's more fish then it should be open for commercial and sport.

CHAIRMAN DEMIENTIEFF: Thank you, Harry.

Ronny.

MR. SAM: Thank you, Mr. Chairman. At our joint meeting with Eastern Interior and representatives from the YK-Delta Region and their coordinator, we didn't have anything specific on sportfishing but we were aware of the poor run expectations so we didn't have anything on the agenda to address this issue, but then a day and a half we informally sat before and after and even during our meeting to address this issue. At that time, both, Mike Savage who was one of these instigators got an informal agreement between all three Councils that we should pursue this issue. And we were fortunate that YK-Delta hadn't met yet so that's where these emergency actions are coming from and we are in full support of the Special Action Request on the Yukon and the Kuskokwim, specifically on the Yukon, simply because if the fish don't pass Lower Yukon we don't eat up the Yukon River.
Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Gerald, did you have comments.

MR. NICHOLIA: Yes, thank you, Mr. Chair. As you know last year, I have just been told to speak from a few of the people I represent. Last year we were cut off when we got started. And one of my elders told me, how are you going to cut 50 percent from zero percent? And one thing that I really want to say as the Chair of the Eastern Interior is that we're running out of resources to depend on that we subsist on.

We have priorities and I don't have to repeat them, we all know what they are, but we have to respect like the president from AVCP, we have to respect the cultures along the Yukon, how they respect the resource and how they utilize it, they respect it. They don't play with it. The way I see sportfishing is it's playing with food. In my culture, that's like -- that's what we call (In Native Language), it's like taboo. It shows no respect for the utilization and appreciation, the provider that created that food for us. It's just like a rape and pillage of the resource when other people are sitting on the bank that use these resources for thousands of years and they're not being able to utilize it when they see somebody else utilizing it. I don't think you're going to have very much people besides our elders that's holding back the young people in the Eastern Interior who are going to follow you if you don't stick to your priorities.

I mean we don't want to be wards to the government. We want to be able to provide for ourselves like we have been. The last 20 years, the State, no matter how much tests, studies, fish counts, one of my elders told me the State, ever since they took over management have been mismanaging the resources. They let too many wants in without protecting the actual needs of their aboriginal peoples.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Okay. We are going to now advance this to Board deliberation. Procedurally, right after -- well, we're going to take a break first, but procedurally we're going to deliberate and discuss between the Regional Councils and the Board, both 1 and 2 simultaneously because the issues are intertwined. We've intertwined the discussions all the way through. Then,
however, Special Action Request No. 01, the Kuskokwim, and
02, the Yukon, will be handled individually when it comes
to a final Board action. So we'll just go ahead and take a
break and we'll begin our discussions.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: Before we begin
deliberations, I have a brief presentation I want to make
while all of his colleagues are here. Can I ask Fenton
Rexford to come forward please.

This is Fenton's last official duties as
the outgoing Chairman of the Arctic Regional Council, and
he's been the Chairman of the Arctic Regional Council since
the inception, not of the program, but of the Regional
Councils, which began in 1993. The Federal Subsistence
Board Outstanding Recognition Award for Distinguished
Service presented to Fenton Rexford, North Slope Regional
Advisory Council, 1993 to 2001. Fenton Rexford, resident
of Kaktovik, Alaska has served honorably as Chair of the
North Slope Subsistence Regional Advisory Council since his
Secretarial appointment in September of 1993. An Inupiat,
Fenton exemplifies all of the attributes of a Inupiat
leader; knowledge, respect, humility, honesty, caring,
sharing and spirituality. His leadership enabled his
Council to carefully deliberate and provide thoughtful
recommendations to the Federal Subsistence Board. It is
with great pleasure that the Federal Subsistence Board and
the Office of Subsistence Management recognize Fenton
Rexford for all of his accomplishments and thank him for
his years of service.

Thank you very much Fenton.

(Applause)

MS. B. ARMSTRONG: On behalf of the North
Slope Regional Advisory Council, I'd like to thank Fenton
for his grand leadership, his support, his guidance and
most of all his friendship. Thank you. Thank you, Fenton.

MR. REXFORD: Thank you.

CHAIRMAN DEMIENTIEFF: Do you want to say a
couple of words, Fenton?

MR. REXFORD: Well, I'll just say thank you
very much. Harry Brower, Jr., will takeover the 
Chairmanship and it's been great working together as 
teamwork with the other nine regions, that's the only way 
to go to protect our subsistence lifestyle and I know the 
other guys will, Bill, and the other folks will keep doing 
the good work that we're protecting as far as our 
livelihood is concerned. Thank you very much.

(Applause)

CHAIRMAN DEMIENTIEFF: Okay, with that, 
we'll go ahead and begin Board discussions. Again, as I 
mentioned before the break we'll discuss both Special 
Requests No. 1 and 2 simultaneously and deal with them 
separately at the conclusion of the discussions. Any 
discussion on the Special Request -- yes, Ms. Kessler.

MS. KESSLER: Thank you, Mr. Chair.
Basically there's two options before us and they differ 
primarily with respect to one provides for catch and 
release and one doesn't. So I think this would be very 
instructive at this time to have before us whatever 
information that might be available about the biological 
difference between those two options. Any data that might 
be available on mortality associated with catch and release 
for the species in question.

CHAIRMAN DEMIENTIEFF: I'm sorry?

MS. KESSLER: Could we have, if there's any 
statistics, any data available about mortality associated 
with catch and release so we can understand the difference 
in biological effect between the two options before us? Is 
such information available? Perhaps not.

CHAIRMAN DEMIENTIEFF: Tom, you had 
something.

MR. KRON: Mr. Chairman, I would recommend 
that you ask ADF&G that question. I think that we provided 
a brief summary in our Staff analysis, but I would 
recommend that you ask them that question. Thank you.

CHAIRMAN DEMIENTIEFF: Do you have any 
information with regard to the question?

MR. VINCENT-LANG: The most recent we have 
comes from the Kenai River where we conducted a hook and 
release study on chinook salmon in the lower parts of that 
river. With the gear types that we think are being used in
the Yukon River and the Kuskokwim River drainages, we're estimating the mortality would be no more than about 10 to 12 percent.

MS. KESSLER: Thank you.

CHAIRMAN DEMIENTIEFF: That's a large number, 10 to 12 percent of nothing. Gary.

MR. EDWARDS: Are we finished with the answer to that question?

MR. VINCENT-LANG: Yes.

MR. EDWARDS: Mr. Chairman, I guess from my perspective, these two Special Actions present a real dilemma for this Board. One the one hand we've received three letters, two from the Department of Fish and Game and one from the Fish Board saying that these two proposals unnecessary expand the reach of this Board. On the other hand, we are hearing from our three Regional Councils that represent the subsistence along these two drainages, that given the predicted low run for these two drainages and the proposed curtailment in the subsistence harvest at the beginning of the season and the potential further subsistence restrictions if we go deeper in the season, and if that happens and subsistence needs are not going to be met. You know, that being the case, then, you know, how can this Board in good faith, given our clear mandate, permit other uses on Federal lands until there is a clear indication that subsistence as well as escapement needs will be met.

However, in saying that, you know, I guess I still remain willing to try to explore what little bit of common ground that there may be out there to reach some kind of a concurrence here. But I do have several questions that I would like to address both to the Council and to the Staff and to the State that would certainly help me in my deliberations.

The first one I'm not sure who best can address this, but it's my understanding is that the proposal as written would be in effect, close commercial and sportfishing for chum and chinook salmon and would close subsistence fishing to all but Federally-qualified subsistence users. Now, I've seen figures that have been presented to us on the estimated harvest by sport anglers under the State's proposed regulations but I'm not seeing any predicted harvest level for subsistence users that are
not Federally-qualified. I'd be curious to know if anybody has an estimate of what that might be.

CHAIRMAN DEMIENTIEFF: Mr. Kron.

MR. KRON: Mr. Chairman, unfortunately we don't have a good indication of what that number might be. In the past we know that there have been people from other areas that have fished on the Yukon and people from other areas that have fished on the Kuskokwim, but we don't have an estimate at this time and again, ADF&G may have some comments on this issue as well.

Thank you.

CHAIRMAN DEMIENTIEFF: Yes, sir.

MR. BERKSTROM: This is Dan Berkstrom. I'm with Fish and Game and AY-K regional management biologist. We looked a little bit into the Yukon River and we don't have numbers for what would be the numbers in Federal water areas, but what we've found is most of the non-rural uses in the State waters area, such as the Yukon bridge and the area right around Circle and near Eagle were State waters so there wouldn't seem that there'd be a very large number of fish that would be harvested. The biggest impact would be more with relatives that come out from Anchorage or Fairbanks, or those type of urban areas that go out to like the lower Yukon River that would be in Federal waters.

MR. VINCENT-LANG: And I might add also that one of the concerns is that the Special Actions, the way they're worded would preclude Federally-qualified users from the Yukon fishing in the Kuskokwim and vice versa, where under State rules that would not be that kind of constraint. And we know that does occur out in those drainages.

MR. EDWARDS: Okay, thank you. I guess then my next question and I would direct this at the State, in the Commissioner's letter of May 4th, it indicates that the State managers in mid-June are prepared to make adjustments to sportfishing and other uses during the portion of the run. I think it would certainly be helpful and beneficial for the Board to know what thresholds or benchmarks will managers use to make these early season adjustments.

MR. VINCENT-LANG: Let me start with some general comments first. In our letter we stated that we
would be ready to make a call by the middle part of June. That is by discussions with Federal Staff that involve Federal Staff, we would be making our first decisions beginning in mid-June. Whether or not there's sufficient information at that point in time is unknown yet. However, clearly by the latter part of June or early part of July we're in a much better position to use in-season information combined with the preseason projections to make decisions regarding other uses.

Regarding the thresholds, I'll turn that over to the two in-season managers that we have in the area here. However, I would like to add another general statement in that both those drainages, the sportfishery is temporarily segregated and spaciously segregated. And the sportfishery is occurring primarily in the tributaries of those drainages. By the time we would be making a call, even in the later part of June, we would not be having significant sport harvest in either of those two areas.

So if you have questions concerning specific thresholds in the commercial fishery or the sportfishery, we can answer those by either having Mac Minard or Dan Berkstrom answer those.

MR. EDWARDS: That would be helpful for me.

MR. VINCENT-LANG: Go ahead.

MR. BERKSTROM: I wanted to just provide a little bit of background with the preseason outlooks and, yes, we have very poor salmon outlooks however it is possible that the runs could be sufficient for escapement and subsistence needs, and then as we also said, the runs could also be worse than we've seen in recent years. So the Department and the Alaska Board of Fish have been consistent in managing the salmon runs based on the preseason outlooks and on in-season run assessment so based on the outlook, we have worked with Federal Staff to inform user groups that the runs could be very poor. We want them to be prepared in case it is very poor and so we provided fishermen -- the information on the Board of Fisheries establish new subsistence fishing schedule and that commercial fishing is very unlikely, and that subsistence fishing may have to be restricted to less than the Board of Fish schedule. So that's the prep work, preseason.

However, we feel we still need to be able to assess the runs in the season for management using input from subsistence fishers, the test fisheries in both rivers
and age composition from sampling test fish catches and subsistence catches. And we also have a sonar project on the Yukon River and then we'd also use our escapement projects, when we can, as we get more information in the season. So based on average run timing, beginning mid-June is when we can make our first estimates of relative abundance of chinook salmon. Prior to that it's real early in the run, it's very difficult to really project ahead. And that is about the quarter point of the run, particularly where I'm familiar on the Yukon River, that's where we would normally be making a decision whether we had enough fish to be able to go commercial fishing. And so that's why we're looking at that as being pretty much a time period where we'd be able to say, is this run, and in both rivers this is the same; is this run looking worse than last year or the same and then we'd probably need to take further actions. If the runs are looking to be -- appearing to be better than we've seen the last couple of years and we get those reports from subsistence fishermen, indications are that it appears better, then we would wait, continue the schedule the Board of Fisheries adopted, but continue to assess the runs so if it does go down then after that point in time then we could still take actions in the subsistence fishery to reduce the harvest. And at that point, whenever we'd take any further restrictions in the subsistence fishing time then the sport fishery would close. And there would, of course, be no opening on the commercial fishery.

So as far as the tools we have, are the test fishery, subsistence reports from local fishermen along the river, how do they view the run, and age composition, we want to look at to see if the run's coming back as we anticipated based on sibling returns and then in the Yukon we have the sonar project that we can use to some extent between years on how the chinook run looks. We primarily use it for chum, so summer chum and fall chum in the Yukon.

If you have any other questions.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Judy.

MS. GOTTLIEB: Were you finished Gary?

MR. EDWARDS: No, I had more questions.

MS. GOTTLIEB: Go ahead.
MR. EDWARDS: That's a good answer, let me move on to my next question. This specifically refers to the Yukon, the U.S./Canada panel recently agreed to subsistence harvest restrictions of 50 percent of normal subsistence harvest of chinook because of the poor runs in recent years and the poor forecast for 2001. Meeting this obligation clearly is going to mean a reduction in subsistence opportunity under both State and Federal management systems. The State's 2001 harvest outlook indicates that chinook salmon harvest is expected to be less than half of normal. Does the State consider this restrictions of 50 percent or less in the subsistence still within the guidelines of reasonable opportunity and if so, what harvest level constitutes an unreasonable opportunity?

MR. BERKSTROM: Mr. Chairman, as we view and the Canadians also, with this discussion at a panel meeting between the U.S. and Canada, is that, it's based on the preseason outlook that we'd probably have to go to half of the harvest for subsistence and the aboriginal harvest in Canada. They, as well as we, still look at that in-season management. They would change their management strategy in Canada with their project there, they have a mark/recapture so they can estimate the abundance going to Canada and if they have enough fish there they will harvest more than half on the aboriginal and manage the run in-season. So we still look at it as this is a guideline but we'll still look at in-season, what the run abundance looks like on the Yukon.

As far as if we do go to half of the subsistence harvest, that would be below what the Board of Fisheries has adopted as the amount necessary for subsistence because it would be below that range that they adopted.

CHAIRMAN DEMIENTIEFF: Gary, I'm going to have to interrupt your line of questions for a moment. Our Regional Council Chair from Seward Penn has got to go get a plane and she has one village that's affected by this and needs to get some information on the record before she goes. I'll come right back to you though.

MS. CROSS: I'm Grace Cross, Chair of Seward Penn. One of the villages that will be affected in our region is Stebbins. It's a community with less than 600 people but they're still going to be affected by what is going on today. And in talking to them, the message is basically, if the Federal Subsistence Board does not heed to the words of the subsistence users in the Yukon and
Kuskokwim River, it is most likely that they will create a Nome subdistrict in a much astronomical level.

CHAIRMAN DEMIENTIEFF: Thank you very much, Grace. Gary, go ahead.

MR. EDWARDS: Mr. Chairman, I just have two more questions and this one I would address both to the State and to our Councils. Is that, one of the key strategy elements of this years approach is to get subsistence users to voluntarily reduce their catch beyond what is being set by, apparently by proposed regulations, is there not a concern by all that failure to restrict other uses will not be a disincentive for subsistence users to volunteer to reduce their catch and that harvest could occur as a result of this and it's my understanding that that harvest might be the most significant thing at all with impact on future runs. And I guess I'd ask the Councils first to address, you know, what their view is, what effect of not closing other uses would have on going forward with this voluntary compliance which my understanding, you know, in the poster that was put out was an effort that was put together both by State and Federal biologists.

MR. WILDE: Mr. Chairman, it's going to be really something for especially in the Lower Yukon area. The people are willing to volunteer. However, they're not looking at -- they don't want no sportfishermen take some of the fish that they really depend on, king salmon and chum salmon. In the Lower Yukon, as long as they say as long as the whole Yukon of this reduction, we don't care much about restriction, however, we don't want someone taking the fish that we're trying to depend on, we may not make it for winter.

That's what people are saying down there.

MR. SAM: Thank you, Mr. Chair. Mr. Edwards. I know of very little, if any, sportfishing for salmon up in our area up on the Koyukuk it is non-existent. However, we do have sportfishing for sheefish, grayling, pike and others, none of these are commercial ventures. Again, most of the restrictions that are being placed on salmon do not really affect the Koyukuk where I am from, however, the constituency on the middle Yukon are heavily impacted by this. And that area, I do not know of any significant amount of sportfishing whether it's subsistence or commercial, so we know that we are giving up a lot, there's quite a few people that didn't get their needs met
last year so we have to -- and a lot of places extended the 
moose season and covered that with moose meat instead of 
fish, but they were more than willing to go to a different 
species, however much pressure we put on different species 
for the survival of the salmon which is their mainstay.

Thank you.

MR. NICHOLIA: Yeah, thank you, Mr. 
Chairman and Mr. Edwards. Most of the people in the 
Interior and around Tanana, the Eastern Interior are 
willing to volunteer to 50 percent, but like I said 
after, to see a lower priority go before a higher 
priority, that lower priority to be allowed, I don't think 
you'll have very many volunteers within the Eastern 
Interior Region because we're -- like I represent the Yukon 
Flats and I mentioned earlier, they're running out of 
resources to fall back on. I don't mean to really sound so 
negative but we have to stick up for what we believe in.

Thank you.

MR. BERKSTROM: Yes, Mr. Chairman. We 
understand the concerns that the fishermen have like in the 
lower Kuskokwim and along the Yukon with the sportfishery 
as the State envisions it being opened until further 
restrictions on the subsistence fishing schedule the Board 
adopted. What we would view is that, as Doug had said 
after, that with the time and where the area of the 
sportfishery occurs, if the salmon runs are very poor and 
we have to do more restrictions in the subsistence fishery, 
it should be well before most sportfish harvest occur. And 
particularly like in Gerald’s case in the Eastern Interior, 
the fish aren't up there until, you know, two weeks after 
-- more than two weeks after they enter the mouth of the 
river, so by that time, we would have a pretty good 
indication of how the run is going and very little 
sportfish harvest would occur. And I think that type of 
run, it's that poor, we have to do more subsistence 
restrictions. People aren't going to meet their needs. 
The sportfishery would be closed. Maybe Mac can expand on 
when he thinks that would occur and when the fisheries 
occur, but it seems like that with the sportfisheries in 
those tributaries, the fishery occurs a lot later than the 
subsistence fishery.

MR. EDWARDS: Let me follow up on that, but 
isn't the reality, is that, we really want this voluntary 
effort to actually start before that so if that doesn't 
occur, haven't we missed a real opportunity to save some of
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those early fish regardless of whether the sportfish has
started or not?

MR. MINARD: Mr. Chairman, Mr. Edwards. My
name is Mac Minard, I'm regional supervisor for Sportfish
Division out of Fairbanks. I think the Department's view
on the voluntary side of it, particularly for the
Kuskokwim, is that that's in addition to actions taken by
the Board of Fish in January that we considered to be both
necessary and sufficient to meet the conservation concern
that we view is coming. And so consequently, I think from
a managers perspective, we're putting probably more weight
on those actions than they were significant actions that
were taken in January. At the start of the king salmon run
in the Kuskokwim and Yukon in 2001, it's not going to be
the same day that it was in 2000. Area M has cut back.
Boundaries in Quinhagak were reduced. Bag limits have been
changed. Schedules in subsistence fishing time have been
amended. Those actions, we considered to be and was
considered by the Board to be both necessary and
sufficient. Additional restrictions in the form of
voluntary reductions are over and above that.

MR. VINCENT-LANG: I think the question
that comes to mind here or comes to bear here is how much
weight do you place on the preseason projection versus what
weight do you place on having in-season information to
verify that. As we stated in our comments yesterday,
projections can be off as much as 30 to 50 percent. In
this case, these sportfisheries that are being discussed
are temporarily segregated so that not much of the harvest
is occurring until we have such a time to verify those
projections with in-season information as the time goes
along. The Department feels that it's very capable and
competent to make the decisions regarding either threats to
subsistence fishing opportunities or to escapement by the
mid- to latter-part of June at which point we would then
make assessments as to the sportfishery. And we feel that
that error rate with the projects, we decide in our
management capabilities, that it's better off using in-
season information to verify that prior to precluding that
opportunity beforehand.

And I want to also note that the State
takes its responsibility to provide for subsistence
priority very seriously but we also have an obligation
where there are harvestable surpluses above that to provide
for other opportunities. Closing prior to the season with
high error rates around projections is a dangerous
precedent we feel. We feel if we can verify that
information with very little threat to either sustained yield or to subsistence fishing opportunity, which in the case of both the Yukon and Kuskokwim drainages by waiting until the middle to latter part of June, we feel that that is a good decision to make and a sound biological decision to make.

MR. EDWARDS: Thank you, Mr. Chairman. I only have one more question and maybe really it's more of a statement. But as I've tried to sort through this, it's been somewhat like trying to peel back the layers of an onion and to a large extent, the issue almost seems one of kind of semantics in timing and sort of a chicken and the egg-type of situation. But, you know, really given the reality that how poor these runs will probably be, isn't it true that probably after all the rhetoric has died down and the runs have come in and the tough decisions have been made, isn't there a high likelihood that we're all going to be at the same place?

MR. VINCENT-LANG: I sure wish that I could take that kind of crystal ball projections to Las Vegas with me sometime. I don't know. I think there's a probability you could be there, how high it is depends upon just what happens with salmon runs. We've been surprised in the past. So I don't know.

