FISH AND WILDLIFE SERVICE FEDERAL SUBSISTENCE BOARD
ANCHORAGE HILTON HOTEL
ANCHORAGE, ALASKA

VOLUME I

MAY 13, 2002
1:30 o'clock p.m.
PUBLIC MEETING

MEMBERS PRESENT:

Mitch Demientieff, Chair
Gary Edwards, Fish and Wildlife Service
Charlie Bunch, Bureau of Indian Affairs
Judy Gottlieb, National Park Service
Taylor Brelsford, Bureau of Land Management
Ken Thompson, U.S. Forest Service
Keith Goltz, Solicitor
CHAIRMANS DEMIENTIEFF: We'll go ahead and call the meeting to order and begin with introductions. My name is Mitch Demientieff. I'm from Nenana. I've had the pleasure of serving as Chairman of the Federal Board for some seven years now. With that, we'll go around with introductions. We'll start with my left.

MR. JACK: My name is Carl Jack. Native Liaison.

MR. EDWARDS: I'm Gary Edwards representing the Fish and Wildlife Service on the Board.

MR. BOS: Greg Bos, Staff Committee member. Fish and Wildlife Service.

MR. BUNCH: Charlie Bunch, Bureau of Indian Affairs. I'm sitting in for Niles Cesar, the regional director.

MS. HILDEBRAND: Ida Hildebrand, BIA Staff Committee member.

MR. STONEY: Raymond Stoney. I'm from Kiana. I'm a RAC member.

MR. WILDE: Harry Wilde. Chairman of the Yukon-Kuskokwim Delta.

MR. GUNDERSON: Paul Gunderson. Kodiak/Aleutians, Vice Chair sitting in for Della Trumble.

MR. HAYNES: Terry Haynes, Department of Fish and Game. State/Federal Liaison Team. Marianne See sends her regards, she can't be here today.

MR. KRON: Tom Kron, OSM Staff biologist.

MR. MIKE: Donald Mike, Eastern Interior Council coordinator.

MS. CROSS: Grace Cross. Chair for Seward Penn.

MR. SAM: Ron Sam. Chair, Western
MR. NICHOLIA: Gerald Nicholia. Chair of Eastern Interior.

MR. GOLTZ: Keith Goltz. Solicitor's office.

MR. BRELSFORD: Good afternoon. I'm Taylor Brelsford. I'll be serving on behalf of Fran Cherry as the BLM Board member during this meeting. Thank you.

MR. THOMPSON: Ken Thompson. Forest Service.

MR. RABINOWITCH: Sandy Rabinowitch. Staff Committee for the National Park Service.

MS. GOTTlieb: Judy Gottlieb. Board Member, National Park Service.


CHAIRMAN DEMIENTIEFF: And he's the one to blame for the spacious meeting quarters we have this week. It will be a nice friendly little meeting. We'll all be real up close and personal all the way through. It's the budget cuts, I think, that caused us to have to get this little space but we'll make it work.

Are there any corrections or additions to the agenda?

Ralph, we've already done introductions, maybe you'll want to introduce yourself.

MR. LOSHE: Ralph Loshe. Chair of Southcentral.

CHAIRMAN DEMIENTIEFF: We have one request for public comments. If you do have a request to testify before the Board, the table is set up outside and you can pick up one of the blue request to testify forms and with that we'll open up public comment on non-agenda items. We have Greg Roczicka. I abuse his name as many
Mr. Roczicka: Mr. Chairman, I get to be first out of the chute here, rather strange. For the record my name is Greg Roczicka. I work as natural resource director for Olosikaka Native Council in Bethel. (In Native), which is I've heard it explained that I'm someone that spits very accurately or the sparking of a match; so you can take that as you will. I know there's some new faces here, I tend to be somewhat politically incorrect sometimes so bear with me if I do get that way.

I wanted to speak on behalf of Kuskokwim Native Association and ONC on this special action request that we put before you and that you addressed here a few weeks ago. I'm also here in the capacity of the vice-chair for RuralCAp. Needless to say we're extremely disappointed that you chose to take the action that you did. We were requesting a preseason approach on this and it's really disturbing to us to see, essentially, there's an unlimited opportunity for sportfishing where subsistence is restricted. It's a very delicate issue and a very hard one for people to swallow. I'm getting feedback from a lot of people that are starting to question, really, why should we even bother to conform with these restrictions. The matter must not be serious enough if sportfish don't rate getting at least equal level of restrictions.