MR. EDWARDS: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIBE: Mr. Chairman, thank you. I believe the Department mentioned that the way these Special Actions are written, it might be that people from Yukon couldn't fish on the Kuskokwim and vice versa and so I was going to ask, Chairman Wilde, how much people do crossover from one river to the other, please.

MR. WILDE: Mr. Chairman. I think they are both, they work together, Yukon and Kuskokwim. All those things they're supporting the subsistence way of life, even though there's no real name of subsistence. They work together whatever they do so they trade also each other when they need some things, like Yukon, middle Yukon or Yukon River, if they don't have no seals and all that stuff, they trade those things. So they depend on what the resource -- what the little resources they have.

CHAIRMAN DEMIENTIEFF: Ronny.
MR. SAM: Thank you, Mr. Chairman. This is quite similar with the Koyukuk and the Yukon. However, at this time I think that we have more and more people going down and visiting their relatives on the Yukon and staying and help gather. Again, what a lot of this has to do with the customary and traditional trade, but at that point in time we don't have anything to trade -- at this time, you know, because of the disaster. Koyukuk River has been a disaster since before the flood, I think.

But as an addendum, I tend to overlook testimony on our cultural perspective. Because it's so eloquently covered by AVCP and some Tanana Chiefs and others, but in the old days we used to stay in fish camp until we get enough and then as far as moose and that's where we're having some problems up in our area, when we're restricted in one species we put extra pressure on another species and through the ages -- and that's why through the ages we still have moose up there. If there's no animals, we just stop harvesting them and harvest another species until they repopulate themselves. This was taught to us by our grandparents and parents. And as Gerald said, it's been our culture as it was so eloquently stated when we got in a fight over dog food, salmon as dog food, we had a few people testify that it was and it is still part of our life and our culture, the use of dog teams to travel and trap and race.

Thank you.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: Thank you, Mr. Chairman. I think, certainly the Alaska Department of Fish and Game and the Board of Fisheries should be complimented on the hard work that they did to reach the preseason decisions in January. It's a very difficult job and it appears they've tried to balance all uses. However, because we have different mandates, balancing all uses is not necessarily consistent with our job here.

Fish and Game and others have questioned how many fish will be saved if we do this. If escapement is likely not to be met, the question should be, what can we do to save every fish possible. Continuing to fail to reach escapement threatens the health of future populations of fish stock and threatens future subsistence harvest. We realize we're talking about very few numbers relating to sportfishing, but it goes back to the commitment that every fish must count in this situation.
I think it also boils down almost to a philosophy, do we close fishing and then open it in-season or do we open it and then close it, possibly, too late as has happened before? Both of those philosophies and decisions need a lot of information. They need continued cooperation and they need communication.

Thank you.

CHAIRMAN DEMIENTIEFF: Mr. Bunch.

MR. BUNCH: Mr. President [sic], I have a couple of questions for the State. Where is your sonar facility located on the Yukon?

MR. BERKSTROM: Mr. Chairman, it's located at Pilot Station which is about 120 miles from the mouth.

MR. BUNCH: Thank you. Also, what is the impact of the agreement with Canada on salmon in the Yukon, kings in the Yukon? My concern is, is there going to be some external pressure that's going to be outside the realm of probably the State to control if that's an international agreement and Canada puts pressure on us from that end?

MR. BERKSTROM: Mr. Chairman, certainly with the agreement there is things that the U.S. has to do to reach the agreed to harvest shares for Canada and what Alaska gets. But in this case, with the subsistence fishery, with the small numbers of fish, the agreement doesn't put any more pressure on -- the real pressure is just the low abundance of fish. So there's no, what I would call, outside pressure because of that in this case.

MR. BUNCH: Is that a State responsibility?

Would the State jurisdiction enforce that or is that within Fish and Wildlife?

MR. BERKSTROM: I think there are probably more than one viewpoint but how we've done it in Southeast Alaska basically and how the State views it in the Yukon that it's a State responsibility.

MR. BUNCH: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Taylor.

MR. BRELSFORD: Thank you, Mr. Chairman. I have one question regarding possibilities for compromise and joint action on the part of the State and the Federal
programs. Has the State given any consideration to
revising its preseason approach so that the sportfishery
would be managed with even greater restrictions and those
could be lifted on the showing that the runs have come in
stronger and, in particular, I wonder if you've examined
and rejected the possibility of adopting catch and release
only as the preseason structure for the sportfishery
leaving yourselves latitude to go back to the one fish
retained bag limit when the early run assessments are
available in mid-June? Could you tell us your thinking, I
believe this has been floated, I'd like to know for sure
that it's been considered and set aside, if that's the
case.

MR. MINARD: Yes, Mr. Chairman. Taylor,
when we got done with the January meeting, we sat down as a
Staff and discussed what options were available to us given
the preseason outlook and fundamentally we considered, you
know, the sustained yield issues and at that time the State
priority for subsistence. And things that we recognize
when we evaluate that management strategy and sent it
forward was the fact that there are principles managing
these fisheries that are important and one of the
principles is in both the Yukon and in the Kuskokwim, is
that, we're really afforded essentially one click down.
Things are small enough and bag limits are constrained
enough that to try to finesse this thing and give the
impression that we're going to fine-tune it and get, you
know, some extra fish in there limits some of the options.
Specifically, starting off with a bag limit of three, going
to a bag limit of one and then going to catch and release
and then closing is really not a practical matter. The
large geographic expanse involved in trying to get the word
out to people who may have started trips a week in advance,
you know, all of those kinds of things factor into our
decisions when we consider an approach.

This particular season, we looked at the
steps that the Board had already taken and as we pointed
out, we don't consider today to be the same starting point
that we were a year ago. We considered what level of
restriction we could affront that would take things down
substantially but not eliminate it, and so our preseason
announcements have indicated a bag limit of one, on the
Aniak, it would be a seasonal limit of one, one per year,
and felt that if there were -- in-season, if there was
evidence that the run was even weaker than we had expected,
that we would go to zero, close it. And we have, as these
Board members probably know, we have a track record of
having done that. We have made adjustments to
sportfisheries and closed them in the Aniak River, in the Kuskokwim River in the past. And so that's kind of what we thought about.

One of the other principles, Taylor, and you know with your background you would know this well, we would shy away from imparting a catch and release regulation in that part of the world, principally for two reasons. One is, I don't think there's enough hours in the day to answer the phone calls that would come in. And two, in the past when we've taken that action in a king salmon fishery, it has essentially the same effect as having closed it. So if you're going to reduce effort, if you're going to reduce harvest, just close it, and that's what we did in the past.

So a little bit longer, but we did consider an awful lot of those options that you raised and this was sort of the position we came into and we felt that it afforded for a protection of the subsistence priority. These are temporarily removed and spacially removed so that the activities of the fishery as we've proposed to enter the season with wouldn't have an affect on this seasons participation by the subsistence fishery. We felt that it would afford a potential harvest that was small enough so that future production didn't jeopardize future subsistence opportunity. So those two things were paramount in our discussions and that's how we arrived at our position for this upcoming season.

Does that answer your question?

MR. BRELFSFORD: (Nods affirmatively)

MR. MINARD: Thank you.

CHAIRMAN DEMIENTIEFF: Further discussion.

Willie.

MR. GOODWIN: Thank you, Mr. Chairman.

Some observations here based on the testimony and some of the reports given by the Department of Fish and Game and the Federal Staff. First of all, I see an effort by the local areas and the Yukon and Kuskokwim to limit themselves. I see no effort by the sportfishing organizations to give or to have this type of advertisement or effort given to their clients to only take what they need. However, I have a problem with allowing catch and release, knowing that there will be some mortality. Just on the sheefish alone on the Kobuk River, I notice that it
has been done up there on sheefish, now, granted it's not
king salmon or chum, but every two out of three that's
cought with a treble hook will die if it bleeds. So
there's no studies that have been done to substantiate
catch and release on what types of gear that these anglers
can use. I would surely support opening sportfishing if
after those studies are done to determine what kind of hook
is the best, especially when the runs and the areas that
are angled are of that significant important to the
spawning of those species.

I'd just like to remind the Board that they
have taken steps in game to allow only subsistence, they've
done it in my area with sheep, no sport hunting. This
surely can be done here in this case.

Mr. Chairman, I also note that on Special
Action Proposal No. 2, that by golly you got the Gates of
the Arctic listed on that. Just makes me wonder how the
fish will go up the Kuskokwim and back down the river and
head up north. Man, to restrict -- to make a proposal or a
regulation to allow an activity -- well, I support it,
don't get me wrong, you know, I wouldn't want to see any of
this stuff going on in my area either, but it's a bit of
overregulation again in my mind.

Thank you very much.

CHAIRMAN DEMIENIEFF: Thank you. Further
discussion. Harry.

MR. WILDE: Mr. Chairman, there's something
that I would like to understand while I am representing
people. Yesterday and earlier today and I hear from the
sportfishermen, hook and release don't hurt fish, because
the gentleman over there with the white shirt and the tie
on, he's a sportfisherman. I'd like to ask you, why the
hook and release, the fish that have been reported from the
Kuskokwim and Yukon, something in their mouth sticking out,
is that line, must be line or something, and those fish are
dying, and you said that it don't hurt the fish, hook and
release, what they are, if there's anything to hurt the
fish that those plastics are sticking out?

MR. MINARD: Mr. Chairman, Mr. Wilde. I
don't think we ever said that hook and release didn't hurt
them at all. Hook and release has a mortality associated
with it. Hook and release has an influence and impact to
the individual fish. I would never presuppose or suggest
to you that it didn't have an affect, it does have an
affect. Alternatively, as one of the Board members in the Alaska Board of Fish likes to say, at least that fish got released has an option to survive. The one that didn't get released doesn't. And you know, it's conceivable that what you've observed with a line coming out of the mouth is a product of a hook that got caught in it and the line broke and some of those fish will be affected, some of them may not.

We have done some fairly extensive work on catch and release mortality and those studies give us some basis on which to evaluate the impacts. It's not zero. It is something more than that and it varies with species and it varies with gear. But, no, I understand what you're saying and I've seen similar things where a fish has been broken off and has gone and that's not as good as thing as a fish that is released, but it's our assessment that if you factor that kind of thing into it you can still manage these populations in a sustainable manner.

Thank you.

MR. WILDE: Yeah, Mr. Chairman, the reason I'm asking you, one of the elders in Kuskokwim report the fish was dying after the sportfishermen passed, drifting down river. So he was wondering because it's got something in its mouth, he catch that fish, go down and get it because it's half-loading and diving, half-loading and diving and he bring it up in the beach, he was saying that I don't want to see these fish wasted so he cut it up ready to cook it. He opened the belly, there was a hook in there and the line of that thing was sticking out. I wonder how many more of those fish they always been floating like that die after they go -- let them go down the river.

Thank you.

CHAIRMAN DEMIENTIEFF: I guess I've got a question. This morning we heard testimony from some of the sportfishermen that if this is done it's going to do a lot of damage to the resource because the sportfishermen are going to be forced to go onto the spawning grounds with their large boats, right on the spawning grounds to fish, to sportfish. So what their case is is that we're hurting -- we would be hurting the fisheries resource by closing it, was the case that they were trying to build. And I'm wondering, does the State have a policy with people running large boats and sportfishing on the spawning grounds?

MR. MINARD: Mr. Chairman, the State
doesn't have a specific policy about running boats on
spawning grounds but I would remind the Board that in these
locations that we're talking about, one of the cornerstones
to managing or the suite of regulations that afford
management for the sportfishery is spawning season
protection through a spawning season closure, it's illegal
to take these fish after a certain date and that's already
in place, it's been in place. It's one of the principles
of managing salmon stocks that the Board and the State and
the users have adopted, you know, as they move through the
various regions. It just makes sense to draw a line and
say after a certain date. So to the extent that people
would relocate and seek other opportunities, that would
have to occur within the constraints of the normal open
season and that open season gets closed at some time that's
described to protect spawning stocks of salmon.

CHAIRMAN DEMIENTIEFF: The other thing that
was -- go ahead, Gerald.

MR. NICHOLIA: Yeah, I just want to ask you
this one question. If you're nursery was messed up before
and you put your babies there, you think those babies are
going to survive?

MR. VINCENT-LANG: There's been studies
that have looked at boat wake traffic on reds in spawning
areas, and those studies have had variable results but by
and large have shown that there isn't significant impacts
to those areas, enough to make decisions regarding closing
those areas off. We feel that the spawning season closures
provide sufficient protection to those areas and those fish
once they get up into those spawning areas to complete the
spawning act.

MR. NICHOLIA: Sir, you didn't really
answer my question. If you destroy the nursery, do you
think if you put those babies there, are they going to
survive if their nursery is messed up already?

MR. VINCENT-LANG: If you destroyed the
nursery, they wouldn't survive. But we don't think that
that level of boat traffic when we have a current
regulation that prohibits fishing in those areas during the
spawning season is destroying those areas.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Gary.
MR. EDWARDS: Mr. Chairman, I'd like to follow that up, if that's the case then, you know, why have we gone to a 40 horse limit on the Kenai and why have we all jointly been working so much together to try to protect the banks and stuff because of concerns with erosion, particularly for mainstream spawners?

MR. VINCENT-LANG: The Kenai horsepower restriction is based on a wide variety of different factors, and probably one of the largest factors that contributed to that horsepower restriction on that river was, in fact, public safety concerns about the number of big vessels and the speed at which they were operating. Right now we are currently -- we did a study two years ago or a year ago to look at the effects of boat and boat speed and hull type and horsepower on actual damage to the banks of that river, on the wave height that were produced and that result is coming out, but again, it's not solely a function of just protection of the bank habitat was that 40 horsepower restriction placed in the Kenai River.

MR. NICHOLIA: Mr. Chairman, I know there's egg count and studies done in the Toklat area and they said that -- I heard this in Fort Yukon in one of our meetings, is that, the least impact to where those eggs are laid the more viable to survive, and any disturbance to the water, not the banks but the ground under the water, any disturbances to that it has a detrimental affect to where the eggs will not be able to sit between the rocks because they're disrupted and stuff. You have to protect that from being disrupted. It has to be in its natural state. I don't think a big boat as big as this table going through 10 feet of water is not going to adversely affect that. I just don't believe you. I just don't believe your philosophies.

CHAIRMAN DEMIENTIEFF: It's 12:00 o'clock now. We're going to break until 1:00 o'clock for lunch and then we'll continue on with our discussions in the afternoon.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: With that, we're going to call the meeting back to order. Is there any final round of discussion with regard to Special Requests No. 1 and 2? Go ahead.
MR. EDWARDS: Mr. Chairman, I would just like to ask our Refuge manager, Mike Rearden, Mike, I know that there's a lot going on, you know, out there on the ground in the villages trying to educate folks about this. Could you share with the Board some of the things that are actually occurring?

MR. REARDEN: Mr. Edwards, Mr. Chairman. I think you've heard some of it previously, you know, we've got the posters and the radio station announcements and the personal discussions with people out there. Right now we're really pushing this cooperative appeal that we have worked together with Fish and Game and others on and we're going out to the villages and meeting with folks. And frankly, it's been a pretty tough thing to push on people lately because of the sportfish issue that keeps coming up. It has really become the fly in the ointment out there. And as you've heard before, most Delta residents don't see sportfishing as a legitimate use of a resource, especially in times of need and when the populations are way down.

So unfortunately, even though some people could argue that it isn't a major biological issue, it has become a very serious social issue that has the potential to torpedo the best efforts we're making to try to minimize the subsistence harvest. And I think that everybody, including the Board of Fish, their intent was to try to reduce the overall harvest so that we can ensure that we get escapement. We had, I've heard it said many times at the Board of Fish meetings, every fish that gets on the spawning grounds is important, and when we're saying that and then we're allowing the sportfishing to occur, people are hearing us talk out of both sides of our mouth and frankly it's been tough for me to tell an old lady in Napakiak that I would like her to reduce her subsistence harvest and then try to respond to her questions about why we're continuing to allow sportfishing to occur upriver.

So I guess the one thing I want to point out, we're doing our best to work with folks and people are willing to reduce their harvest. We've had some local very active subsistence fishermen say that they are going to intentionally reduce their harvest by half of what they've done in the past. That's a major effort on the part of these folks. Subsistence fishing is probably one of the most important activities across the entire Delta.

Will an action here today in support of this solve all the issues and the problem, no, it won't. But because if the sportfishing is still allowed to
continue people are going to realize that it's still occurring upriver, but will it save some fish, I think it will save some fish and that should be the goal of every fish manager out there, I think.

One concern I have, we talk about assessing the run at a critical time and determining that the population is low and then closing sportfishing by somewhere in the middle of June. By the middle of June it's too late. The cooperative appeal that we're addressing right now has to be accepted by the people right now, not by the middle of June. By the middle of June everybody's actively subsistence fishing, they will have made their decision about how many fish to catch. So even though it appears to be a small issue to many people, and we're talking about a very reduced sportfish harvest, it's an issue much, much bigger than that. It's reaching way deep into the cultural values of the people out there and it's in direct conflict with what we're asking them to do. And that's the problem that I've been running into.

Thank you for the chance to comment.

CHAIRMAN DEMIENTIEFF: Any other final discussion.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I'd just like to ask Chairman Wilde, I'm not quite sure I was clear before. There was the comment made that these Special Actions could maybe preclude Yukon River people from fishing on the Kuskokwim or the other way around and I don't want to do anything that might hurt those users and so I wanted to know if there are people on the Yukon who do fish Kuskokwim and the other way around, too?

MR. WILDE: Yeah, Mr. Chairman, the estimate may be over 15 families living in Kuskokwim and sometimes they go over to Yukon and fish, subsistence fishing. So we're looking at right now that there's quite a few.

CHAIRMAN DEMIENTIEFF: Ralph.

MR. LOHSE: Mr. Chair. While this doesn't directly affect Southcentral, I'd like to share some thoughts on it if I can, if you're willing to listen to
MR. LOHSE: Art brought up some good thoughts this morning when he talked about it's hard for us that are outside to see into somebody else and think the same way that they do, and while I'm a Federally-recognized subsistence user, non-Native, and I'm on the fringe and I deal with people who this is very important to, and I can't understand it totally, but I try to understand it. And there's two issues here that I see that it's real hard for us as people from a different descent that we have trouble understanding and that's a question of before and after. As a Westerner, I believe that, you know, with science and knowledge we can understand a lot of things so I have a tendency to say, you know, don't close something done until we see there's a problem, we have the ability to react. And yet, I know, from talking to the people that I deal with on the Council, that they're afraid that the action won't be taken, they've seen losses in the past and they would prefer to see something acted on ahead of time before there is a problem.

And that brings up the sportfishing issue and especially the catch and release part of it. If there's anything I've heard on the years I've been on the Council from the Athabaskans in the Copper River, they feel that, and it's a word that's been used a lot this morning, that playing with your food is disrespectful, their word for it is, and I apologize to any of them if I pronounce it wrong is (In Native Language), they don't believe that you should do something like that. And that's hard for us to understand, especially hard for us to understand for like a sportfishermen and we pick up and we admire the beauty of a king salmon and the iridescence on the scales or a rainbow trout or something, we think we're being respectful to it, we turn it back, but to the people that I deal with, that's a piece of food, and you're disrespectful to it because you've rejected the gift, you've put it back in the water.

And then part of it comes from knowledge. We know that there is a percentage and we all admit that there's a percentage of mortality with catch and release. And at a time when there's a shortage of fish they can't see any reason for any unnecessary death, any unnecessary loss of fish just for the sake of playing with it. They'd rather see somebody take it and take it for food. And then they have a perception and that perception is that sportfishing has got a lot of dollars behind it in the
State and as Westerners, we give a lot of credence to how valuable something is to the state or to the economy, and consequently that becomes a fairly powerful interest. And it's a powerful interest that has unlimited growth. It's a powerful interest that they can see more and more people taking part in. And even if it was catch and release, if you have a successful two weeks or a week trip sportfishing and you caught and released all the fish you got, you might have killed more fish than if you took a limit of one.

And they recognize that and they perceive that if we're going to look at it and come up with a number for mortality it's in our interest in coming up with a number that's lower than reality. They believe that reality is higher than the number that we come up with and they may be correct on that. We haven't got any solid numbers on that ourselves.

In Prince William Sound we were having that problem with rock fish. We were having a big growth in the tourist industry in rock fish a number of years ago. We put a proposal in as an advisory board and we backed it through the Board, we put the proposal in that all rock fish cannot be returned to the water, when you catch them they're part of your bag limit, and when they're part of your bag limit and you've reached your bag limit, your fishing is done. You don't catch your bag limit and then continue to catch and release. From what I know of the people that I deal with on my Council, something like that would be more acceptable on king salmon than an unlimited catch and release fishery which has no way of telling how many fish die.

And with that, I'll thank you for your patience with me and be quiet.

CHAIRMAN DEMIENTIEFF: Any further discussion.

MS. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. KESSLER: I just wanted to thank everybody who's provided and shared their information today. I think it's provided a tremendous source of insight, not only about the status of this resource and the people who depend on it, but as well the many social perspectives and issues that are involved. From a science perspective, we, of course, want to act in accordance with
the principles of sound conservation, science-based conservations and one of those principles is the precautionary principle. And when we do have a resource that is surrounded by risk, as this one clearly is, I think we do have to -- it's very important to error on the side of precaution.

Thank you.

CHAIRMAN DEMIENTIEFF: Is there any final discussion? If not, we're ready for a motion on Special Action Request No. 1.

MR. EDWARDS: Mr. Chairman, as I said at my opening remarks, that I was hoping that we could find some common ground here because I certainly believe that there is great value in this Federal Subsistence Program and this Board working in a cooperative way with the State and with the Board of Fish. Unfortunately after hearing all that has been said, I really can't say where that opportunity exists, particularly given this Board's mandate, the low anticipated size of these runs and the voluntary efforts that we are asking the subsistence user to take. I guess the only, maybe bright light, in all of this is that despite the opposing views that have occurred in this room, that out on the ground as we speak, our respective agencies are really working, I think well together, folks out there trying to work their way through what is a very difficult situation.

So saying all that, Mr. Chairman, as it applies to, and I'm going to deal with the Kuskokwim first, I don't know if that is the right one?

CHAIRMAN DEMIENTIEFF: Number 1, yes.

MR. EDWARDS: That I move that the Board adopt the Staff Committee's majority recommendation that in the Kuskokwim River or its tributaries within the Yukon-Delta National Wildlife Refuge, Lake Clark National Park and Preserve chinook and chum salmon may only be taken by Federally-qualified subsistence users under Federal subsistence regulations effecting June 1, 2001. Chinook or chum salmon taken incidentally in sportfishing must be released immediately. The Federal in-season manager for the Kuskokwim area is authorized to remove this restriction in-season if evaluation of salmon run strength indicates a harvestable surplus of chinook or chum salmon beyond escapement and subsistence needs.
CHAIRMAN DEMIENTIEFF: There's a motion, is there a second?

MS. KESSLER: Second.

CHAIRMAN DEMIENTIEFF: Gary, does that mean you're allowing catch and release, is that what you're saying?

MR. EDWARDS: Under this scenario, where it says that, salmon may only be taken it's my understanding that it means the directed effort could not occur towards chinook and chum, however, if they were taken through -- under a directed take at other species then they would have to be released immediately whereas the may not be harvested would directly permit catch and release.

CHAIRMAN DEMIENTIEFF: Thank you. I just wanted to get that clarified and out on the record. You know, we're looking at our three criteria within our mandate towards subsistence, conservation, clearly there's a real large conservation issue, and that's detrimental, you know, to subsistence because we already have had years and years of reduced harvest by subsistence users. And is there a lack of substantial evidence. We've heard testimony by the State that in another stream that they're looking at 10 to 12 percent mortality on the Kenai River, you know, that is detrimental to the resource. So in terms of the thresholds that we have to work with, clearly, clearly this meets all of those criteria.

Further discussion.

MS. GOTTLEIB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLEIB: I think subsistence users have supported this Board strongly and vocally as we began managing fisheries and we appreciate and have to live up to those expectations. I think we don't always agree but we see users willing to make sacrifices here and to share the burden of this conservation so we have to be willing to make these difficult political decisions which are actually very clear management decisions based on our ANILCA mandates to keep that trust. And I would intend to support the motion.

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same.....

MR. BRELSFORD: Mr. Chairman.....

(No opposing votes)

CHAIRMAN DEMIENTIEFF: .....sign. Motion carries.

MR. BRELSFORD: Mr. Chairman, I'd like to offer a remark on behalf of Fran Cherry, the state director of the BLM on this matter. We recognize, the BLM recognizes the severity of the conservation crises and the magnitude of the sacrifice and hardship as to all users to promote recovery of these runs. The testimony this afternoon has also been quite compelling on the importance of local support for these voluntary conservation measures. However, in a context of divided management, effective management requires concerted action, requires joint action on the part of both the Federal and the State programs. The BLM is a strong supporter of the principles of joint State and Federal action as outlined in our State/Federal MOU, and in general, we've agreed to defer to State management in light of the State's data, experience in management and jurisdiction for other fisheries.

In this case it appears that some other compromises that might have resulted in joint State and Federal action have been considered and found unsuitable, that is, deeply regrettable and as a result the BLM is not able to support the motion.

Thank you.

CHAIRMAN DEMIENTIEFF: So the record is five for, one against, and the motion carries.

(Pause)

CHAIRMAN DEMIENTIEFF: Okay, Special Action Request No. 02, is there discussion on that? Hearing none, is there a motion?

MR. EDWARDS: Mr. Chairman, given my previous reasons, I move that the Board adopt the Staff
Committee recommendation that in the Yukon River, its tributaries within the Yukon-Delta National Wildlife Refuge, the Innoko National Wildlife Refuge, Koyukuk National Wildlife Refuge, Nowitna National Wildlife Refuge, Kanuti National Wildlife Refuge, Yukon-Flats National Wildlife Refuge and the Gates of the Arctic National Park and Preserve, the Yukon-Charlie Rivers National Preserve, Denali National Park, the White Mountain National Recreational Area and the Steese National Conservation Area, chinook and chum salmon may only be taken by Federally-qualified subsistence users under Federal subsistence regulations effective June 1, 2001. Chinook or chum salmon taken incidentally in sport fishing must be released immediately. The Federal in-season manager for the Yukon area is authorized to remove this restriction in-season if evaluation of salmon run strength indicates a harvestable surplus of chinook or chum salmon beyond escapement and subsistence needs.

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

MS. GOTTlieB: Second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion. Again, clearly, we've met the three thresholds, the conservation concern which has been detrimental to the subsistence users and we do not have a lack of substantial evidence given the testimony given earlier with regard to both sportfishing as well as catch and release. So we've met or thresholds per our mandate.

Further discussion.

MS. GOTTlieB: Mr. Chairman, I'm not sure if there's a way to incorporate our same reasons that we discussed before for Special Action 1 to Special Action 2, but I know the basis for my vote would be for those previous reasons stated.

CHAIRMAN DEMIENTIEFF: 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.

MR. BRELSFORD: Aye.
CHAIRMAN DEMIENTIEFF: Motion carries five to one. Special Action Request No. 4, are we ready for the analysis?

MR. KRON: Mr. Chairman, Special Action Request FSA 01-04 submitted by Monty Millard of the Fish and Wildlife Service Fisheries Resource Office in Fairbanks would suspend the requirement to remove the dorsal fin from subsistence caught king salmon in that portion of Districts 1, 2 and 3, which is within and adjacent to the Yukon-Delta National Wildlife Refuge during the 2001 fishing season.

Regulatory history. The State of Alaska subsistence fishing regulations specify that "in Districts 1 through 3, no person may possess king salmon taken for subsistence purposes unless the dorsal fin has been removed immediately after landing. A person may not sell or purchase salmon for which the dorsal fin has been removed." This regulation was adopted in 1994 to allow enforcement officers to identify subsistence caught king salmon and to help prevent subsistence caught king salmon from being sold commercially. This requirement was subsequently included in Federal regulations.

At a fishermen's meeting in Mountain Village, Alaska on April 17th, 2001, Yukon-Delta Regional Council Chair, Harry Wilde, requested a Special Action to suspend dorsal fin requirements for subsistence fishermen this summer when no commercial fishery is expected. There was consensus that this request is in the best interest of the subsistence fishers and would not adversely impact the fisheries resource or enable illegal sales of subsistence salmon to occur.

It is important that the Federal manager be empowered to reinstate this requirement in the event that the salmon run is better than expected and the State of Alaska proceeds with a commercial fishery. No commercial fishery is expected and it is anticipated that subsistence harvest of king salmon will be less than half of normal.

Subsistence fishers have noted that cutting the dorsal fin can lead to softening of the flesh. Fishers dry the salmon backbone and after the flesh is removed, do eat the dorsal fin.

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

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

MR. NICK: Mr. Chairman, I don't have written comments on this proposal.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. VINCENT-LANG: Mr. Chairman, the State supports both the Special Action Request and the associated Staff Committee recommendation. In the absence of a commercial fishery, we believe that this action will relieve users from a potentially burdensome regulation. However, we would note that should the State of Alaska proceed with a commercial fishery the requirement to clip the dorsal fin should be immediately reinstated. And I'd also add that the Board of Fisheries took this up yesterday and they delegated the authority to the Commissioner to rescind the marking requirements when there is no commercial fishery and to reinstate it in the event that there would be one.

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

MR. WILDE: Mr. Chairman, we had a meeting in Mountain Village. We have enough, already problems with the law enforcement. And that's what makes it hard for subsistence, we never have no experience or enforce our subsistence way of life through enforcement, we got hours to work with, that many fish to work with, we wouldn't have no time to do cutting up the fin fish out of subsistence. Not only that, when we dry our subsistence food, as king salmon and chums, we hang the backbone of the fish, that's the first thing that we eat, half-dried, we save the main part for the winter. We teach our children how to survive with using those -- someone says that, how about it, the skin, yeah, the skin is very important, that's where we train for our people, our children. That's why that I don't want to see anymore of enforcing cutting up the fish up before we even start hanging it up. That's the reason that I was willing to present this to help the people that try to subsistence and try to live using this.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you, Harry. Do you have something, Ronny, Ronny Sam.
MR. SAM: Thank you, Mr. Chairman. Again, our practices are quite similar, while we don't eat the fin itself, the bones that support the fin are sometimes the richest part of the salmon at times, other than the belly. With that, Western Interior would like to go on record in support of Mr. Wilde.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. SIMMONS: Mr. Chair, the InterAgency Staff Committee recommends adopting Special Action 04. This is a prudent measure that relieves unnecessary burden placed on subsistence fishers when no commercial fishing is expected to occur.

CHAIRMAN DEMIENTIEFF: Thank you. Board deliberation. Hearing none, we'll.....

MS. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Oh, I'm sorry, go ahead, discussion.

MS. KESSLER: I'll just remark, I plan to support this proposal and I can only say I wish they were all this easy. Thank you.

CHAIRMAN DEMIENTIEFF: Yes, I do as well for reasons laid out by the Staff Committee. Is there a motion?

MR. EDWARDS: Mr. Chairman, I move that the Board support the Staff Committee recommendation to remove the requirement of removing the dorsal fin of king salmon in Districts Y1, 2 and 3 of the Yukon River within the Yukon-Delta National Wildlife Refuge.

CHAIRMAN DEMIENTIEFF: Is there a second to that motion?

MR. BUNCH: I second it.

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

IN UNISON: Aye.

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

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay, we're now ready to move into Western Interior. While
the Staff is changing out, we do have a request for public
testimony. At this time we'd like to call on Mike Walleri.

(Pause)

CHAIRMAN DEMIENTIEFF: Any time you're
ready, Mr. Walleri, you're on the record.

MR. WALLERI: Good afternoon. My name is
Michael Walleri, I'm an attorney in Fairbanks. I'm here
today to represent the Koyukuk River Basin Moose Management
Team and I'd like to address Proposals WP 01-28 and 31.

As I understand the situation, these two
proposals are on the consent calendar and we would request
that they be removed from the consent calendar to be
considered by the Board. And would request that the Board
consider some -- we'll offer some considerations for the
Board.

The two proposals, basically deal with the
Koyukuk River Controlled Use area with regards to Federal
management. The proposal would be -- at the current time
the State plans to issue 258 permits in next year in the
Koyukuk River Controlled Use area, these are general hunt
permits, these are not subsistence permits. And it is our
position that that number of 258 is too high and will
result in an over harvest. We're recommending that 45
permits, the proposal calls for the issuance of 45 Federal
permits for use on Federal lands which would effectively
reduce the 258 authorized by the State to 45 and we'd
recommend the coordination between the State and the Feds
with regards to the issuance of those permits.

The difference here is that the 258 permits
authorizes 7.5 percent harvest rate within the Koyukuk
Controlled Use area. And the 45 percent permits, general
hunt permits result in a five percent harvest. These
calculations are based upon an assumption and basically
done by the area, the ADF&G area biologists, Glenn Stout
and are found in your packet on Page 65. And they
basically -- those calculations assume that 250 moose will
be harvested for subsistence uses. Please be aware that
that 250 moose subsistence allocation is made under the
State system which does not recognize a distinction between rural and urban subsistence users.

By way of background, this is not the first time that the team has been before you. In 1998 and 1999, the area biologist and the ADF&G were generally underestimating the population decline, they were overestimating the population in the Koyukuk River. In January of 2000 the ADF&G revised its population estimates to reduce the estimate of population of moose in the Koyukuk Controlled Use area and the Koyukuk drainage by 15 to 20 percent, which reflected what my clients have been telling the ADF&G all along, that they were overestimating the moose population. At that time, ADF&G, in year 2000, the Board authorized a 7.5 percent harvest rate, which stimulated -- excuse me, they began at that time the development of this plan, Koyukuk River Moose Management Plan and stimulated the first lawsuit by my clients against the State over the issue of whether or not the State Board was making the determinations necessary and provided for under the statute in terms of what amount was reasonably necessary and the like.

In the year 2000 the 7.5 percent harvest was authorized. This brought around a second lawsuit saying that the 7.5 percent was over the sustained yield level. That suit is in State court and is currently been fully briefed and is under consideration by Judge Greene at the current time.

Last October or August, we brought before the Board a Special Action Request requesting reduction in the harvest of a general hunt and this Board denied it. And I think it's important to review why this Board denied it. Essentially the Board indicated at the time, in comments, that it wanted to preserve the working relationship between this Board and the State and the cooperative arrangement that it was developing with the State and management of the Koyukuk River Management Moose Group. And what's important is after that harvest, however, in December of 2000, the area biologist, ADF&G area biologist met with the working group that had been working on this plan and it is interesting to note that this is not in your packet, although we did provide supplemental comments to our original submission. The ADF&G area biologist estimated that the 2000 harvest, fall harvest, had resulted in a 10 percent decline in the moose population and that in December the area biologist recommended to the working group that they reduce the general harvest permits from 258 to 158. That
recommendation was rejected by the working group and based upon that recommendation went forward to the Board of Game and the Board of Game, based upon that recommendation which was contrary to the recommendation of the area biologist was to issue the 258 permits which is currently planned.

In reviewing the Staff analysis provided to you, there are a couple of points that are important to remember and there’s a couple of errors in your packet.

First of all, on Page 73, there’s a claim that the 258 permits will result in a seven percent harvest rate. That is actually incorrect. It will result in a 7.5 percent harvest rate within the Koyukuk Controlled Use area and that is noted and the documentation of that is actually in your packet at Page 65. There is some discussion that the 7.5 harvest rate will result in a seven percent in the GMU taking into consideration harvest in the GMUs outside of the Koyukuk Controlled Use area, however, there have been problems with regards to estimating that exact harvest. And at the time I have not actually heard whether or not those harvest calculations have been completed as to whether or not -- as to what the harvest rate outside the Koyukuk Controlled Use area is.

On Page 78 of your packets, it indicates that the management plan was approved by the Board of Game on March 2000, that is not the case. The Board of Game, as of March 2000, the plan was actually continued in draft form, it was not approved. And there’s some question about whether or not the Board actually subsequently approved it in the 2001 meeting.

Basically on another issue on Page 84, there’s a claim that the team is confused about the 65 percent predation rate -- between the 65 percent predation rate and the 65 percent success rate, hunter success rate. There is no confusion. Actually the draft plan, the draft plan on Page iii, indicates that it was, in fact, both a 65 percent predation rate and a 65 percent success rate. The final plan that you have in your packets took that comment out. And it did not replace it with an estimation of the predation harvest rate.

Finally, your packets do not indicate that the area biologist in December of 2000 recommended a reduction in the number of permits to maintain sustained yield harvest principles. He based that upon an estimated 10 percent decline in the Koyukuk River moose population -- or the moose population within the Koyukuk Controlled Use
area, and that it was his recommendation to reduce that.

It's also important to note that if you take a look at the plan, in terms of what criteria, you know, what rate, whether or not you use a 7.5 or seven percent harvest rate. The estimated population that was arrived at by the area biologist is actually, under the plan, would suggest a harvest rate of somewhere between 7.5 and five percent because it does not -- the estimated projection on the moose population is actually below what the plan calls for in terms of sustaining a 7.5 percent harvest rate.

The bottom line here today is where are we today? And that is that there is really no disagreement about the biology in this particular case. There is no disagreement that there's been a 10 percent decline in the population of the moose in 2000 based upon the 2000 harvest. And that throughout all of the testimony of the area biologist throughout all of this period, from 1998 onward, he has never recommended on the record a 7.5 harvest rate. What he has said is that the working group has recommended a 7.5 and that he can agree with that but that from a biological standpoint all of his recommendations to the agencies have been not to exceed seven percent.

The Western Regional Council rejected this proposal and we're aware of that, primarily based on a political agreement over the issue of whether or not the working group could support the reduction of a hundred moose. And so I wanted to make it very clear to you that we understand that we are basically bucking up against the Western Regional Council vote, however, please be aware that it's not based upon biology, it's based upon a political consideration which is to continue a cooperative relationship with the State, ADF&G, which is afraid that the working group will fall apart, the cooperative arrangement with the working group will fall apart if they actually reduce the level of harvest to the biologically indicated number. And that while we have proposed that only 45 permits should be issued, based upon a five percent harvest rate, we could concur with the area biologist's recommendation in December of reducing it to 158. At least it would be consistent with the professional opinions of the area biologist as to what the rate of harvest should be based upon a sustained yield management.

There is no biological justification for a harvest that would include the issuance of permits of 258
permits. There is only a political justification to maintain a working relationship established by the working group and to continue a cooperative working relationship between ADF&G and U.S. Fish and Wildlife. And I understand that that's an important goal, but it should be very clear that there is no biological justification that the calculation of what the sustained yield level should be for this moose population by the State's area biologist is 158, not 258.

This sets a rather interesting dilemma for the Board. This Board has rejected Regional Council recommendations in the past to reduce harvest rates that are not supported by a biological evidence and that's actually in the regulations. But what do you do when the recommendation to increase the harvest level is not supported by the biological evidence. In this case the Regional Council is suggesting that -- and if this Board defers to the Regional Council, you'll be setting an interesting precedent and that is that you will not support the reduction of harvest that are not supported by established biological evidence but that you will support an overharvest that is not supported by the biological evidence.

What that means is that in your system there is an -- the system has a flaw in that it provides for a bias for overharvest and that is exactly what the opponents of Federal regulation have argued from Day One. That the Federal government and the managing of fish and game resources would exercise that power in such a way as to encourage overharvest which it had done in the past in Southeast. What is ironic about this situation is that this effort to encourage overharvest with regards to the Koyukuk River is actually being supported and led by the State and this Federal Board would be following the State recommendation to provide for overharvest. That is a very dangerous precedent.

We understand that this proposal is not supported by the Western Regional Council but we would urge you to pull it from the consent calendar and consider it independently. And if you apply the standard ANILCA test, that the recommendation of the Advisory Committee must be supported by substantial biological evidence, that recommendation does not meet that standard.

If you have any questions I'd be glad to answer them.
CHAIRMAN DEMIENTIEFF: Questions. Thank you.

MR. THOMAS: Is that limited to the Board?

CHAIRMAN DEMIENTIEFF: Yes. Thank you.

Western Interior Regional proposals on the consent calendar are 23, 24, 25, 27, 28, 30, 31, 32, 33 and 34. With that, you have in your packet, and first we'll take up the Western Interior's Resolution to Endorse, which would be 2001-01, to Endorse the Management Plan.

MS. FOX: Well, the presentation hasn't been given yet, Randy Rogers wants....

CHAIRMAN DEMIENTIEFF: Well, we've already got it.

MS. FOX: You don't want Randy to give a briefing?

CHAIRMAN DEMIENTIEFF: No, I don't feel -- everybody's looked at the plan, we've dealt with it before.

MS. FOX: Can I make a few comments and then we'll ask for endorsement or do you just want to take action?

CHAIRMAN DEMIENTIEFF: Unless there's some questions or anything that any Board members have, have you had a chance to look over the packet? We've worked at this for a couple of years now. Ronny, do you have anything to say?

MR. SAM: Thank you, Mr. Chair. At our last meeting, we unanimously supported this plan, five year plan. There was general consensus by the Western Interior Council members that, while this is not perfect it is working. And contrary to what you've heard that reduction in the moose population wasn't created by the 2000 hunt. So like we said, it's not perfect but it is working. And what this plan did was drop the harvest from somewhere around 490 down to 258 already and so we're working in that direction and that's why we want to keep this working group in place. We want to fine-tune this plan as we go along.

And with that, we endorse it unanimously and ask that it be incorporated into the Federal Subsistence Board annually.
CHAIRMAN DEMIENTIEFF: I'm prepared to move on unless there's other Board members that are unfamiliar with it. We've been working at it for a couple of years, I'm totally comfortable.

MS. FOX: You just need a motion then.

CHAIRMAN DEMIENTIEFF: Terry.

MR. HAYNES: Mr. Chairman, it was Randy Rogers understanding that he would do a very, very short overview of the final version of the plan just to kind of follow-up on his short presentation before you last year. We can make it very brief, I recognize the time, but Randy did, if you don't mind?

CHAIRMAN DEMIENTIEFF: Go ahead, I guess. We're ready to adopt the resolution, I mean, don't talk too long Randy you might turn some votes against you.

MR. ROGERS: Mr. Chair, I'm perfectly willing to defer. I mean the bottom line is as Ron Sam stated. I do have some comments that could clarify a little bit of what Mr. Walleri said and bring you up to date but if you don't feel that's necessary.

CHAIRMAN DEMIENTIEFF: I don't really want to debate those issues. I mean you're not a Board member. If a Board member was going to ask questions with regard to Mr. Walleri's statements, they would have asked them.