Maybe in the larger pictures of things, you know, rural Alaska is really under siege on just about all fronts. Management, both competition and consumptive uses and even the non-consumptive users who are driving policy and management decisions to prevent maintaining or rebuilding game populations to a great degree. So we're scared. All right, we're scared. And we're just having no preseason control or setting that policy, if you will, that you're not going to wait to see what comes back before opening it for primarily commercial operations which is the sportfish industry. And we got to start looking at things in the long-term. I mean anybody that's around and familiar with that industry knows that in the course of a few short years, I mean, they're extremely prolific and they can be in there and you'll turn the Holitna into another Kenai River. So it's very worrisome.

And I guess, just basing your decision on the State's action, if you will, and I put that in quote,
action, to close it to June 15th, you know, like that's some kind of a concession, seems to us it's entirely undeserved. But really creating a closure when a migratory species is not even present, how do you justify that as justifiable recognition of accommodating subsistence or recognizing subsistence uses? So, you know, that's really kind of strange logic to me. And I understand the political pressures that come maybe on you to do so and I just hope that for the future you try to take a strong stand and helping those from eroding away at the protection of subsistence and the subsistence way of life.

Anyway, since you have agreed to, or chosen to take this course and take the issue up again in mid- to late-June, I would at least ask you that when you do so, if you would hold your hearing or your meeting to discuss that out somewhere on the Kuskokwim River in the communities there where the people that you're here to represent will be able to sit in and offer their input on that, in Bethel or Aniak, either one.

That's all I wanted to offer at this time, so thank you for your time. If you have any other questions I can bounce back at you.

CHAIRMAN DEMIENTIEFF: So Greg, the bottom line is you don't feel that we're addressing the concern timely enough? We based our decision, as I recall, on waiting for in-season data to find out -- given the fact that the State has a closure in place until the 15th of June and that's the reason why we moved it off to that date. It's certainly not any intention of any of the Board members to put it off for any other reason. But basically that was the decision point.

MR. ROCZICKA: I could appreciate that and it's one of the messages that's being sent to people out there right now. They're seeing it as it's going to be open, period, and the message, I feel, should come across that it's going to be closed unless you have a return that justifies doing so, in which case it could be opened. Anyway, it's just sending a backwards message that subsistence doesn't have the priority -- or has a priority, only if it doesn't conflict or obstruct sportfishing activities, so people are looking at in that sense.

CHAIRMAN DEMIENTIEFF: Thank you very much. Are there any other questions?
MR. ROCZICKA: Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. We have no additional requests at this time for public testimony on non-agenda items, which leads us to statewide Proposal No. 1. I'll have to apologize if we're seeming to flounder a little bit. I didn't get my proposal book until Saturday and, of course, yesterday being Mother's Day, I really haven't had a chance to review it, but we'll find our way through this.

We have the consent agenda items. In Southeast, we have Proposal No. 3, 4, 5, 6, 8, 10, 11 and 15 that are on the consent agenda at this time. In Southcentral, we have Proposal No. 17 and Proposal No. 20(A). Kodiak/Aleutians, Proposal No. 21, 22, 23, 47(A) and (B). In Bristol Bay, we have Proposal No. 24, 25, 26, 27. In Western Interior, we have Proposal No. 32. Seward Peninsula, Proposal 33, 34, 35 and 37. Northwest Arctic, we have Proposal No. 41. Eastern Interior, Proposal No. 42 and 43. And in the North Slope, we have Proposal No. 44 and 45. And we have also a request at this time to pull Proposal No. 17, so that will be taken off of the consent agenda.

If there are other issues or other requests that come up, normally, we deal with the consent agenda items at the conclusion of deliberating the proposals that are non-consent agenda items. So if there are additional requests to pull any of these proposals off, we won't take final action until after the Board process here.

Okay, with that, we'll go ahead and move on to statewide Proposal No. 1. Tom Kron. Go ahead, Tom.