MR. ROGERS: That's fine. I'll be available if there are questions.

CHAIRMAN DEMIENTIEFF: Yeah, I mean we've all looked at it. We've worked at it for two years. If we start talking too much, I'll even vote against it. Is there a motion to adopt, I believe it's 2001-01, isn't it?

MS. FOX: Yes.

CHAIRMAN DEMIENTIEFF: Yes, we haven't adopted the resolution which endorses that plan, is there a motion?

MR. BRELSFORD: Mr. Chairman, I move that the Board adopt the Resolution 01-01 to endorse the Koyukuk River Moose Management Plan as recommended by the Western Interior Regional Council. The resolution is available in the public meeting materials and I believe does not need to
be read again into the record. But I would like to say
that I think this is a longstanding issue that the Board
has urged upon the various stakeholders in the region and
we're finally seeing the results of that longstanding
consultation, and from that standpoint I think it's time
that the Board expressed its support for the results of
that planning effort.

Thank you.

CHAIRMAN DEMIENTIEFF: Is there a second to
the motion?

MR. BUNCH: Second.

CHAIRMAN DEMIENTIEFF: Again, we've worked
it, it's ready to go. The Regional Council has led us in
massaging out the differences we've had and if there's no
other discussion we're ready for a vote.

Go ahead, Gary.

MR. EDWARDS: Mr. Chairman, there seems to
be or there may be some procedural issue here, so I
suggest, Vince, you might have some insight into that, I
don't want to put you on the spot but I certainly don't
understand what it is and if there is something we should,
at least know, know it before we go forward.

CHAIRMAN DEMIENTIEFF: Where is Vince.

MR. MATHEWS: Mr. Chairman, the Resolution
endorses the plan which contains the actions that are
contained in the proposal which, now, I believe are off the
consent agenda 28 and 31. So the Board has not had the
privilege of 1, being briefed on the plan: 2, have not been
exposed to the analysis of Proposal 28 and 31. My guess,
what I'm trying to say is it may be perceived that you've
already made your decisions on 28 and 31 without hearing
the analysis by endorsing the plan, which aligns with the
Staff recommendations on Proposals 28 and 31 and 32.

CHAIRMAN DEMIENTIEFF: So what, you want us
to take it up after we adopt -- I mean the consent agenda
-- the consent agenda items, we've already been satisfied
that we've walked them through, so I don't understand why
we -- we don't do it for any other consent agenda item.

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

MR. BRELSFORD: I'd like to offer the view that I think that we have, in deed, endorsed the analysis and the Council recommendation on Proposal 28 and 31. Some of the concerns raised by Mr. Walleri in testimony have, in fact, been addressed, I believe, to the satisfaction of the Board members. So in declining to take it off of the consent agenda, I think we continue to support our original finding that the relevant issues have been examined. There is a biological justification for the action adopted and we're prepared to move on.

CHAIRMAN DEMIENTIEFF: We're ready to vote on the resolution?

MR. BOYD: Yeah.


MS. GOTTЛИEБ: I'll second the motion.

CHAIRMAN DEMIENTIEFF: Okay.

MS. FOX: It was seconded.

CHAIRMAN DEMIENTIEFF: Yeah, okay, you want to third it. Discussion. All those in favor of Resolution 2001-01 please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay, wildlife Proposal 01-26, Staff analysis.

MR. DeMATTEO: Mr. Chair, Proposal 26 was submitted by the Western Interior Regional Council. This proposal would eliminate the requirement for the evidence of sex for organs of a moose remain attached to the carcass to provide evidence of sex in Units 19, 21 and 24.

Residents of the Western Interior region have expressed concerns that the current evidence of sex regulations conflict with their customary beliefs and traditional harvest methods and these concerns were echoed
through the Western Interior Council in their February 2000 meeting. The Council offered an alternative regulation that would allow the substitution of the existing requirements with the option of the removal of the head of the moose in addition to the current regulation requirement.

Rural users of the Western Interior and the Southcentral regions testified that they commonly bring the head out as part of the harvest and the head is brought out with the intent for human consumption. The head would possess the antlers or the antler pedestals or scars, even after the antlers have been dropped and this would allow for confirmation of sex of the carcass during the winter season as well. The head is an alternative to the existing regulation would accommodate the cultural practices and at the same time accommodate law enforcement methods at the same time.

The C&T determinations for this are too numerous for me to mention as it encompasses Units 19, 21, 24 but you'll find those on Pages 38 and 39, we're talking basically all Federal lands in the Western Interior region.

Essentially the Federal lands that are affected by this proposal is the Lake Clark Preserve, the Denali Park and Preserve, Gates of the Arctic Park and Preserve and the Yukon-Delta, Innoko, Nowitna, Koyukuk and the Kanuti National Wildlife Refuges.

That is all I have, thank you.

CHAIRMAN DEMIENTIEFF: Summary of written public comments.

MR. MATHEWS: Yes, Mr. Chairman. We had three written comments on this proposal. Two in support. One from the Denali Subsistence Resource Commission. They support the preliminary conclusion of the analysis for the reasons stated. They believe that it's a practical solution to meet both cultural use patterns and resource management needs.

Lake Clark National Park Subsistence Resource Commission supports the proposal. They feel it is not traditionally acceptable to leave external sex organs attached. The moose head should be substituted.

The third written comment, I'll ask if the State wants me to summarize it or if they do it. It is
from the State of Alaska, Department of Public Safety, Division of Fish and Wildlife Protection. I am prepared to summarize it but they may have a representative here.

CHAIRMAN DEMIENTIEFF: Terry, are you going to speak to it?

MR. HAYNES: Mr. Chairman, we had asked a member of the Fish and Wildlife Protection to be here. I don't see anyone in the audience so we're comfortable with Vince summarizing the comments.

CHAIRMAN DEMIENTIEFF: Okay, go ahead.

MR. MATHEWS: Okay, thank you, Mr. Chair and Terry.

This is a letter dated January 10th from Colonel Joel Hart (ph), Director of Fish and Wildlife Protection. We do have a copy on record for those who would like to see the full text. They oppose the proposal. The Division is reaffirming its opposition to proposals that minimizes the evidence of sex requirements in Units 19, 21 and 24. This regulation requiring evidence of sex has withstood the test of time since statehood and it is a very important enforcement tool. The regulation is used to detect and deter illegal hunting. Creating an evidence of sex standard different than the state regulation will complicate enforcement and frustrate the public and law enforcement officers. Please retain the evidence of sex requirement currently in State and Federal regulations, Colonel Joel Hart.

CHAIRMAN DEMIENTIEFF: Additional Department comments.

MR. HAYNES: Mr. Chairman, the Department does not support adoption of this proposal or of the Staff recommendations. In areas where moose harvest is limited to bulls only as part of a biological management strategy, the ability to enforce this regulation depends, in part, on having the same evidence of sex requirements in State and Federal regulation. Maintaining the current evidence of sex requirements helps to ensure the large trophy bulls are not harvested for the antlers without the meat also being salvaged. This proposed regulation also could encourage additional harvest of cow moose in areas where moose numbers already are low and such harvest cannot be sustained.
One of the most critical concerns expressed by the residents of Units 21(D) and 24 during the Koyukuk River Moose Management planning process was that of wasted meat. Modifying the evidence of sex requirement in the Federal regulations may create considerable confusion among hunters and reduce the effectiveness of an important enforcement tool as this regulation would apply only to moose taken on Federal public lands under the Federal subsistence regulations and not to those moose harvested on State and private lands.

The Federal Board, last year, modified the evidence of sex reporting requirements in Units 11 and 13. In both of these units the harvest limit is one antlered moose and each unit has the same unitwide fall season. In contrast, Units 19, 21 and 24 are divided into several smaller hunting areas. Each has several fall and winter hunting seasons and in some areas, either bull or cow moose can be taken. Thus, modifying the evidence of sex requirements in these three units may greatly complicate the regulations.

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

MR. SAM: Thank you, Mr. Chairman. You know, we have a substantial cow moose harvest up there but we are within the limits of sustainable yield. I'm still slightly confused as to where this came from, I think this was a carryover from the Southcentral region with their battle over the evidence of sex. We've never had to leave the external sex organs attached, we never did and I don't think we ever will. It's not only offensive, it also spoils the edible meat and I stress edible meat. The first thing we do is remove all the sexual organs or their parts, internal parts. It does permeate everything, especially during the rutting season, the first part of the rutting season that we do harvest these animals.

And I strongly request that you accept our proposal to modify and substitute moose head as evidence of sex because we do have substantial sized moose horns that should meet all requirements.

Thank you.

CHAIRMAN DEMIENTIEFF: Staff Committee.

MS. HILDEBRAND: Mr. Chairman, Staff
Committee recommended to accept the modified proposal that would allow the taking out of the moose head instead of the attached sex organs. They stated that it was a sufficient means for law enforcement officers to determine the sex of the animal. It was culturally offensive to local users so they supported the modification of the Council.

CHAIRMAN DEMIENTIEFF: Thank you. Moving on to Board deliberation and other Regional Council. Fenton.

MR. REXFORD: Thank you, Mr. Chairman. North Slope Regional Council recommendation was to modify. The Council supported the proposal with the modification recommended by the Staff which would allow additional subsistence opportunities to take animals in a manner that is consistent with their local customs, and to modify the proposal to allow the substitution for moose head as an alternative to the sex requirement.

Mr. Chairman, thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Other Regional Council comment. Harry.

MR. WILDE: Mr. Chairman, Yukon-Kuskokwim Delta Regional Council supporting Western Interior for modifying the proposal.

CHAIRMAN DEMIENTIEFF: Other comments.

Discussion.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: I have a question, are other users subject to this same requirement that we're dealing with now?

MR. ROGERS: (Nods affirmatively)

MR. THOMAS: They are?

MR. ROGERS: (Nods affirmatively)

MR. THOMAS: Okay, thank you.

CHAIRMAN DEMIENTIEFF: Yes, Gerald.
MR. NICHOLIA: Thank you, Mr. Chairman. We supported it along with the Western Interior. We both took it up at the same time, jointly.

CHAIRMAN DEMIENTIEFF: Thank you. Other discussion. Hearing none, we're ready for a motion.

MR. EDWARDS: Mr. Chairman, I move that the Board adopt the modified proposal consistent with the recommendation of the Western and Eastern Regional Councils requiring possession of the head of a moose as proof of sex, I think is a reasonable alternative for subsistence users. Although it may, you know, actually it would complicate State enforcement efforts, it accommodates customary and traditional practices. Subsistence users will need to be aware that there is a jurisdictional difference and understand those jurisdictions if they intend to just use the head as proof of sex.

CHAIRMAN DEMIENTIEFF: Other discussion.

MS. GOTTLIBE: I'll second that.

CHAIRMAN DEMIENTIEFF: Okay, moved and seconded. 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.

Proposal No. 29, Staff analysis.

MR. DeMATTEO: Mr. Chair, Proposal 29 was submitted by Mr. Henry Deacon of Grayling. Mr. Deacon requests that the Board close the Innoko National Wildlife Refuge to the use of aircraft for hunting moose.

The request would essentially create an Innoko Controlled Use area and would include all Federal lands in Unit 21(A) and (E) within the Refuge. Residents of Grayling, Anvik, Shageluk and Holy Cross communities, commonly known as GASH, have expressed concerns of increased hunting pressure through the years from fly in moose hunters through the Western Interior Council. Local concerns favor additional restrictions for non-Federally
qualified users within the Refuge.

The original proposal was to close the entire Innoko National Wildlife Refuge, however the proponent modified his proposal on January 18th to expand the Paradise Controlled Use area to include BLM, State and private lands and a portion of the Refuge, and this was further clarified on March 9th at the Council meeting. Essentially on the map, if we can have the map, please, on the map this cross-hatched area is the existing Paradise Controlled Use area and the proponent would like to expand that area to the east in this gray-shaded area here. This would be the expanded area of the Paradise Controlled Use area.

If you'd like to look at the revised language, it's on Page 93 of the analysis. Basically it outlines the area and regulatory description. It's about at the middle of the page.

The current customary and traditional use determination for this area is rural residents of 21(E) and residents of Russian Mission have customary and traditional determination for moose in Unit 21(E).

The current biological status of the moose is density estimates for the moose population within the proposal area do not reflect a need for additional restrictions at this time. In fact, looking at results from biological surveys and looking at the various strata that we're surveyed, moose densities range from 2.05 up to 15.3 per square mile. In individual sample units, there has even been moose populations of 40 moose per square mile in individual sample areas. The harvest records indicate that the average hunter success rate for the GASH communities is 79 percent on the average between the years of 1983 and 1999.

There is one additional item I should mention, is that, adoption of this proposal would restrict access to Federally-qualified users who hunt the proposal area by use of airplane. There are several families who do access the proposal area by airplane for the purpose of harvesting moose.

That's all I have.
MR. MATHEWS: Yes, Mr. Chairman. There are two. One that came in within the time frame for public comments and that was in opposition, it's Steve White, president of Willow Air Service Fly-In Hunting Operation. He wrote in opposition. In his letter he said there is no data showing a declining moose population within the Refuge. Also he noted there is no decline in the reported hunter success rate. He expressed concern about displaced hunting pressure to other areas if this Controlled Use area was expanded.

I believe you may have been made aware that the Western Interior Regional Council submitted a letter on April 18th requesting the Board to know that they support the proposal but request that the Board defer this to the Grayling, Anvik, Shageluk, Holy Cross Cooperative Planning Group.

Thank you.

CHAIRMAN DEMIENTIEFF: Department comments.

MR. HAYNES: Thank you, Mr. Chairman. I'd just like to note that our comments were listed as opposing this proposal on Page 99 but on the chart on Page 88 we're listed as recommending deferral, in fact, we do recommend deferral of action consistent with the recommendations of the Western Interior Regional Council.

The Department supports discussion of this proposal and other local concerns regarding moose management in the conflict resolution process that has been proposed to address resource management issues in the Grayling, Anvik, Shageluk, Holy Cross area. If this process moves forward and is expanded to address moose management issues, the Department will plan to participate to the extent we can and we'd look forward to working with the people in that region to address this and other relevant issues.

CHAIRMAN DEMIENTIEFF: Staff Committee.

MS. HILDEBRAND: Thank you, Mr. Chairman. The Staff Committee recommended deferring the proposal as recommended by the Western Interior Regional Council with support from the Yukon-Kuskokwim Delta Council. And the Council, at the meeting, supported the proposal but also simultaneously requested that the Board defer it to the working group established at the GASH area and it was strongly recommended by the Staff Committee that the work
group be given an opportunity to address these local issues
and come up with resolutions from the participants in that
area.

CHAIRMAN DEMIENTIEFF: Any other Regional
Council comment.

MR. SAM: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Ronny.

MR. SAM: Thank you, Mr. Chairman. At our
March meeting in Fairbanks, we had three or four public
comments and they were all in favor of this proposal. We
are strongly in favor of this proposal, too, but we're
still worried about the curtailment of the subsistence
harvest. And as our Staff Committee stated, we are in the
process of forming two other working groups up in the
middle center of Alaska. These are spin-offs and copies of
the Koyukuk River Moose Working Group Plan, and I just
wanted to make that clear, while you have a working group
in place like we do on the Koyukuk, you still have some
user conflict and the only way that we can handle that is
through these working groups.

As with the one on the Huslia request to
expand their Controlled Use area, they cut it down quite a
bit, we didn't accept the Huslia one, but this request,
proposal was cut down quite a bit to more or less meet the
demands of that area. We deferred further action on
accepting this expansion until we formed a user conflict
group, another working group for that area. I think that
the size and the use and everyone else throughout the state
that uses this area will be involved in it. I would like
you to go ahead and pursue the formation of a working group
for this area.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. I
understand, Vince, that you're heading up that working
group or coordinating with them?

MR. MATHEWS: Yes, Mr. Chairman. That's
happening as we're speaking.

CHAIRMAN DEMIENTIEFF: Okay.

MR. MATHEWS: So we'll keep the Board
informed as it proceeds.
CHAIRMAN DEMIENTIEFF: Okay. Ron.

MR. SAM: Yeah, we asked Mr. Rogers out of ADF&G to have a good part in this because of his past experience with our working group.

CHAIRMAN DEMIENTIEFF: As long as he doesn't talk too much why.....

(Laughter)

CHAIRMAN DEMIENTIEFF: Okay, Randy.

MR. ROGERS: Thank you, Mitch. I'd just like to comment that we have gotten into preliminary discussions with some of the Federal Staff about how we can approach an organized working group in that area.

Just I wanted to also explain that we've initiated a moose management planning process on Yukon Flats, that's my priority project right now. I'm supporting our Region 5, Northwest Arctic Staff in developing a cooperative management plan for the Western Arctic Caribou Herd. I want to be involved in helping with the situation down on the Yukon and the Innoko area, but we may have a little bit of limitations as far as Staff. And so I just want you to be aware that it could take a little while to get this all worked out. But as I've said before, this is a priority of the Departments and we hope to work together cooperatively on it. But it may not happen right away. Hopefully we'll get something organized next fall or so.

CHAIRMAN DEMIENTIEFF: Thank you very much.

Any other Regional Council or Board comment.

MR. WILDE: Mr. Chairman, Yukon-Kuskokwim Regional Council recommends support of the deferral to the home region.

CHAIRMAN DEMIENTIEFF: Any other Regional Council or Board comment.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I would like to commend the Council and Fish and Game and others for making that effort to form and work on these working groups. I think that's
just vital to the way to solve problems.

Thank you.

CHAIRMAN DEMIENTIEFF: Any other Regional Council or Board comment.

MR. BRELSFORD: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BRELSFORD: I'd join in the comments from our Board member for the Park Service. Much of the land involved in this question is BLM land, but much of the land and some of the conflict arises on non-Federal lands and the Council has wisely recognized that a slower effort to achieve action, joint action and action in concert on both State and Federal lands will truly solve the problem. It is a pressing problem. There are serious concerns raised by the community residents but I think the Regional Council has shown real leadership in moving forward in a more comprehensive fashion and applaud their wisdom.

CHAIRMAN DEMIENTIEFF: Any other Regional Council or Board comment. If not, we're ready for a motion.

MR. EDWARDS: Mr. Chairman, I move that the Board defer the proposal consistent with the recommendation of the Regional Council, allow the planning process to work its way through.

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

MS. KESSLER: Second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion. 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. Okay, we're going to move to Eastern Interior.
(Pause)

CHAIRMAN DEMIENTIEFF: Are we ready? Okay, we'll call on Staff analysis.

MR. KRON: Mr. Chairman, my name is Tom Kron with the U.S. Fish and Wildlife Service, OSM. Also with me today is Hollis Twitchell from the National Park Service and Dr. Lane Adams from USGS-BRD.

Proposal 11 submitted by the Alaska Wildlife Alliance would close that portion of Denali National Park and Preserve east of the Toklat River within Unit 20(C) to wolf hunting and trapping. The proponents of this proposal are interested in providing special protections for wolves which near the Denali National Park and Preserve road system. More Park visitors have been able to view wolves recently and the proponent would like to provide additional protection to Eastfork wolf pack members. Approximately 90 percent of the Eastfork pack's home range in Figure 1 is within Denali National Park wilderness area, formally, Mt. McKinley National Park, where hunting and trapping are prohibited. There were five adults and five pups in the Eastfork pack during the 2001 winter count. The alpha male died during radio tagging. There's currently nine wolves in the Eastfork pack.

Late winter counts for the Sanctuary pack, which inhabitants territory along the east side of the Park consisted of four wolves. The alpha female died during radio tagging in March. Currently one radio collared yearling is still in the area. The location of the other two wolves is unknown.

The Alaska Board of Game, at its March and November 2000 meetings considered a proposal to cease hunting and trapping of wolves on State land adjoining the northeast side of Denali National Park and Preserve. The Board of Game closed wolf hunting and trapping on State lands in a triangular-shaped area west of Healy, near the intersection of the Savage River and Park boundary. The Board of Game placed a two year sunset clause on this provision.

Wolves abandon the den after about eight weeks and live at sites above ground until early autumn when the entire pack roams a large territory for the rest of the fall and winter. Most wolves disperse from the territory where they were born by three years of age and form new packs when they locate disperse of the opposite
sex from another pack and a vacant area to establish a
territory. An average of 28 percent of the Denali radio
collared wolves disperse annually.

From 1986 through 1999, the number of pups
in the Eastfork pack varied from zero to 12. As a wolf
pack makes its way around its territory, it may encounter
and engage other wolves within its territory at any time.
A fight to the death can occur during such encounters.

Wolf caused deaths are the largest source
of mortality of wolves aged nine months or older. Nearly
half of the loss of wolves from the population was probably
due to other wolves. The tenure of wolves in the Denali
wolf study area from 1986 through 2000 was usually limited
to one to three years, but some individual wolves had
remained in the study area for eight years, in Figure 2.

There are usually about 15 wolf packs in
the Denali National Park and Preserve at any time. The
population varied from under 50 animals to nearly 175
animals between 1986 and 2000. Mid-March 2000 counts
indicated that there are about 100 wolves in the Denali
population.

The area within the former boundary of Mt.
McKinley National Park is closed to subsistence uses. It
is, however, surrounded by additions to the new Park and
Preserve created under ANILCA in 1980. With these
additions the renamed Denali National Park and Preserve
nearly tripled in size. ANILCA provided for subsistence
opportunity on Federal lands created by the Act, even on
National Parks and as such, Denali National Park and
Preserve additions are open to traditional subsistence
hunting and trapping and fishing.

MR. TWITCHELL: Mr. Chair, Board members,
Regional Council Chairs, Hollis Twitchell, Denali National
Park. Subsistence users for Denali National Park are
primarily from the residents of the communities of
Cantwell, Lake Minchumina, Nikolai and Telida. Those
communities are identified as our subsistence resident
zones.

Other local residents who do not live in
these communities but have customarily and traditionally
engaged in subsistence uses in the Park areas may do so
pursuant to a permit issued by the Park Superintendent.
Individuals from Mckinley Village, Healy, Nenana, and
Tanana have received these subsistence use permits.
Looking at harvest history of subsistence users in Denali, based on data from 1984 to 1998, wolf harvest sealing records indicate that a total of 92 wolves were harvested by Denali National Park Service qualified subsistence users from all lands, both within and adjacent to Denali National Park and Preserve. A review of all sealing records, including interviews with subsistence users themselves documented that 35 out of the 92 wolves as having been harvested from within Denali National Park and Preserve lands. That averages out to about 2.5 wolves per year by subsistence users. The remaining 57 wolves harvest occurred on adjacent Federal public -- on non-Federal public lands, those would be adjacent State lands to the Park.

Of the 32 wolves known to be harvested from within the Park and Preserve additions by qualified subsistence users, nine of those harvests came from the community of Cantwell residents and the other 19 harvests came from the Lake Minchumina area and four harvests were taken by individuals with subsistence user permits.

Subsistence harvest of Denali National Park and Preserve wolves averages about two percent a year from the Park's wolf population as a whole. Based on harvest records from the '84 to '98 period, it is most likely to affect Federal qualified subsistence users from the communities of Cantwell, McKinley Village, Healy and Nenana.

The Eastfork pack makes very little use of the area affected by Proposal 11. Could we have the map, again, for Proposal 11, thank you. From 1986 to January 12, 2001, there were 1,800 radio locations for the Eastfork pack of which seven have been in the area proposed for the closure. The closure area would be this area right up in here. No radio-collared wolves have been harvested in the area affected by this proposal and no other wolf harvests have been reported for this area since 1984.

The Sanctuary wolf pack has not used the area proposed for closure at all out of the 260 collar locations that have been reported since 1995. This proposal is not expected to yield additional protections, specifically, to the tourist friendly wolves of the Eastfork pack.

This proposal appears to be in conflict with the provisions of ANILCA, which stipulates that subsistence uses by local residents shall be permitted in
the additions to the Park where such uses are traditional. Management of wildlife in these new Park and Preserve additions, as specified by ANILCA mandates the conservation of natural and healthy populations of wildlife within the Park boundaries while allowing for traditional subsistence uses by local rural residents.

ANILCA further states that the National Park Service may temporarily close public lands or portions thereof to subsistence uses of a particular fish or wildlife population only if necessary for reasons of public safety, administration or to assure the continued viability of such populations.

Based on wolf research conducted in the park between 1986 and 2001, there is no indication that the natural and healthy status of wolf population in Denali is threatened at this time. The health of the wolf population within Denali National Park and Preserve is based on the total population within the Park and Preserve, not based upon the dynamics of individual wolf packs or individual animals within a specific pack. Further the proposed closure would have a negligible effect on the harvest levels for wolves for which protection is sought.

At their meeting in Healy, March 5th, 2001, the Denali Subsistence Resource Commission unanimously opposed Federal Proposal 11 to close hunting and trapping of wolves inside Denali National Park east of the Toklat River to the eastern Park boundary. The Denali Commission believes that there is a healthy population of wolves in the area and that there is no biological reason for creating a buffer zone which would adversely affect subsistence users of the area. The Denali Subsistence Resource Commission formed under ANILCA, Title VIII, Section 808(a) is charged to devise and recommend to the Secretary of the Interior and the Governor of the Program for Subsistence Hunting and Trapping within the Park.

Thank you.

CHAIRMAN DEMIENTIEFF: Summary of written public comment.

MR. MIKE: Thank you, Mr. Chair. Donald Mike, Eastern Interior Coordinator. We received six written public comments opposing the proposal.

The Upper Tanana Fortymile Fish and Game Advisory Committee opposes the proposal and notes that they
were disgusted to even read it.

Mr. Don Quarberg of Delta Junction opposes this proposal and states that there is no biological justification for it and that wolves are protected within the Park and that is enough.

Patrick O'Conner of Palmer, Alaska wrote against Proposal 11, stating that the proposal would be illegal since use of Denali National Park lands was guaranteed to those hunters who could prove C&T when the Park was expanded in 1981.

Mike Cronk, on behalf of Upper Tanana Fortymile Game Board Advisory Committee writes in opposition of this proposal.

One postcard was received in favor of hunting and trapping the Toklat wolves in Denali.

The Denali Subsistence Resource Commission opposes this proposal for reasons stated in their April 19, 2000 letter to Alaska Board of Game. Buffer zone would provide minimal protection for the packs in question because they rarely travel beyond the boundary of the former park. There is a healthy population of wolves in the area so there is no biological reason for added protection. Other packs along the Park road are becoming habituated to people and could provide viewable wildlife opportunities, however, the Park is not a large scale zoo and is managed to follow the natural and healthy guidelines of ANILCA. This may set a precedent for future buffer zones to protect other animals important for subsistence uses. Wolves are more threatened by proposed development in the area than by hunters.

Mr. Chairman, in regards to Proposal 11, there were three forms of correspondence received in favor of the proposal.

1,006 postcards were received in support of the Alaska Wildlife Alliance, proponent of Proposal 11 in favor of establishing a no hunting, no trapping zone for Toklat wolves inside Denali National Park and Preserve.

And yesterday we received another form of email letter which brings up 102 form of email letters were received in favor of Proposal 11.

And this morning we received one letter
which brings it to 63 from 62 in form emails and letters were received in favor of Proposal 11. The letter that we received this morning was from Linda Fowler of Anchor Point and she writes, Dear Board members. I have been a gift shop owner for 24 years and I paint Alaska scenery. My world wide customers come to view the wildlife and I feel that it is very important that we keep the areas close to our National Parks trapping and hunting free in order to preserve those species near to natural living in the Parks. Sincerely Linda Fowler.

Just for the record, Mr. Chair, these are entered into the public comment records. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department is neutral on this proposal. However, we note that the current low level of wolf harvest on Federal public lands in Unit 20(C) is sustainable and is having no detrimental biological impact on the wolf population in that area.

We also have confidence in the ongoing biological research that the National Park Service has conducted on wolves in the Denali National Park and Preserve for many years, and we frequently rely on this information when the Board of Game deals with wolf proposals.

CHAIRMAN DEMIENTIEFF: So you're saying that there is not a conservation concern in 20(C)?

MR. HAYNES: We don't believe there's a conservation in this area, yes.

CHAIRMAN DEMIENTIEFF: Thank you. We're ready for public comment from the floor, Paul Joslin, Alaska Wildlife Alliance.

MR. JOSLIN: Thank you, Mr. Chairman. My name is Paul Joslin, the executive director of the Alaska Wildlife Alliance and an old-time gray-haired wolf biologist who had a connection with Denali many, many years ago when Adolph Murrey used the word rendezvous and we picked that up and studied that intensively and now that's what we got in the literature, so I'm beholden to those wolves and Murrey's work up in Denali.

And with respect to that, you know, picture
for a moment, it's April 1939 and Dr. Adolph Murrey is sitting on the hillside watching the wolves up there, it was back in those days when you didn't have radio-collaring, you didn't have all the tools that we currently had, you had to do it by foot, and a little bit by vehicle on the road but other than that it was by foot. Picking up scats, following tracks, watching the wolves. It kind of confined him to really working with one wolf pack, which he did for a number of years. He wrote, the presence of the wolves adds immeasurable richness and wilderness spirit to the landscape. One need not see a wolf to benefit from its presence. Being the scientist that he was, he wrote a monograph and we continue to publish that monograph, it continues to be sold in the bookstores up there and elsewhere. Adolph Murrey is the father of wolf biology as far as the field goes. He was the first one to unravel what went on out there in the field with wolves in any depth. And he tried hard to do what he could do to get the wolves in that area protected.

That was 61 years ago. We've come some ways. The old Mt. McKinley portion is still protected but not where the wolves went out to the north as Congress itself and its congressional record was concerned about, Murrey's wolves, he has his cabin -- I mean he, himself, is now dead but his cabin's been preserved, all of his writings have been preserved at the University of Alaska in Fairbanks, all of the slides, his films, I mean he's an important figure to us people here in Alaska and what it meant and you can only do it once in terms of studying the first pack of wolves in the wild. No other place in the world can claim that. We've got it and it's right here. And we think that's now a part of our heritage and it needs to be protected from the historical sense.

They need to be protected because they are the most viewed wolves in the world. It's estimated that roughly 20,000 people a year see them. Start adding up the years and you can imagine the kind of figure you got. The Alaska Department of Fish and Game calculates that it's worth roughly $300 per wolf sighting as it were in terms of what people are prepared to spend in-state, which runs literally into the millions per year that that pack is actually in a sense contributing to the Alaskan economy. If you translate that into jobs, I mean it's a summertime activity, but that would correspond to perhaps hundreds of jobs that that means right here to the State.

Never mind all the photographs that are taken of them. Almost every time you see a photograph of
an Alaska wolf, it happens to be the Toklat wolves.

You saw or just heard the presentation that really focuses on the wolf population per se, as if that's the only kind of science we can have. That, on a scientific basis you would say that these are significant. What other pack in the word do we have 60 years with monitoring that the Park Service itself, in its own publication has recognized, we've got a vertical study here to correspond to the horizontal study of the entire Park. And the National Park Service's mandate is to maintain, and I quote, the natural and healthy populations. And perhaps here, with respect to the Toklat wolves, you have to think of that as the vertical strata from the science standpoint that you would want to preserve.

Do they do it elsewhere? Is there any precedent? Well, on Isle Royal, for 35 years in Lake Superior, the Isle Royal National Park has been preserving, in effect, two wolf packs and they have amounted to enormous amount of understanding about the dynamics of wolves, just as our own has done with respect to the Toklat wolves. You see following on from Adolph Murrey's monumental work came back to Dr. Gordon Haber, who should be here shortly if he's not already, who spent -- he's now entering his 36th year of studying wolves in Alaska with particularly emphasis on the Toklat wolves. Dr. Lane Adams has spent, what, 15 years at this point in his studies of the wolves of Denali, of which, 15 years of that has been on that Toklat wolves.

While you may see in some of the presentation that says, gee, wolves have a lot of turnover, well, maybe yet that's another reason why we should look at the vertical importance of these particular wolves that seem to be going for so long. You know, it's like that Duracel battery that never quits, that it has scientific value in its own right that we should be watching for.

Are they vulnerable? Well, if we kind of look around a little bit, 1998, and I don't know if you all have them so maybe we can pass these out, in 1998, that 60 year old or close to 60 year old at that point wolf pack was done to two. Thank God it happened that it was a breeding pair or we could have lost it at that point, to which, one of the factors is the impact of humans with respect to what happens to them. And the very wolf that's on the cover of this, that was a pregnant female, the pregnant female that still exists that just recently was given an anesthetic and we're now concerned about whether
she will produce pups or not, we could be at the critical
end and her mate is now dead. We don't know what's going
to happen with this pack, it's a critical watch at this
point.

If we look at the neighboring pack, because
essentially we're dealing with two wolf packs here that
constitute all the visitor side of it. We had the Savage
pack wiped out by a hunter in the end. The Headquarters
pack, the last one taken out by a -- it was a pregnant
female taken out by a trapper, even after Steve Martin, the
Denali Superintendent had specifically asked the Board of
Game to protect what was left of that pack. Following
that, a trapper last winter took out half of the Sanctuary
pack. This year we understand that he's taken more, we're
still waiting for May 30th to roll around and we'll see
what the take is on there. And then we had, just recently,
what was left of that pack, one adult and a few pups, the
critical adult was removed. So we've essentially lost the
Sanctuary pack now. So can wolves be vulnerable, they
certainly can.

Is there much likelihood of it occurring
inside Denali, pretty low, so long as the system we have
now in terms of if nobody touches them, we may be okay.
There's one trapper who, in essence, the area that we're
concerned about, that didn't trap there last winter. And
if that continues we would be in fine shape. But
potentially he and others can go in and trap, and you have
unlimited take, and I think in this day and age that we
need to do something here. That even though the risk is
pretty low, when you consider that there is about 15 packs
as you just heard, in Denali there's about 100 wolves and
we're asking for the protection of one for the State, the
nation and the world. When you consider that there are
literally hundreds of wolf packs protected under ANILCA
scattered around this state, again, we're asking for the
protection of one for the nation and for the world.

Please, I hope vote in favor of providing
protection for these wolves in the sense of entrench it in
law. They're not at great risk inside the Park right now.
Please think, too, that the State, the State of Alaska took
the bold step of beginning to protect for the Toklat wolves
outside the Park and will come back and take another look
at it coming up shortly where the Alaska Department of Fish
and Game, in its wisdom, has seen the importance of
extending that protection.

I think, from the national standpoint, you
owe it to the people of Alaska, to the nation and to the
world to step up to the plate and take the bold step that
is needed. Thank you.

CHAIRMAN DEMIENTIEFF: Yes, Mr. Joslin,
we've heard -- or has the National Park Service lived up to
its mandate in terms of keeping natural and healthy
populations of wolves in the Park?

MR. JOSLIN: If you define population as
all of the wolves in Denali National Park, of course, it's
doing a wonderful job. If you define it as the vertical
strata, dealing with this one wolf pack that has so much
history, so much scientific value to us, so much importance
to the visiting public, no, it's not, it has fallen short.
There are many things that it needs to do. I mean I could
elaborate a number of things if you want that I think could
be corrected to do with the Toklat wolves in terms of
protocols for manipulating, managing and et cetera. But
the point is, no, it is not done and lived up to what I
think the nation and the world deserves with respect to
this Toklat pack. It's come of age and it needs to be
protected.

CHAIRMAN DEMIENTIEFF: The people that are
trapping these wolves, are the qualified Federal
subsistence users in your knowledge?

MR. JOSLIN: Let me turn it around.

CHAIRMAN DEMIENTIEFF: Well, I just had a
simple question.

MR. JOSLIN: We understand where you're
coming from and we want to work with you on that aspect.
We're prepared to pay compensation for whatever losses in
the past, we'll double the rate, any other kind of
suggestions that we can do to help, to work this solution
so we can get to win/win, we're there. We want -- I mean
we think it's important. And you know, there's the
opportunity to promote the fact of what goes on with the
other 14 packs that operate within Denali.

But please, don't take this one pack, it's
so important to the nation.

CHAIRMAN DEMIENTIEFF: All I'm saying is we
have a very simple mandate. I mean I understand where the
State's coming from but our mandate is to protect
subsistence for our Federally qualified subsistence users.
I understand that there are other mandates out there but that happens to be ours and as such we have certain criteria that we simply have to live by, and that's all I'm saying.

MR. JOSLIN: Let me turn it this way. If you were to tell your children that one trapper that was a Park land subsistence person just happened to take out some critical animals that caused that pack to disappear, would that matter to you? Is that what you would want for your children? You can still do all the subsistence on all the others, but this one wolf pack is so critically important.

CHAIRMAN DEMIENTIEFF: All I'm saying, you know, is that's our plain and simple mandate. And, you know, as such if he's a Federally-qualified subsistence user and he's utilizing any resource then we have a mandate to protect that resource. I'm not arguing with you or anything, I understand where you're coming from but you also have to understand what our mandate is as a Board.

MR. JOSLIN: If it's of any help, in 1980, November 18th, 1980 in the Congressional record, which was at the time of ANILCA, it said, and I quote, it is recognized that three blocks of adjacent State lands, these are the wolf townships to the north have high potential for recreational values and park quality. These occur primarily in the three areas and they delineate, these were the lands that were well known to be important for the Toklat wolves. In 1986 the general management plan for the Denali National Park and Preserve on Page 56, it says, quote, the behavior and significance of the wolves of Denali were most eloquently discussed in Adolph Murrey's book where essentially he was focused around one wolf pack which is what he had to do on foot, and that consideration of the great importance of them and the range of these Denali wolves, where they move, is of concern.

The fact that Steve Martin, as the Park Superintendent would go to the State to try and save one wolf, the Headquarters female because they recognized its value, the fact that the Assistant Secretary of Interior, former Assistant Secretary of Interior, Don Barry, wrote such an eloquent letter saying the importance of the Toklat and Sanctuary wolves, the fact that the Governor of the state himself has asked as well, is there not a way that we can work together?

I mean, personally, I think if you took a positive view on this, it would be such a positive
statement of willingness to work to find common ground as
we work to help on the other side.

CHAIRMAN DEMIENTIEFF: Other questions.

MR. EDWARDS: Mr. Chairman, I'd like to
ask, you know, could you elaborate a little more on when
you refer to the significant scientific value? You've
given the particular uniqueness, you've described this
pack, it would seem like it might have less scientific
value in dealing with wolf populations sort of U.S. wide
and even world wide than the value that other scientific
studies might have on other packs.

MR. JOSLIN: Can you elaborate a little bit
here of what you're thinking of that makes it less
valuable?

MR. EDWARDS: Well, you've described its
very uniqueness compared to other packs.

MR. JOSLIN: Yes.

MR. EDWARDS: And it seems to me that it's
value is in its uniqueness and I'm trying to understand its
scientific value as it applies to wolves in general and the
utilization of that knowledge to better understand, you
know, other wolf populations.

MR. JOSLIN: You have a vertical study
here. Adolph Murrey delineated what the social structure
was of that wolf pack in the wild, you know, the first
ever. We are still looking at that same wolf pack,
understanding its dynamics. Which dens it uses, which dens
it doesn't use, how it utilizes its range over time, which
areas it prefers, I mean you have tremendous scientific
knowledge being gathered around that one wolf pack, I think
that's of immense value. How that relates to the prey
population at that end of the Park?

You know, the parallel study to it is the
Isle Royal work for 35 years or thereabouts, has been
monitoring Lake Superior that concerns for the most part,
two wolf packs. And that very study, I might add, is some
of the same folks, Dr. David L. Meech, Lane Adams and
others here, but Dr. Meech over top of the work in Lake
Superior, that's the same fellow too that wrote the Wolves
of Denali here recently.

From a scientific standpoint, you've got
kind of a gold mine. You also have an extra side that we
don't understand much from a science point of view yet, and
that's to deal with the association these wolves have
developed with respect to people. The fact that they're
people tolerant, this is not hand-fed, now, this is simply
they've become people tolerant with the use of buses and so
on. Part of it, I think is a management strategy, but part
of it at a time when we're trying to understand what's the
best way in Yellowstone, people, you know, they're now
catching up to us in wolf viewing and there's a lot of
learning curve to go through here, scientifically, what works,
what doesn't work. Well, I think you're finding it with
what I think is the best actually, well, they're now up to
the total number of sightings. They don't match it per the
pack that you have, the proximity, and that may be due to
learning how cultural inheritance takes place. There's a
lot of wildlife studies now focused on cultural
inheritance. Well, it turns out at our own Denali pack
here is demonstrating some good examples of that.

This wolf that you see on the cover, that
mother, there's a pup going along beside her on the road.
Well, as a wolf biologist, I can say, boy, you can go a lot
of places in the world and you're not about to see a wolf
pup on the road next to where you're at. It's hard enough
to see a wolf, per se, and normally they're pretty shy, and
that's the problem. You've got a 12 percent chance of
seeing wolves when you go into this Park. From a science
standpoint, this is really just valuable stuff, to
understand what's going on here, how do you work out this
relationship so that, you know, a fed bear is a dead bear.
We don't have that, you got a different thing going on
here. You have like the McNeil River bears where this kind
of relationship works out that I think has enormous value
and needs to be respected from a science standpoint.

CHAIRMAN DEMIENTIEFF: Other discussion.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I did just want to make sure
Mr. Joslin knew, and I thank you for your testimony today,
you have brought materials and a notebook to the National
Park Service Office. We have made sure that other Board
members have seen this material before today's discussion
and so they are aware of the work that you have done and
those of your colleagues.
We heard just before that the wolf mortality, due to subsistence harvest from Denali wolves is about two percent. I wondered if you could give us some perspective on other sources of mortality and how that compares?

Mr. Joslín: The way to look at it, you saw the distribution of where the take is, the bulk is in the northeast corner, which is where we're mostly concerned and that happens to be where the Toklat wolves happen to be, that's number one. So that two applied to the whole Park but not in terms of where the bulk of its occurring would be applicable. Number 2, from a subsistence standpoint, it's that the trappers in there, you know, Hollis Twitchell said to me when we were at the Regional Council meeting in Fairbanks, that the trapper didn't go in there last winter. That, in essence, we're dependent upon whether a trapper decides whether or not he wants to go in, and I appreciate that. But these wolves are of national and world significance.

The mortality rate at the moment is low. With individual wolf packs, unlike an entire population, two percent of the entire population is exactly that, two percent, but to one wolf pack, you take a critical -- we had a biologist recently inadvertently kill a single adult female for a pack of wolves of what was left, and essentially that destroyed that entire pack. I've already mentioned with respect to what's happened on this pack now. We've had the alpha male taken out and we've got a female that we don't know yet if she's going to have pups because she was anesthetized at the time of her being pregnant. There's dynamics, you know, there's -- it doesn't take a whole lot to be vulnerable. We had one trapper take out half the Sanctuary pack last year and our understanding is he's taken out more this year and we'll know, as I say, May 30th. Single individuals, when you're dealing at the pack level can be so critical. So you might go four or five years and nothing happens and then suddenly you're down to two, you know.