MR. KRON: Mr. Chair, members of the Federal Subsistence Board, Regional Council Chairs. Again, my name is Tom Kron from OSM. I'll be presenting the Staff analysis on Wildlife Proposal WP02-01. This proposal was submitted by Craig Fleener of the Eastern Interior Regional Council. Information concerning this proposal can be found under Tab A starting on Page 1.

The proposal requests that black and brown bear be classified as furbearers. The proponent wishes to sell hides and parts of black and brown bears taken on Federal lands. This is a statewide proposal. With the exception of an article of handicraft made from
the fur of black bears, the purchase, sale or barter of any part of a black or brown bear is prohibited. The sale of brown bear hides has been illegal since 1925. And this species has never been classified as a furbearer in Alaska. The black bear was originally classified as a furbearer until 1938 when it was reclassified as a game species. The sale of all black bear hides has been illegal since 1971.

Both black and brown bear populations are generally healthy across most of Alaska, there are concerns that several relatively small isolated populations of brown bears -- bears have the lowest population growth rates of North American land mammals, significant population declines tend to be long and difficult to reverse. Current harvest levels of black and brown bears in Alaska appear to be fairly high when compared to historic record. Native Alaskans have harvested bears and competed with them for subsistence resources for, at least, 14,000 years. Both black and brown bears have traditionally been very important in Alaska Native cultures. In certain areas of the state, the harvest and handling of bears is subject to cultural requirements. In the Koyukuk, Athabascan culture, for example, it would be inappropriate to consider selling bear hides or parts. There is a commercial market for bear hides, claws, skulls, teeth and gallbladders. Commercial sales of legally taken bear hides and parts are allowed in parts of Canada and the Lower 48 states.

This proposal seeks a major change in the approach to black and brown bear management in Alaska. Such a change could be expected to impact a wide variety of related programs and regulations. There are cultural, biological and jurisdictional concerns associated with this broad statewide proposal. Given the commercial aspects of this proposal and the legal and jurisdictional issues, it may be most appropriate for the proponent to work with the Alaska Board of Game to address these concerns.

This concludes the summary of this analysis. I welcome your comments and questions. Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Any questions.

MR. MIKE: Thank you, Mr. Chair. There are a total of seven written public comments. Two are in
support of the proposal and five were opposing the proposal. Glen Alsworth of Port Alsworth is in support. He is in favor of adopting the new wording changing the regulation. He believes that any time that a subsistence user can derive more benefit from a legally taken subsistence resource, the better. The Lake Clark Subsistence Resource Commission supports and recommends supporting Proposal 1 because it will allow bears taken for subsistence to be more fully utilized and provide a potential source of income for subsistence users. The Aniakchak Subsistence Resource Commission unanimously opposes this regulation change as written. It is the feeling of the SRC that the proposal could have a negative influence on subsistence and could lead to the overharvesting of bears in the Aniakchak area. The Wrangell-St. Elias Subsistence Resource Commission opposes this proposal based on legal, cultural and biological concerns. Colonel Joel Hard, director of the State of Alaska, Department of Public Safety opposes the proposal. He believes that allowing the sale of bear parts will increase illegal take and waste of bears. Will exacerbate the black market issues or go against a North American trend that is more restrictive concerning sale and is not consistent with customary and traditional practices. The Department of Public Safety is opposed to Proposal 1, which would reclassify brown bear and black bear as furbearers and allow the sale of bear parts. The Denali National Park and Preserve Subsistence Resource Commission opposes Proposal 1, which includes brown bear and black bear in the furbearer definition and to allow bear parts to be sold. The SRC therefore approves the Staff analysis preliminary conclusion for the reasons stated in the justification. Steve Oberholtzer, Department of Law Enforcement, U.S. Fish and Wildlife Service opposes Proposal 1. The Division of Law Enforcement opposes legalizing the sale of bear parts other than fur hair to be used in handicrafts. The reasons for this are basic. Legalizing the sale of bear parts conflicts with State
law, will undermine enforcement efforts in this and other
states and may significantly decrease the population of
bears in Alaska.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: We have one
request for public testimony at this time. Roy Tansy.

MR. TANSY: Thank you. My name is Roy
Tansy. I'm from Cantwell, Native Village of Cantwell. I
represent Cantwell on the Board in subsistence.