This makes no sense. And also put on the flip-side, the request is for so little it's one pack out of 15 or taken for ANILCA, for the entire state, it's one pack out of hundreds. So why even risk it? Because what happens if it does happen that they get killed, it's too late.

Chairman Demientieff: Any other questions. Thank you very much.
MR. JOSLIN: Thank you.

CHAIRMAN DEMIENTIEFF: Michele Keck. I'll call her name again before we're done. Dorothy Keeler.

MS. KEELER: Good afternoon.

CHAIRMAN DEMIENTIEFF: Push the button there, there you go.

MS. KEELER: Can you hear me now?

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. KEELER: Good afternoon. I'm Dorothy Keeler and please excuse me, I've got a really bad cold and either I cough or I take a lot of medicine so I've got medicine head so please be patient with me.

I believe Helga passed out a pamphlet or a brochure that had Proposal 11 on the front and if you could pull it out we're going to be referring to that. Does everybody have that handy?

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. KEELER: First of all I'd like to thank you for allowing me to speak to you today, Mr. Chairman, members of the Board. If you could please refer to the photographs that say Toklat wolves of Denali National Park and just briefly look at that we will be talking about that a little more later. The next page is the State of Alaska, this is a document that Larry Aumiller, probably the world's foremost expert on animal habituation included for us. The next is something that absolutely surprised the heck out of me, I found out that eBay was sponsoring or had on its site a guided Alaskan wolf hunt for Ted Nugent benefit that I heard about. And then I heard about some stranger, Tyler Stamper, that I've never heard of before, decided to post a petition on the petition site.com protesting eBay having wolf auctions on their site. Then the next page, and you don't have to go through this right now, but the next page is the petition that I barely two days ago posted on the same site asking for the Board of Game to protect these wolves and giving very, very detailed reasons why and links for documentation. And in the last 24 hours, the next page is comments that we've already gotten from the petition site on my petition. And a related information from Anchorage Daily News on ANWR and National lands. And the last item was a press release that
I just sent out yesterday. So I will be referring to all of these things during my testimony and I wanted you to be more familiar with them.

Okay, my husband, Leo and I are wildlife photographers. We have specialized in working with the wild wolves of Denali National Park since 1990 and have one of the largest collections of wild wolf photos from Denali on earth. Dr. Meech's book, the Wolves of Denali, the cover of the book is my husband's. Dr. Meech contacted us asking for a puppy picture because he didn't have any publishable ones, we provided him the wild wolf puppy picture from Denali. The photos I brought are all from the Toklat pack, and if you'll see here we've got upper left-hand corner a wolf just walking right by a couple of hikers and a bus and a couple cars and then a wolf and a bus and probably the most amazing day in my life happened with the center photo on the left where I am sitting on the ground five feet from a wild wolf, and this happened not once, not twice, but three different mornings. On this particular morning the wolf walked past me, went to the culvert and was in about six feet, reached down and picked up a ground squirrel that had been a roadkill, I didn't know it was there. And he picked up the roadkill, walked off into the bushes, I could hear him crunching the bones as he ate that ground squirrel. And the point being is he was hungry, he picked up a ground squirrel, it was flat, it was a roadkill. He had a choice, you know, as I'm sitting on the ground, I'm 5'4", as I was sitting on the ground I was an easy target. If that wolf wanted to go for me, gone, but he chose a flattened ground squirrel instead of me for breakfast that morning.

The picture to the right of that is probably the rarest picture you will ever see. To my knowledge it's never happened anywhere else on the planet and that is two adults bringing -- they were actually five, approximately six weeks old puppies by a vehicle, that doesn't happen anywhere else on the planet folks.

On the lower left column is Rick MacIntyre, a former Park Service employee, myself and a friend of ours, a videographer and a wild wolf walking between us as we're filming him. I've had wolves walk within five feet of me a number of times. I've shared those photos with Dr. Lane Adams, we had him over for dinner and showed him the highlights of our 10 years working with these wolves, and he agreed these behaviors are available nowhere else on the planet.
The last picture is a picture of a wolf walking right underneath the bus, just walking along.

Okay, my husband and I have been often within five or 10 feet of them and what I want to stress is these wolves are not interchangeable. Exactly like the McNeil River bears, specific wolves have specific levels of tolerance. And if you go to McNeil River and kill Teddy, you've killed all the cubs and all the close encounters. Teddy is known for the bear as having the one most tolerant of people, she'll be right next to the road -- or pardon me, to the viewing pad nursing and she teaches her cubs not to fear humans. And we have found that the wolves are acting the same way. When we first started shooting at Denali 10 years ago, actually 13 years ago we never saw wolves or if we did they were on three hills over, they were so far away you needed binoculars. And then approximately 1990 the Park Service closed off access to Wonder Lake to private vehicles and so the road access was only to buses or the pro-permits, the professional photographs, i.e., people who either knew what they were doing around animals or people that were confined to a bus, so just like the McNeil River bear situation, people's actions and behaviors became consistent. There was no food involved so there was no reason for the wolves to be attracted to humans, but they're also for the first time, there were not over-excited tourists running after them as they were driving to Wonder Lake and, oh, ah, there's a wolf and run after them. Just like McNeil River, McNeil River works because 10 people go consistently, they go to the same area, they behave the same and the bears have come to learn that humans are not to be feared or approached for food because we're not a source of food.

So in all the world, the McNeil River bears is the only opportunity to see natural bears doing natural things and making the humans feel like they're a fly on the wall.

CHAIRMAN DEMIENTIEFF: Excuse me, if we could keep our discussions to the proposal I'd appreciate it.

MS. KEELER: I appreciate it. I would like to.....

REPORTER: Turn your mike back on, please.

MS. KEELER: Sorry. This population must not be managed based on numbers as a whole but rather those
specific individuals that are most habituated and most valuable for Alaskans to view and for drawing tourists to the state. It is critical that these few remaining wolves survive to teach their young the same traits. These wolves should be treated like geese laying golden eggs. The more often a busload of tourists see wolves at close distances, the more they go home and broadcast Alaska is the place to visit and the more secure our financial future is. And by protecting these habituated wolves in the Park, you have the unique opportunity of countering the negative image Alaska has of doing nothing but gunning down wolves to boost hunt able wildlife populations.

However, I'm baffled. As the oil income to the state grows more uncertain, we're dependent on developing other sustainable resources and tourism does have the greatest potential. Alaska's wildlife and the possibility of seeing it up close draws millions of dollars and supports thousands of jobs for our fellow Alaskans every year. However, I'm still baffled because I have to be here in defense of these wolves. Common sense, to me, dictates that you don't continue to allow a handful of individuals to slaughter one of the nation's most unique and cherished resources and biggest tourist draws to the state. These habituated wolves and there's less than 10 now, one of the rarest commodities on the planet should be treated like the cash cows they are and given every protection. To allow a handful of individuals to deplete this invaluable national resource is both wildlife and financial mismanagement.

CHAIRMAN DEMIENTIEFF: Could you summarize, please, I'd appreciate it we've got other people waiting to testify.

MS. KEELER: Okay. An Egyptian would not be allowed to harm the Pyramids. China wouldn't allow harm to come to its pandas. Pandas are considered critically endangered there's less than a thousand. There's less than 10 of these wolves.

Some people may try to draw a negative reference to the Icy Bay wolf attack. Although unfortunate, it was an action to be expected from a wolf that had been fed. In contrast, the Denali wolves have never been fed and the Park Service has recently imposed minimum distance requirements to assure that they won't be in the future. Like the McNeil River bears and based on my 11 years of personal experience working with these wolves, they don't consider humans part of the menu.
I understand that you are here to protect the Federal subsistence rights of Alaska, you are also charged with managing Federal resources for America and the world. The subsistence users don't need this resource as they have other alternatives. So I ask you, what have you really lost here? However, the world has no place else to see wild wolves like this. And this petition, which was in response to the eBay item....

CHAIRMAN DEMIENTIEFF: We're going to have to move on to other speakers here, could you please close.

MS. KEELER: Okay. From prior testimony, I realize you have subsistence as your mandate. However, when ANILCA was created, it was inconceivable that wolves exhibiting this behavior was even possible. So extenuating circumstances have since arisen that I feel deserve special consideration. Also you say your mandate says that continued viability of the population is a reason that you can base closure of hunting and trapping. The population is not in jeopardy here and we never said it was, but the family dynamics of this one highly habituated group is in dire viability of the population, crises situation, and so I believe you could recognize that wolves are not interchangeable, that these actions are unique. These actions -- these wolves are easily lost forever and afford them the protection they deserve.

May I refer to one particular thing that I didn't have a chance to refer to?

CHAIRMAN DEMIENTIEFF: Maybe we'll go ahead and move in. Are there any questions, please? Thank you very much for your testimony. Gilbert Dementi had to leave, however, he left some comments with Ralph Lohse who's going to present those, it's very brief.

MR. LOHSE: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. LOHSE: Do you wish me to go up there or just present them from right here?

CHAIRMAN DEMIENTIEFF: That's fine, Ralph.

MR. LOHSE: Gilbert Dementi was here, he's a resident of Cantwell, member of the Denali SRC and member of Southcentral Regional Council. He wished to go on record as opposed to this proposal.
CHAIRMAN DEMIENTIEFF: Thank you. Gordon Haber.

MR. HABER: I didn't find out about this meeting until about midnight last night and so I came over here and I hopefully can contribute a couple of comments that might be of value.

I'd like to just start out by pointing out that I've been studying the Toklat wolves now for 35 years as a scientist, this is my 36th year beginning this month. And I study all the groups in the Park and some other areas. But of all the groups, Toklat wolves have been my focus for the entire 35 years and that's year-round, aerial and ground methods both. And in fact, based primarily on my work with the Toklat wolves and a neighboring group, that's why I was awarded a Ph.d., and a master's both, and have just continued that work since then.

I could maybe offer a helpful comment or two to supplement what Paul Joslin said on the scientific value of these wolves which is enormous. It can't be overemphasized. The Toklat wolves, in a nut shell, are the oldest known family lineage of any non-human social vertebrate in the world. The oldest known family lineage of any non-human social vertebrate in the world. That one lineage has lasted longer than any of Jane Goodall's chimpanzee troupes. Any lion groups that have ever been studied. Or by far, any wolf -- particular groups of wolves that have been studied anywhere, including on Isle Royal. That gives them enormous scientific value from many standpoints but particularly from the standpoint of better understanding the dynamics of inter-relationships and social systems in general over a period of generations. Rarely is there ever an opportunity to follow a group in the wild for more than a generation or two, let alone for up to 60 years.

And as has been pointed out and I just got in the room late here, so I'm not sure what prior testimony was, but as most of you know Adolph Murrey studied this group starting in the late 1930s and his formal study ended in the early 40s but he actually continued his work informally as a scientist right up through the mid-1960s when I arrived in Denali and I worked with Ad Murrey and he conveyed a lot of information to me about the group, enough so that it's pretty certain that it's the same lineage that was there when I began to study it.

We learn a lot by looking at a group like
that and especially about how learned social information is
transmitted across generations. And if you wonder about
how valuable that information is, all I have to do is refer
to the world's leading scientific journals, science and
nature. In fact, the Journal of Science, if you just take
a look at an issue that was published a matter of a few
weeks ago, there's an article there, a paper there about
this sort of thing with regard to elephants and valuable
information, social information passed on among generations
of elephants and how important that is. It's one of the
hottest areas in all of science.

So if we lose a group like Toklat, which
gives us, perhaps, the best opportunity of any that we've
ever had on the planet or among the best, at least, you
know, we've blown a major opportunity to gather some
important information about the world around us and some of
the creatures in it.

Now, there's other ways, I guess, to talk
about the scientific importance of these wolves. Of
course, just with regard to the Park itself, as a
persistent lineage in the Park they have a very important
role to play in prey dynamics through a major area of the
Park. And removing the group or allowing it to be removed
by hunting or trapping obviously has a major biological
impact in major sections of the Park. So it's just
nonsense to imply for anybody to even imply that there's no
biological impact if these wolves are taken out or if the
dynamics of the groups is altered in a major way, just
through a partial removal of individuals.

Let me just move on to another area here,
how do we define the buffer? This is, I guess, the crux of
what you're here for to consider, is where do we draw the
protection for this group, how do we identify what area
should be set aside if we agree that it should be
protected?

Well, there's a couple of different
movements that are involved here that are critical to
distinguish among. One is the normal territory, the well-
established territory movements of a group of wolves like
Toklat, and if that's all that we had to worry about it'd
be an easy matter to define a buffer zone, an area outside
the existing park to protect these wolves. Because these
areas are fairly easily defined by the radio locations that
Park Service and myself have gathered in recent years and
also earlier information and we can identify the areas that
they habitually travel in fairly accurately. And in the
case of Toklat, the established territory, I don't have my own map here but the established territory, if you want to go back to that -- well, okay, the established territory -- my locations actually would -- I'd have more locations up further to the north and also to the northeast and what this map shows, but this gives you an idea that they do go outside of the old park.

Well, the problem is that in addition to the established territory, wolves also have a behavior that we call extra-territorial forays and these are very unpredictable movements. They're significant, they're very unpredictable. The data that I collected in past years, for example, indicates that about nine percent of the total travel by miles of both Toklat and another group that used to occupy the area to the east is outside of the established territories. And we also know from that data that these movements are highly unpredictable, they varied tremendously from year to year and between groups so all we can say is that these extra-territorial movements are significant but they're highly unpredictable.

And obviously if we want to protect the wolves we have to take those movements into account and the only way that can be done, given their unpredictability is to simply look at the areas outside of the established territories and decide where the potential for human impact in these groups is greatest. You have to allow some sort of provision for protection outside the established areas so the only way to do that is to look at where the access to them -- human access, hunting and trapping and residential and where all that is and if you do that, you see that there's a need to draw the buffer, not only along the east side of the Park but up through the north side of the established territory as well and that's the reason for requesting a buffer that would include the eastern finger extension of the Park there.

So just to wrap up those comments again, I emphasize to you that you must distinguish between what the established territories and these extra-territorial forays which are extremely important. And I might point out that these forays are not only unpredictable in terms of when they happen but for their distances and duration as well. I've observed, of course, like other biologists have, numerous short forays, five, 10 miles or a few miles but also occasionally the wolves will go 30, 40, 50 miles outside their established territories. Just a week ago, as a matter of fact, I radiotracked one of the established groups in Denali that was about 50 miles north of its
normal -- the entire group of 17 was 50 miles north of its
territory up in the Minchumina area, this was a
group that normally was way to the south. And they may
have gone further, I wasn't able to follow them the rest of
the way because of bad weather, bad flying weather.

So I don't know how much time I have here,
I'm kind of winging it here. I should have asked what my
time limit was to begin with.

CHAIRMAN DEMIENTIEFF: I don't know, do you
have a couple other points you want to make, that's fine.

MR. HABER: Okay, so obviously I have to
bring it to a close here, all right.

I guess another comment that I would make
is that.....

CHAIRMAN DEMIENTIEFF: Gordon, you can go
on a couple more minutes, I mean we're not going to rush
you if you took the time and effort to get here.

MR. HABER: All right. Well, I guess if I
just have a couple more minutes, I'd just like to make one
other observation and that is that in the 35 years that
I've been at Denali, and incidentally I live there as well
as work there and I know the people in the area and all the
rest. I'll just tell you flat out that there never has
been any true subsistence use of wolves in the area that
we're discussing up in that northeast finger of the Park.
The only thing that comes close to it is wolf trapping by
somebody who you probably know, Terry Dike, and his father
Percy before him, from Nenana, I believe you're from Nenana
aren't you?

CHAIRMAN DEMIENTIEFF: Yes, sir. They're
old tribal members in Nenana.

MR. HABER: Sure. Well, as you know then
terry and his father, Percy, have historically trapped
primarily to the west of that area, out toward the lower
bear paw and his activities come into the Toklat Springs
area, but rarely, if ever has he gone into that finger area
and while there's been other hunting and trapping of wolves
in that area, virtually all that has been what I would
characterize as opportunistic and recreational. It's
people that live in Healy that are working at Usabelli Coal
Mine making 70 or $80,000 a year, people that drive up for
the weekend from Anchorage in the winter and go
snowmachining out the Stampede Trail or come down from Fairbanks and do that, and when they see wolves some of them just open fire on them or they go out and set traps. None of it, realistically, could be called subsistence use.

So I guess that's the other side of the equation here. You have to look at the justification and the value of these groups, but also who would lose if we do protect that area and my point here is if your concern is over potential subsistence loss, there isn't any in that area. I mean there isn't any subsistence use to be lost as far as wolves are concerned.

So I guess I'm probably out of the allotted time and I'd be happy to answer any questions if anybody wants to ask any.

CHAIRMAN DEMIENTIEFF: Well, I'll just add to that, the Lord family has been in there trapping very many years. All of my in-laws, my father-in-law, all my brother-in-laws have trapped in there and actually all the Dike boys have trapped in there at one time, so there's at least three families of sustained use in there that all have cabins in that area.

MR. HABER: Not in that finger that we're talking about there.

CHAIRMAN DEMIENTIEFF: Well, you don't stay, you know how trapping works, you don't stay in just one little area. I just point that out, I'm trying to argue.

MR. HABER: Okay. I know what you're referring to and I know where some of those cabins are, but my point and I'll make it again, is that, in that specific area that we're asking for there has not been any of the kind of subsistence use that you're referring to, at least since the mid-60s since I've been there.

CHAIRMAN DEMIENTIEFF: No, I'm not arguing with you Gordon, I'm just letting you know.

MR. HABER: No, I appreciate that. I'm not denying the use to the west. Now, I might point out, Terry hasn't been there for the last two to three years. I believe -- well, '97 he was in there and took out an entire group of wolves, a radio-collared group of wolves while he was there. And I can't remember offhand if he was there in '98, I don't recall. But he hasn't been there for sure in
the last two winters because I regularly look and monitor that area in the course of tracking wolves that are in that area.

CHAIRMAN DEMIENTIEFF: Other questions or comments for Gordon. Thank you very much for your testimony, thank you.

MR. HABER: Thank you.

CHAIRMAN DEMIENTIEFF: Did Michele Keck get here? That concludes our public testimony. Regional Council recommendations.

MR. NICHOLIA: Thank you, Mr. Chair. Our Regional Council recommendation was to oppose and we did this in a joint effort with the Western Interior to go with the Staff recommendations.

CHAIRMAN DEMIENTIEFF: Ronnie.

MR. SAM: Thank you, Mr. Chairman. I would also like to go on record that I do not -- I, for one, do not believe that this is the same pack that Adolph Murrey saw. Try, as we might, we cannot keep a strain of any one species or any one family no matter how good they are. We've tried that with all our best dog race leaders and I think it's been tried from Balto on down. Within one or two liters, they'd be so demented that they're useless, we'd have to get rid of them ourselves. I mean you just can't inbreed and keep the same strain in there for years and years, I just can't see it. Just for the record, thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Ralph.

MR. LOHSE: Southcentral Regional Subsistence Advisory Council opposed it. Some of the reasons we opposed it for have already been presented. For one thing, ANILCA, we felt was put in place to keep an opportunity for subsistence. It's not based on wildlife for visitors. We felt like the population in the Park was healthy. It has a large enough area to begin with. From the scientific information that we were given, we didn't see much use of the area that's being asked for as a buffer for either the Eastfork pack and none for the Sanctuary pack. The other thing is we were told that basically no wolves had been taken in the area that's being asked for for a buffer for the last 14 years, so we felt it would be of negligible effect, it would be more of a publicity
thing.

It seems, from what we were told, that wolves kill more wolves than anything else or dispersal or when they go outside of their territories is the most dangerous time for wolves over nine months. So we felt that this was a needless proposal and we opposed it.

CHAIRMAN DEMIENTIEFF: Staff Committee.

MR. BRELSFORD: Mr. Chairman, the Staff Committee recommends that the Board reject the proposal consistent with the recommendations of the Eastern Interior, Western Interior and Southcentral Regional Advisory Councils. Our justification is twofold.

First, in regard to the legal mandates of the Federal program, ANILCA provides a subsistence use priority for qualified rural residents over other consumptive uses. ANILCA clearly mandates an opportunity for continued traditional subsistence uses on Park and Preserve additions by local rural subsistence users.

In regard to the biology. The wolf population within Denali National Park and Preserve is considered healthy by Department of Interior scientists and resource managers. The health of the wolf population within Denali National Park and Preserve is based on the total wolf population within the Park and Preserve and is not based on the dynamics of individual wolf packs or individual animals within a specific pack.

Further the proposed closure would have negligible effects on harvest levels for the wolves for which the protection is sought.

Thank you.

CHAIRMAN DEMIENTIEFF: With that, we'll move on to Board discussion and as such, I can see that on the three criteria that we have to deal with, it's just unfortunate that this is the wrong forum, no matter how sympathetic we may be or how worthy we may see about the national and world importance, you know, of this area, I mean the wolves in that immediate area. The fact of the matter is is that there are other lots of viewing opportunities. We're just not the forum with our limited mandate. Now, I don't know what the proper forum is but we have a specific charge and basically we'd be -- if we accept the proposal we'd be denying a subsistence
opportunity for qualified subsistence users, and that's just exactly contrary to what our mandate is. It's unfortunate, like I said, no matter how sympathetic I may be, you know, certainly our region has a substantial investment, I'm talking about the Doyon region, in that area and as such, I'm glad to see all those jobs that come with it, but again, that's still not my mandate.

And we talk over and over again about our professional responsibilities which is per our mandate, we're just the wrong forum to do this in my eyes. Other Board comments.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I just had a couple of questions on biology please, if I could ask Dr. Adams perhaps, we did hear two percent approximate mortality from subsistence uses and I wondered if you could tell us a little bit more about other sources of mortality.

DR. ADAMS: Okay, based on studies that I've been involved with over the last 15 years looking at patterns of mortality and dispersal for wolves in Denali Park, from one year to the next, approximately 40 percent of the wolves that are there die or leave, and this pie chart shows you how that breaks out. That a large chunk of it is dispersal, which is predominately young animals, less than three years of age, that as they grow up, they leave their natal packs to go find opportunities to breed and set up a new pack some place else and these dispersals can be anywhere from moving right next door to going 500 miles away.

The other big source of mortality for wolves in Denali Park is being killed by other wolves. And as you can see out of this particular sample, a sizeable number, 43 of them out of 143, we knew were killed by other wolves. There are also some animals that are killed by wolves that are included in the green segment of the pie, those are animals that by the time we get out there to investigate their deaths, it's too late to tell the cause of death and so some portion of those are likely to be wolf-killed also.

The other sorts of natural mortality we see in the yellow segment of the pie is we've had animals killed in avalanches, we've had them starve to death, we've...
had them kicked by moose, those kinds of things happen.

Harvest, during this period of time which is basically from March of '86 when we started our work up until August of 2000, we'd had 12 wolves that lived predominately within the Park that had been harvested. Now, these are radio-collared wolves. And if I could have the map that shows the distribution of that one, this is where those wolves were taken and as you can see it's scattered throughout the north side of the Park. I would want to clarify that our research is being conducted only in the areas of Denali National Park and Preserve that are north of the Alaska Range and so some of the subsistence harvest that Hollis was talking about came out of the Cantwell area, part of that two percent harvest comes out of the Cantwell area and really isn't included within the area that we're doing research.

All told, if you look at harvest losses for wolves that live predominately within the Park north of the Alaska Range, we have about an annual harvest of about three and a half percent or a little less than three and a half percent, annually, and that accounts for or is about one-eighth of the mortality of wolves within that area, so 87 percent of the mortality are all these other natural factors, being killed by other wolves and the variety of other things that happened to them. So as a source of mortality, harvest is a relatively low component for the wolves that live north of the Alaska Range in the Park and Preserve.

CHAIRMAN DEMIENTIEFF: Follow up.

MS. GOTTLIBE: I just wondered if you could summarize what your work has found on the genetics aspect of the wolves?

DR. ADAMS: Well, I think the main message that our research program provides is that there's quite a bit of turnover going on in the wolf population. And certainly it happens, the individuals turnover, there's a high level of mortality and dispersal of wolves, there are a lot of pups born each year, you know, in any given year in the fall about 40 percent of the population is made up of pups. And so in order for over the long haul for numbers to be relatively stable, that means that you've got to have a large number of animals dying and leaving, and we certainly see that at the individual level.

We also see that kind of turnover among
packs. Most packs that we've studied in the Park don't last very long. Very few of them last, you know, more than four or five years. And that doesn't mean that on occasion they don't, you can't tie or trace individuals, overlapping individuals for a relatively long period of time, which we can do for the Eastfork wolves currently.

The genetics segment of what we've done is we've found two things. One is that wolves rarely inbreed. Basically if there's an opportunity to breed in a pack because a breeding age animal dies, that breeding slot is filled by an unrelated wolf that comes from someplace else. And that's been buttressed by -- or we've got information to make that claim from two sources. One is from our radiotelemetry work where we've actually had breeding age animals leave one pack, join another pack when a breeding opportunity comes available. We've also looked at it using genetics, molecular genetics techniques and comparing the potential for relatedness among known breeding pairs from wolves in Denali Park and northern Minnesota. And what we've found from that is that they rarely inbreed, and that's a pretty -- I think that's a pretty big contribution and what it means, these animals are living with other wolves that they're largely related to and when a breeding opportunity arrives within a pack, it would be much simpler for them to inbreed and end up breeding with an animal that is a member of that pack, but based on our results that doesn't happen. And somebody from a neighboring pack or who knows where comes in and fills those breeding slots. So they're actively outbreeding, I guess is the main point there.

Thank you.

CHAIRMAN DEMIENTIEFF: Any other questions.

Comments.

MR. BRELSFORD: Mr. Chairman, thank you. There's been a great deal of literature provided to the Board members on this question and this is an instructive exchange, frequently the Regional Council members and the Board are confronted with a great divergence between traditional knowledge on the one hand and Western science on the other, this is an instance in which Western science seems to be deeply divided between two alternative interpretations of population dynamics. And to vastly simplify it, it appears that on the one hand your work in a major monograph in which you're a co-author emphasizes the interaction among packs and the dynamics of population over time, whereas the critical reviews and some of the
alternative interpretations really refer to the individual packs as though they were somewhat more isolated.

Now, one of the tools of Western science to evaluate which interpretation makes the most sense is peer review, and I'd like to ask Dr. Adams whether your work and these interpretations have been the subject of peer review of jury journals and what you could say to us about the sort of standing in the discipline among wolf biology specialists of the work that you have done.

DR. ADAMS: Well, I think our work stands by itself. It's been thoroughly peer reviewed. The genetics work that I'm referring to has all been published in peer review journals. The comparable social behavior work that we've done from our radiotelemetry data, that's been published in peer review proceedings of a major wolf symposium. The book that we produced was reviewed by peers. You know, we follow that model or that process, you know, pretty closely.

We also here, two or three years ago, went through a pretty major review of the research program as a whole and a panel of other wolf biologists, researchers was put together to independently review virtually everything that we have ever done and everything that the Park has done in terms of wolf management in and around the Park, and we sent off volumes and volumes of information to those people, and I think those reviews were provided to the members of the Board. And again, you know, we got the stamp of approval from that group.

CHAIRMAN DEMIENTIEFF: Any other discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes, Judy.

MS. GOTTLIEB: Just as a follow up to what Lane just said, I'm glad Taylor brought it up. National Park Service here in Alaska did ask for a peer review of the research program, and Lane's given a good summary. I did want the Board to be aware of some specific comments that were brought up, such as Park research and monitoring programs meet professional standards and provide information necessary to adequately address the primary wolf management objectives for Denali. Denali wolf prey research and monitoring program could serve as a template of excellence that other researchers should apply to their
efforts.

Thank you.

CHAIRMAN DEMIENTIEFF: Any other discussion. Yes.

MS. KESSLER: Thank you, Mr. Chair. You know, as a scientist, I'm absolutely fascinated by all the information that's been provided in the debates going on, but as you have reminded us, Mr. Chairman, we do have quite a specific mandate here. Although we can't act to restrict subsistence access, there's very carefully prescribed circumstances under which we may do that and none of those circumstances are pertinent here. None of them stand up to the test.

I've read and listened to some very strong and very impassioned testimony as to the tremendous value that people place on these particular wolves, and all I can say is I do take comfort from what appears to be the weight of evidence presented that these wolves are at a minimal risk from the particular activity that we're concerned with here which is subsistence use.

Thank you.

CHAIRMAN DEMIENTIEFF: Other discussion.

MR. LOHSE: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. LOHSE: Mr. Chair, I've got a question I think it's pertinent. In all of this discussion about the protection of the wolves, one of the things that was brought up was in this packet on Proposal 11, and it was talking about the eBay hunt that was advertised on eBay and all of the comments that were received on that and my question is, I'd like to lay it to Hollis, is this eBay hunt listed in here, can the winner of that eBay hunt in any way hunt in Denali Park or Preserve, on Denali Park or Preserve lands?

MR. TWITCHELL: No, it cannot. There's only two individuals in Healy who have subsistence use permits to utilize Park lands for subsistence uses and this individual is not one of them. And we would not allow any commercial activities on the Park in that manner anyhow.
MR. LOHSE: Then I would take it that that part that was presented to us is of no value except for publicity then?

MR. TWITCHELL: It wouldn't be pertinent on Denali National Park lands.

MR. LOHSE: Thank you.

CHAIRMAN DEMIENTIEFF: Further discussion. We're ready for a motion.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I move that we reject Proposal 11 consistent with the recommendations of the Eastern Interior, Western Interior and Southcentral Regional Advisory Councils. This rejection is also supported by Denali National Park Subsistence Resource Commission.

CHAIRMAN DEMIENTIEFF: Is there a second to the motion?

MR. BUNCH: Second.

CHAIRMAN DEMIENTIEFF: Further discussion.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: We do recognize that this proposal has attracted significant public attention. The Board has received a very large number of written comments as the Staff has told us. The Department of Interior, National Park Service, US Geological Survey Research Program for wolves in Denali National Park, it's also been in the news lately and has a link to this proposal, and further the proponents of this Federal proposal have sought and continue to seek State regulatory changes from the Alaska Board of Game for non-Federal lands adjacent to the National Park lands. So you can see there are many items in motion at the same time.

As the Board members know, I've sent each of them a letter with supplemental information about this proposal, a copy of this was provided to OSM for inclusion
in our record. This material was given to the Park Service by Dr. Haber and Paul Joslin. They wanted the material to be considered by Park Service and others and they were right to make this request. This Board needs to hear from all viewpoints and it's appropriate for us to consider all the information available.

But the issue before this Board is very clear and Don, if you could please put the map back on the screen. And the question to the Board is whether we should close a portion of Denali National Park and Preserve to subsistence wolf hunting and trapping. I've read and reread the analysis for Proposal 11. I believe it's an excellent and thorough analysis. I believe it's one of the better analyses that have ever been put in front of this Board, and I believe the wolf population in the area under discussion is healthy. It appears to me that harvest by subsistence users on Federal land is low by most standards and is having little to no impact on the population dynamics of the wolves that inhabit the area.

We've heard that over the last 15 years there are almost 1,100 radio locations for the Eastfork pack, of which only seven locations have been in the area proposed for closure. The Sanctuary wolf pack has not used the area proposed for closure in any of the 260 locations recorded since 1995. We've heard that no wolves have been taken by Federal subsistence users in this specific area. And I understand that others may have different views and have worked hard to make them available to the Board today.

I think the most significant point of debate relates to how we manage wolves. Do we manage them by individuals, by packs or by populations as a whole? We've heard the testimony about this today from both perspectives. After all this, I remain committed to the National Park Service policy of managing for populations rather than by individual animals or by packs.

With that said, please don't assume that this means the National Park Service has abandoned its traditional mission, which also calls for preservation and use and enjoyment. We still have that traditional mission to carry out and wildlife viewing in Denali is part of it. My agency must consider that activity as we have multiple mandates and must regularly balance decisions based on our enabling legislation. In this case we have to balance subsistence use allowed by ANILCA, Title VIII and Park purposes established in ANILCA, Title II. We must recognize the National Park Service mandates are, at times,
different from a number of agencies at the table.

But I believe that subsistence users have had appropriate opportunity provided to take wolves in those portions of the Park and, that at the same time, those who wish to view wildlife have been provided ample opportunity.

The mandate of this Board is to provide opportunity but it's probably beyond our capability to guarantee success. Nothing I've read today or heard today indicates a need to change the balance that we have going at this point in time.

In summary, I'll vote to reject this proposal. One could see this as a first step in attempting to chip away a congressionally authorized uses in Parks. I see no reason to overturn the RACs and the SRC recommendations, rather I see reasons to support them based upon the facts presented in this analysis and by people testifying here today.

I recognize that many people on both sides of this issue care deeply about the outcome and we're glad that they have all contributed to this deliberation.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Other comments. If not, 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.

Those of you that need to slip out for a minute, go ahead and do so but we're not going to take a break, we've got two more proposals and we might as well just stand down.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Bill.

MR. THOMAS: I have a protest I want to lodge.
CHAIRMAN DEMIENTIEFF: Pardon?

MR. THOMAS: I have a protest I want to lodge. My lack of audible participation today is going to have a deep effect on my reputation and so I'm trying to find some way to preserve that. Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Okay. We're going to move right into North Slope and change Staff and we'll just keep going.

(Pause)

CHAIRMAN DEMIENTIEFF: Give me the signal when you're ready then. We're not taking a break here, guys, we're going to go.

(Pause)

CHAIRMAN DEMIENTIEFF: We're still in order and we're going to proceed on with wildlife Proposal No. 01-46A. North Slope has Proposals 45 and 46B on the consent agenda and we'll go ahead with the Staff analysis on 46A.

MS. H. ARMSTRONG: Thank you, Mr. Chair. Members of the Board, Chairs of the Council. I'm Helen Armstrong. I'm the cultural anthropologist on the North Slope team and I'll be making this analysis.

This is kind of an unusual proposal and I'll let you know why. 46A was submitted by Mr. David Neel and Mr. Neel lives -- well, we're getting there, get the other map -- yeah, he lives 82 miles -- he's on the Dalton Highway, 82 miles from Deadhorse at Happy Valley. This proposal only deals with 26(B), it's for changing the C&T determination for muskox. Currently the C&T determination is for residents of Anaktuvuk Pass, Nuigqut and Kaktovik. All of those communities are outside of the boundaries of 26(B). As you can see Nuigqut is right on the very western edge, just outside the boundary and there are no other communities in 26(B). I mean there are no communities in 26(B), except for the people who live at Deadhorse and Prudhoe Bay and Mr. Neel. There are no other permanent year-round residents in 26(B).

So I was faced with the rather unusual situation of what do you do? Here's this one guy who wants C&T for all residents of Unit 26(B) and what do I do with that? So originally I wrote an analysis looking at his
uses of 26(B). Well, after it had gone to the Regional Council and had gone to Staff Committee, just before we were ready to print the book to go to the Board, we received legal counsel that said we couldn't look at the C&T determination that way, that we needed to look at the uses of muskox instead of just one user. And so just before the Board book was printed I redid the analysis and the Staff Committee met.

What I did was, rather than looking at the individual uses of Mr. Neel, I looked at the uses of the people in Nuigsut. Now, Nuigsut received C&T in 1995 from this Board for muskox and so what I was trying to establish was that Nuigsut had used 26(B), that's where most of their hunting of muskox occurs and therefore anyone who lived nearby would also have C&T and Mr. Neel doesn't live too far away from Nuigsut down in Happy Valley. Even though Happy Valley has a name it's just a camp. He's a wilderness guide -- not a wilderness guide, a big game guide in the summertime.

The other thing that was a difficult factor in this was whether or not Deadhorse and Prudhoe Bay should be included in the C&T analysis. And we have some diversion of how the C&Ts have been done because some of them were established by the State and we adopted them, some of them we redid. So right now the way it's written brown bear, moose and muskox exclude residents of Prudhoe Bay and Deadhorse, whereas sheep and black bear and caribou are all residents of Unit 26. So there's a little bit of inconsistency there, I suppose.

I did look at the uses of people in Deadhorse and Prudhoe Bay in the sense of I looked at the harvest database and there's no record of anybody ever taking any resource from Prudhoe Bay or Deadhorse. So I, in my original analysis, I had excluded them, not included them, then when the Staff Committee met we decided maybe they needed to be included, that there was a possibility that maybe there needed to be some inclusion.

I just wanted to point out a few other things. There is not a whole lot of Federal public land in 26(B). 30 percent of the subunit is Federal public land and of that 76 percent is Arctic Refuge, 15 percent BLM and nine percent is from Gates of the Arctic. The muskox that are in 26(B) are predominately almost entirely on State land and one of the proposals that you didn't hear because it's a consent agenda is 46B which was asking for a hunt on Federal public land and that one was a consent that there
weren't enough muskoxen on Federal public land to open a hunt. So at this point in time whether C&T is given or not is moot because there aren't enough muskoxen to have a hunt.

I'm not going to go into the history of muskox, you guys have heard that many times before. I did want to explain a little bit about how the hunt is divided and how it's managed. Because most of the muskoxen are on State lands, since 1995, the State has divided the -- I mean since 1998 -- prior to 1998 they've had a Tier II hunt and then after that they divided the hunt from the east and west of the Dalton Highway and there's a Tier II hunt on the western portion up near Nuiqsut. There's also a drawing permit hunt and there's a registration permit hunt. The registration permit hunt, which means all Alaska residents can qualify for that, until this year they haven't taken all of those muskoxen, it's been usually four and this year they did take four because some people from Wasilla went up there but usually they don't even fulfill that harvest. It's usually in the winter and it's a season that the State opens and closes as they see fit.

I'm not going to go through all of the eight factors because that was based on an original C&T and I see Mitch nodding his head saying, yes, we need to get on with this, but just to focus the discussion, I think what we're really dealing with is how do you look at the C&T for a unit where there are no communities, which we have nowhere else in the state and then the other question is what do we do with Deadhorse and Prudhoe Bay? It's not in our regulation that we should exclude them but they've just been excluded in the past. And then the issue that the Regional Council didn't have the opportunity to review this analysis because it was written after the Council meeting.

Thank you, Mr. Chair, that concludes my presentation.

CHAIRMAN DEMIENTIEFF: Written public comments.

MS. B. ARMSTRONG: Mr. Chair, there are no written public comments on this proposal. Thank you.

CHAIRMAN DEMIENTIEFF: Department comments.

MR. HAYNES: Mr. Chairman, we support the Staff Committee recommendation to defer action on this proposal. However, we believe there is sufficient
information available to make a positive C&T determination as has been requested.

The Staff analysis also compares information on the eight factors for the author of the proposal and for the community of Nuqrsut. While it may be appropriate to make this type of comparison, we question whether an individual living outside of an established community should be expected to have a pattern of use of muskox resembling that of Nuqrsut residents. One fundamental question that has not been addressed in this analysis, whether or not the proposer qualifies as a resident of Unit 26(B).

And I'd also just like to acknowledge the real challenge that Helen has had in attempting to put together this analysis. She's done a lot of difficult work and there's still very basic questions to answer.

Thank you.

CHAIRMAN DEMIENIEFF: Thank you. We have no request for testimony from the floor. Regional Council recommendation.

MR. REXFORD: Thank you, Mr. Chairman.

When our Council met in Barrow we looked at the C&T determination for residents of Unit 26(B) and on that account the proposal is to make C&T determination. The Regional Council decided to oppose rather than defer so our Regional Council still opposes the proposal for customary and traditional use determination for residents of Unit 26(B).

Thank you, Mr. Chairman.

CHAIRMAN DEMIENIEFF: Thank you. Staff Committee.

MR. RABINOWITCH: Thank you, Mr. Chairman. The Staff Committee had a split opinion. Some voted to defer the proposal which has been said is contrary to the recommendation of the North Slope Regional Council and a minority of the Staff Committee voted to oppose the proposal which was consistent with the position that Fenton just spoke of.

To explain those, just briefly, the majority that voted to defer felt that there was a lack of information concerning the other rural residents, again,
The material was about one individual so from the other rural residents of Unit 26(B) and their uses of muskox in the area. Deferring the proposal would allow any additional information and there may not be much, but any that could be found to be brought forward and put into an updated analysis, that then being brought back to the Council and then back to the Board. Deferring the proposal will not result in a lost harvest opportunity, Helen already spoke about that, and so there's really nothing to be lost by a deferral, if you will, no lost opportunity for any users that we know of. And Helen made the point, it's on Page 16 in the analysis that the document in front of you is different than the document that went to the Council and we think that's another reason to defer it.

The other view on the Staff Committee supporting the Regional Council which recommended to defer [sic], suggests there is a lack of substantial evidence that the proponent adequately met the eight factors used by this Board to establish C&T use determinations. They believe that the proponent does not adequately demonstrate that his uses fulfill, and I won't read all the rest of this on Page 12, but any of the eight, so there's a list of all eight factors and that part of the Staff Committee believes that none of them were met.

I think I'll leave it at that trying to keep it short.

CHAIRMAN DEMIENTIEFF: Thank you.

Deliberation by the Board, comments or discussion in regard to this proposal.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Gary.

MR. EDWARDS: As has been pointed out by several folks, this is not necessarily a straightforward issue and is somewhat complex. I certainly, I guess, haven't heard anything either one way or the other that would lead me to believe I should either vote for or against it, so being prudent and referring to football, maybe it's time to punt on this one.

(Laughter)

CHAIRMAN DEMIENTIEFF: Any other discussion.
MR. BUNCH: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BUNCH: What will be the effects if we defer action on this?

CHAIRMAN DEMIENTIEFF: We get to do it again. No, that is not true, the current regulations stand, you know, it's not a rejection, it's just deferred.

MS. H. ARMSTRONG: Mr. Chair, maybe I can add a little bit. As far as we know the only person who has any desire to hunt muskox is Mr. Neel, and he has only taken one muskox that's on the record. He claims he's taken two but his report that he turned in said he didn't. He has applied for Tier II permits since then and not received them. He has never hunted -- he's eligible to hunt under the registration hunt but he doesn't hunt under that. So he's the only one that would be affected. It's your guess as good as mine how much of an affect that is, I don't know. He lives by himself.

CHAIRMAN DEMIENTIEFF: Any other discussion. We're ready for a motion.

MR. EDWARDS: Mr. Chairman, I guess I would move that the Board defer action on this proposal, which would be contrary to the recommendation of the Regional Council. Maybe with some additional time the Staff could continue to sort of evaluate, you know, uses and maybe provide information that would allow us to better make either a positive or a negative decision on this.

CHAIRMAN DEMIENTIEFF: There is a motion, second?

MR. BRELSFORD: Second.

CHAIRMAN DEMIENTIEFF: Okay. Again, it meets the criteria of which we can, there's no conservation issue, it's not detrimental, I don't think, and there is a lack of substantial evidence. So a motion to defer against the wishes of the North Slope Regional Council, there's no problem with it as far as I can see. Fenton.

MR. REXFORD: One last comment. I know that the Board is mandated to periodically reevaluate its rural determinations by year 2000 and I understand that there's a contract out that will be going out sometime this
year and that would also be a basis for the Board's
evidence that community or areas that are outlined in
ANILCA as far as communities or areas and the
characteristics that follow for making C&T determinations.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you. Any
other 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. At
this time the Chair will entertain a motion with unanimous
consent to adopt Proposals 1, 2, 5, 12, 48, 15A, 15B, 18 --
what?

MR. BOYD: 47, you haven't dealt with yet.

CHAIRMAN DEMIENTIEFF: Wait a minute,
you're goofing me up here. 18, 19, 23, 24, 25, 27, 28, 31,
30, 32, 33, 34, 35, 36A/B, 37, 38, 39, 40, 41, 42, 43, 44,
45, 46B; is there a motion?

MR. BUNCH: So moved.

CHAIRMAN DEMIENTIEFF: Okay. Charlie Bunch
moves and I ask for unanimous consent to adopt those
proposals off the consent calendar, is there a second?

MS. GOTTLIEB: Second.

CHAIRMAN DEMIENTIEFF: Second. Is there --
oh, there's no discussion, is there any objection? Without
objection, so ordered. Any final parting shots anybody?

MR. BOYD: You still have to do 47.

CHAIRMAN DEMIENTIEFF: What? Jesus, that's
what he was trying to tell me, I'm sorry. Here we go, 47.
It's been a long couple of days. Okay, 47 Staff analysis,
I'm sorry.

MS. DEWHURST: Well, last but not least.
(Laughter)

MS. DEWHURST: Proposal 47 was submitted by the city of Kaktovik. They wish to open the existing muskox season for 26(C) approximately two months earlier to July 15th. This was following a Board of Game action earlier this year that made the 26(B) season August 1st. The reasoning given is that when they're out in boats hunting caribou, that there would be the opportunity if they came across a muskox to also harvest a muskox.

At first blush, we, the Federal Staff had no problems with this proposal whatsoever, but it was quickly presented to me that there was a problem and that was from wildlife biologist Patricia Reynolds from Arctic Refuge, and she would have really loved to have been here to present her own case but due to health reasons she couldn't. The problem is she does a big chunk of her monitoring and research work on muskox, and that's all she does for Arctic Refuge, is work on muskox, revolves around radio-collaring animals, she radio-collars only cows, only the females. And there's this little known law that says when you radio-collar and use capture drugs you have to have a 60 day window from when capture drugs are used to when you open a harvest and that's where the wrinkle came in and the present proposal would mean moving back her capture efforts to two months prior to July 15th, which would put it May 15th. Well, she can't capture cows prior to May 15th because they're dropping calves and she doesn't want to be disturbing the cows at that point when they're right in the midst of calving so it basically meant she can't collar anymore animals.

Somebody could easily say, so what? What's the big deal about collaring animals, she can still count them from the air. Well, Pat has been working on muskox and has a data set approximately 20 years old and in order to maintain her data set she maintains around 20 radio-collars at any given time which means that this year she would be due to replace a minimum of five, a maximum of 10, depending on what she finds when she gets out there.

If you look at, and I apologize I can't give you a page number because I loaned my book out, but Figure 1, Page 35, I think, but it's Figure 1, the population after -- these were transplanted muskox up there like all our muskox in the state and they initially grew quite nicely, the population grew, and then it stabilized. It stabilized around 300 animals. And that's basically where it's considered now except if you look at the numbers
from 1999 and 2000, they have dropped. They're still considered within the parameter of stabilized but there is some concern. There is a conservation concern there that the numbers have gone down. But you look at previous years and there have been fluctuations. Well, if you look back at 1991 and 1992 there was a little bit of a dunk there in the numbers. Well, the reason there was a dunk in 1991 and '92 was for various reasons, Pat wasn't able to have as many radios out there in those years and she put a caveat on those numbers, in that, she wasn't able to find all the muskox. The problem she runs into is she's dealing with a huge area of the North Slope and Arctic National Wildlife Refuge to find these things when she's doing the surveys which is usually in the springtime. And without radios, she has to do a heck of a lot more searching and in all honesty sometimes she misses animals. The other factor that complicates it even more, currently, is their distribution is shifting and that their population is starting to shift more and more into 26(B), shifting to the west, which means she has to search even harder to confirm either the animals are missing or they're dead or they've moved. Radio-collars really facilitates that.

The bottom line is what she's saying and what she explained to me was if she can't radio-collar anymore, if she loses that ability and starts losing radios, the validity of her numbers is going to go way down. These last two, in 1999 and 2000, those were good number and that was a decline, a slight one, just a little one but those were good numbers. But what she's saying is if she loses her radios in the future and she can't radio-collar anymore, the amount we'll be able to rely on future numbers is going to go way down. She's not going to be able to give us good firm numbers on the population which would be a conservation concern.

One of the other things she gets from the radios is Figure 2, you see muskox calf production and you see there's another conservation concern, calf production has steadily gone down in the Refuge. And one of the ways she gets that information is she's radio-collaring cows and is able to follow them and see how individual cows are producing calves. Well, they think this is all interrelated in the fact that they aren't producing as many calves is why the population is either slightly declining or wavering on the stabilize.

Bottom line is she really heavily relies on the ability to radio-collar a certain number of animals, so based on that, when I wrestled with this, I understood the
needs of Kaktovik and it made perfect sense that they wanted the ability to harvest muskox when they're out there in boats hunting caribou and we tried to come up with a compromise. And the compromise we came up with, Staff came up with was, let's go ahead and move the bull season to July 15th, no problem, because that's not an issue with the radio-collars, but as far as the cow season let's keep it as is, which would be in September, September 15th.

We felt fairly comfortable with that, and then if you look at Table 1 and you look at the harvest, we only opened up a legal cow season in the past couple of years but no cows have been taken. And I want to explain that a little bit, real briefly, in that, the permits that are issued are not all either sex. It isn't like Seward Peninsula where we just opened up a cow season but in Seward Peninsula it's going to be based on when a certain number of cows taken, we shut the season down, well, this isn't like that. There are only a fixed number of cow permits issued out of the 15, which is basically three.

And as of the last couple of years, for whatever reason, no cows were taken under those three permits. So basically the impact we're talking about is three individuals that would not be able to take a cow with their permit for those two months requested, but they would still have from September 15th clear up through March to use those permits. So the impact would be on those three individuals that wouldn't be able to use their cow permits during those earlier two months.

And we felt, we were trying to balance the two things and the concern was that balance with the ability to monitor the population in Arctic Refuge, that's where we thought this might be a reasonable compromise.

And that concludes Staff comments.

CHAIRMAN DEMIENTIEFF: Written public comments.

MS. B. ARMSTRONG: Mr. Chair, there are no written public comments on this proposal.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department supports the Staff recommendation that Donna just described, that is, to establish a July 15th opening date but to restrict the harvest of cows to the September
15th/March 31 period. We believe that it's important to allow the Fish and Wildlife Service research program to continue and to provide information that's essential for managing a healthy muskox population in Unit 26(C) and ensuring that this important resource remains available for subsistence uses.

CHAIRMAN DEMIENTIEFF: We have no request for additional public testimony from the floor. Regional Council recommendation.

MR. REXFORD: Okay, my last and final few words to try and convince you from the other side of the issue here. You heard the biological reasons so stated eloquently by Donna for our good friend Patricia. We've had a lot of battles over the years regarding muskox. Biology versus sociology or social impact. And you've just heard the biological considerations and you also need to consider social economics or social impacts as well.

So with that, you'll hear from the resident side in rebuttal to the biology standpoint as far as the only resource we have for Kaktovik.

Over the past number of years that I've talked about muskox, it's the only resource that we have during the summer when the Porcupine caribou has left, right about July 15th is when they're all heading back towards the Porcupine River in Canada. And we're opportunistic people, the Inupiat people of the Arctic are opportunistic and by golly if there's a cow near the coast we want to be able to take that cow or any muskox that are near the coast. Our access to resources are very limited. Most of the residents are restricted in the Arctic National Wildlife Refuge, only by coast and there's no other means of transportation to be used other than boat along the navigable waters, no Hondas to be used, only hunt by foot is what we're allowed for hunting in the Arctic National Wildlife Refuge, so please weigh the social concerns, that's the only resource that we have. There are no other foods available or no other resources available. For the sake of putting our daily bread onto our table, muskox is the only resource, and July 15th is usually when we start boating and we want to take every opportunity there is as far as resource is concerned for the residents of Kaktovik.

I know that the residents of Kaktovik want to be able to get any kind of muskox, whether it's a bull or a cow, so I urge the other Board members listen to the
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1  social impact versus the research concerns. I know that
2  research is important but are all the cows sedated? Are we
3  going to be able to -- most of the residents look at a
4  muskox with a collar, we probably wouldn't take it anyway.
5  And the ones that they tranquilize, do they just let them
6  go, or are they marked, the ones that they do not collar,
7  that's a question that I would ask the biologists, whether
8  all of the cows are tranquilized, even they're not
9  collared?
10
11  So with that, Mr. Chairman, I want to thank
12  you for the opportunity. And again, once again, thank you
13  for the plaque and the gift this morning.
14
15  CHAIRMAN DEMIENTIEFF: Staff Committee.
16
17  MR. RABINOWITCH: Staff Committee did not
18  reach a consensus on this proposal. There were two views
19  and I'm working from Page 31 of your book and Tab 10, I'll
20  try to summarize these for you quickly.
21
22  Some members of the Staff Committee
23  supported adopting the proposal as recommended by the North
24  Slope Regional Council, Fenton's just explained that. The
25  other portion of Staff Committee supported modifying the
26  proposal, contrary to the North Slope Regional Council, and
27  let me explain those briefly.
28
29  Again, the first view, as was stated by the
30  proponent, the city of Kaktovik, the intent of the proposal
31  was to enable boaters along the coast to harvest muskox
32  while they are hunting caribou. The Council chose to
33  uphold increase subsistence opportunity rather than support
34  muskox research through collaring muskox. The Council
35  committed to reevaluate the hunt in a year and make
36  necessary changes based on harvest levels and research
37  needs.
38
39  The second view, in your book there's a
40  portion that shows what the regulation would be, I won't
41  read all of that. The point is that bulls would be hunted
42  from July 15th to March 31st, and the cows from September
43  15th to March 31st, I think you've heard that explained.
44
45  The short bit of text in addition here is
46  the North Slope Harvest Plan states the principal goal for
47  muskox management on the North Slope is to provide
48  opportunities for residents to harvest muskox while
49  maintaining a stable population. Radio-collaring muskox
50  cows is a critical tool in the Refuge's ability to
scientically monitor population, composition trends, calf
survival and movement. Donna's explained this at some
length. Maintaining the existing harvest season for muskox
cows would permit continuation of the radio-collaring as a
tool for the Refuge Staff.

That's all Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Board discussion.

MS. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. KESSLER: I know with capturing caribou
it's common not to use tranquilizers but alternatives like
net guns and that sort of thing, is it possible for muskox?

MS. DEWHURST: Yeah, Pat and I talked about
that just recently and they've tried in several places in
the state to use net guns. The problem is muskox weigh two
30 to 300 pounds and they're a little ornery and if you get a
net on one nobody wants to be the one to get out of the
helicopter to try to wrestle it to put a collar on it, so
the bottom line is it doesn't work with muskox. Where
caribou are a little bit more, they're easier to deal with
once they're in the net. But they've found when they have
tried it, it's a little too dangerous for the safety of the
biologist to try to wrestle a netted muskox.

CHAIRMAN DEMIENTIEFF: Further discussion.

MR. EDWARDS: Mr. Chairman, I'd like to ask
our Council Chair, you know, given, I guess at least the
harvest over the last couple of years, it appears that
primary bulls are targeted so I'm trying to understand the
implications of the potential harvest, if, in fact, it was
laid out so that we had an extended season and bulls could
be taken but calves couldn't -- or cows couldn't, excuse
me, what is the assumption as to under either scenario,
what the harvest might be?

MR. REXFORD: The simplest terms that I can
put it as far as listening to our elders is that, the less
regulations that we have, the better for our lifestyle that
we have. Again, you're given food for the table there, the
opportunity is on the coast and it's few and far between
we'll probably catch a muskox, but we've been sighting them
near the coast. What about putting in the proposal to no
collared-cows can be taken?
CHAIRMAN DEMIENTIEFF: That's what I was thinking, the same thing.

MR. EDWARDS: Let me try to address that, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Oh, I'm sorry -- maybe Donna can.....

MS. DEWHURST: Yeah, I can address that pretty easily and that you can't legally do it because when you're capturing and I've captured plenty myself, not muskox, but other wildlife species, there's always a certain number that you drug and you dart that you can't get and so those animals are unmarked and so they have the capture drug in them but they're not collared and because of that risk, that's why the law is put into place and it's pretty definitive saying that if you use capture drugs there has to be a 60 day window, period, and that's why they don't just say the collared animals or the marked animals.

MR. EDWARDS: Just add to that, whether one would agree or disagree with the 60 day period, the rules are very, I think, strict and for us to try to make that case, my guess is is that we would actually lose the registration and the ability to use these drugs.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: We heard similar discussion this morning when we were talking about the Yukon and Kuskokwim River and if there's unmet needs of subsistence users and people are certainly concerned here and so are the resources that they depend on, our responsibility. I guess I'd also add, as you heard in the discussion of the Denali wolves, there is also a great deal of value to having the scientific information and knowing about population levels should there be threats to the program.

CHAIRMAN DEMIENTIEFF: Further discussion.

MR. EDWARDS: Mr. Chairman, I guess my final comment is, you know, for us, speaking on behalf of Fish and Wildlife Service, I think, does become somewhat problematic for us. I think we feel that the research is very valuable, both in terms of supporting continued subsistence use up there to the maximum sustainable as
possible as well as we go forward and potentially address
other issues that will occur on the North Slope as we get
into more of a potential for development.

CHAIRMAN DEMIENTIEFF: Further discussion.
We're ready for a motion.

MR. EDWARDS: Mr. Chairman, I would move
that the Board modify the recommendation of the Regional
Council to adopt a July 15th opening season date for bull
muskox in Unit 26(C) but retain the existing September 15th
opening date for cow muskox.

CHAIRMAN DEMIENTIEFF: Is there a second?

MS. KESSLER: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion on the
motion.

MR. LOHSE: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. LOHSE: I don't know if it's proper for
me to ask a question but I'd like something clarified, is
the 60 day time period for the safety of the people who
consume the muskox not for the muskox itself?

MS. DEWHURST: That's an affirmative.

CHAIRMAN DEMIENTIEFF: Further discussion.
All those in favor of the motion -- oh, what, Fenton.

MR. REXFORD: Okay, I bring back to the
Committee of Kaktovik the reason why the -- I left out of
there, is that I want to get a clear answer from the Board
here why the reasoning, all cows cannot be taken because of
research? I think the opportunity should be given to the
residents. All opportunity should be given with the
limited resource that we have and just restrict it to the
collared cow. I don't know how else to put it, in simpler
words, just restrict not to shoot the collared cow and give
the subsistence opportunity for the take of the resource.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: In response and maybe since I
made the motion maybe I need to elaborate a little more on, I guess, my rationale. One, from a conservation standpoint the importance of the continuation of this research in order for us to continue to better manage this population for subsistence purposes because it’s my understanding that if we would allow the taking of cows, whether it would be collared cows or not, that basically the research would have to be terminated. And in addition, given the pattern of primary -- of taking bull muskox and the fact that we would be extending that season for those that would allow those as people traveled along the coast, if they did come upon a bull that would be able to allow them to take them in an earlier period, I think would help address some of the subsistence needs that were pointed out and for those reasons I made my motion.

CHAIRMAN DEMIENTIEFF: Further discussion.

Go ahead Dr. Kessler.

MS. KESSLER: Thank you, Mr. Chairman. I'd like to explain as well how my thinking on this. The information about this population is really critical to protect the continued use and availability by subsistence users. We saw some data to suggest that calf productivity possibly is falling. With that in mind, it's really a critical time to keep a close eye on that. If there's something important going on there, if calf production is, in fact, falling, this would be a really essential time to observe that and act accordingly.

I do feel, too, that because this pertains to cows only, the bulls are still available for use and that should minimize the impact, I would hope.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. 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. Brief parting shots. Terry.
MR. HAYNES: Thank you, Mr. Chairman, I'd like to correct a misstatement.....

CHAIRMAN DEMIENTIEFF: Oh, yes.

MR. HAYNES: .....I made yesterday. In fact, this is with reference to the Unit 4 deer, shooting from boats the Board of Game will be taking up in January of 2002, that meeting will be held here in Anchorage rather than Juneau. I wanted to correct that and I've advised Mr. Thomas of that as well.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

Yes, Helen.

MS. H. ARMSTRONG: I just wanted to say, thanks to Fenton. I've worked on the Council with him since the beginning and he's been a wonderful Chair and it's been an honor to know him and to work with him and we'll miss him.

CHAIRMAN DEMIENTIEFF: Thank you. Last call.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: As always, I want to compliment everybody for their spiritual cooperation and as Mr. Thomas said, the trust that's been built up as a result of two very difficult days of discussions here, we look to further productive discussions and there will be a lot of challenges this summer. And lastly, I might note that the Chair of Seward Penn seems to have taken a muskox right before our eyes there.

MR. THOMAS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMAS: I'd like to also thank all the people here who have participated, the public, the Department, members of the Staff and everybody here.

There's one thing, one compelling thing that fails to leave my commitment to this project and that is from the Advisory Council's point of participation in this process. We work with the affected people directly. We take that information, collect it in our regions and we work with Staff in different analysis, they hear the same information
we do and then we bring you the best information from people that know the most about the use of the resource. I say this because I detect reluctance on some members of the Board who don't have the advantage of having the opportunity to have participated in this activity in their own life or livelihood. I'm not holding that against them and I'm not being critical. And I am encouraged by the fact that I'm recognizing a more deliberate dialogue, a more intelligent dialogue. I think our commitment needs some help yet, and I'm thankful for what's occurred here today.

I think our most important issue was a special action. We're dealing with a population that doesn't only live in the river but lives on the land around those rivers that depend on what that river produces. That's the most economically deprived part of the state and maybe the country. And it's imperative that we use our good senses, our good instincts to enable those systems to rebuilt to where they will, again, be viable for everybody that wants to use them.

And with that, I continue to be privileged to serve on here in this capacity. Fenton, bon voyage, I think you got beat up quite a bit after your nice little party this morning.

(Laughter)

And with that I'll say, thank you.

MR. SAM: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Go ahead, Ron.

MR. SAM: Yeah, first of all I'd like to thank the Federal Subsistence Board for the quality that they treat us as Council Chairs. I always wonder how much power, if any, that we had as Council Chairs in representing our Councils, today you showed me how much that we add by going with all of Western Interior's consent agenda. That, in itself, made me feel real proud to sit on this table and I sure appreciate all your efforts. And as a parting shot, at the next meeting, I'd really like a mike like Mitch's to cut all the rest off, the meeting would be a heck of a lot shorter.

(Laughter)

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

MR. WILDE: I want to thank the Board and also the Staff. I have been more like sleepless ever since I've been here because I had myself, I have a lot of load on me to try to take care of the people that I represent. So I thank you all and I could sleep good tonight and hopefully that you guys really continue. And I hope that we will have a better summer and everyone will have a chance to get the things that need to be done.

Thank you.

MR. NICHOLIA: Mr. Chairman, I'd just like to give you my thanks for sitting here and being a part of this. I know this is my first year, I did a lot and I said a lot, and I just wanted to give you this parting shot, that one time Lester Erhardt is going to check his fishwheel and he thought he seen a brown spot moving there across the river and he thought it was nicalina or something like that because he didn't want to go over there but he was so curious and he went over there and here it was a muskox.

(Laughter)

CHAIRMAN DEMIENTIEFF: Anything else. Okay, in closing then I just want to thank everybody from the proposers to all the Staff that do all the hard work, you know, and the Regional Councils for all their hard work, both at home and here, State of Alaska for their participation. It's a fantastic process. I think six years Chairman now, and I don't remember -- I remember a lot of intense issues, real tough ones, but I don't remember two days in a row as tough as this in the whole six year tenure that I've had, we've dealt with a lot of thorny things. So I congratulate everybody for all their hard work and I get to use my gavel, we are adjourned.

(END OF PROCEEDINGS)
CERTIFICATE

UNITED STATES OF AMERICA } ss.
STATE OF ALASKA } )

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 138 through 282 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME II, taken electronically by me on the 10th day of May 2001, beginning at the hour of 8:30 o'clock a.m. at the Egan Convention Center, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 17th day of May 2001.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 4/17/04