I'm here to testify today that the
Proposal 1, that the subsistence representatives of the
Ahtna region met April 22nd and are opposed to the
proposition as it is written. We would like to have just
the skin, the claws and the teeth to be used for
customary and traditional use of the black and brown
bear, furbearer definition proposal. We support these
parts to be only used for customary and traditional use
and to include the brown bear and black bear into the
furbearer definition. These parts have been customary
and traditionally used by Ahtna people for a long time,
ornaments and clothes.

That's about it. Thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you. Any
questions. Bill.

MR. THOMAS: One question.....

REPORTER: Your mic, Mr. Thomas, please.
Your microphone. Thank you.

MR. THOMAS: Would you insist that I get
more respect from the recorder than that.

With regards to the parts and limiting to
the claws, the hide, the head, I am wondering what would
prohibit the gallbladder from being included in that,
just out of curiosity? I hear different levels of
information regarding the value of those parts. I don't
have any objection, I was just wondering what would they
do, bury the gallbladder when they got everything else?

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Roy.
MR. TANSY: Yes, I would assume that would probably be the correct way. Bears have been very sacred in the Cantwell region for a long time. A lot of the bears, not really good for us, as much as eating and taking care of, but like I said it's a very important issue to the elders in our area.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Gloria, is this an issue that Copper River wants to testify on, Proposal No. 1?

MS. STICKWAN: My name is Gloria Stickwan. I work for Copper River Native Association. I put down all proposals to testify at this time if that's okay?

CHAIRMAN DEMIENTIEFF: You want to go ahead and testify, you're not going to be here the rest of the week?

MS. STICKWAN: I'm going to try and be here for Proposal 17.

CHAIRMAN DEMIENTIEFF: Yeah, that would be fine.

MS. STICKWAN: We, the Copper River people oppose WP02-01 as it is written. We said that we only wanted the skin and claws and teeth to be used for customary and traditional use and not to include all bear parts in the furbearer proposal.

In response to Mr. Thomas' question, I just want to add that gallbladders were used for medicinal purposes for the Ahtna people. They used to pour it into water, a little tiny drop, and use it in the eye, mouth, just a little tiny drop mixed with water but we did not support using that because we thought it would be abused by people just getting the bear just for the gallbladder part.

We would like to have Proposal 16 adopted with the Bureau of Land Management's proposal that was written but we'd like the dates changed from December to March 31st. Since I understand that proposal was deferred, I think we would like to go along and defer it. We'll wait to see how the caribou are doing and then possibly bring that back to the Board again and have it
reconsidered.

We support Proposal WP02-19 to establish a regulation for harvesting of moose for ceremonial purposes in Units 11 and 12.

That's all I have.

CHAIRMAN DEMIENTIEFF: Thank you very much. Any questions. Thank you. We have no additional requests for public testimony at this time with regard to Proposal No. 1. Regional Council recommendation. Ron.

MR. SAM: Yeah, we opposed this proposal. But as you will see through quite a few other proposals, while it is already approved by the State and it is legal under the State system, we would like to approve the modification to align with the existing State regulations, that part, just to provide more subsistence opportunities for our users.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Harry.

MR. WILDE: Yeah, Mr. Chairman. Yukon-Kuskokwim Delta Subsistence Regional Council oppose 01 and also Yukon-Kuskokwim Delta Advisory Council recommends that OSM Staff write up a proposal that aligns the Federal regulation with the State regulation to allow for the sale of bear parts such as fur for handicraft.

CHAIRMAN DEMIENTIEFF: Thank you.

Additional Regional Council comment. Ralph.

MR. LOHSE: Southcentral Regional Council supports this proposal with modification. The Council recommends that we have an amendment to this to allow only black bears and not black bears and brown bears, but to allow them to stay under their current classification but to allow subsistence users to take and use for sale the hides, the skull, the teeth and the claws. We strongly oppose the reclassification of bears out of respect for them, they're not furbearers. Bears don't belong in the same category as rabbit and squirrels. But we do support allowing subsistence hunters that kill a bear for meat to make full use of the bear for the support of their family. We do not recognize the selling of bear gallbladders as a customary and traditional use of bears.

MR. GUNDERSON: Kodiak/Aleutian oppose but support alignment with the State regulation regarding the sale of handicraft made from black bear fur. The Council believes not enough information was presented to support this change that would have statewide effects, particularly since some of the communities and cultures have spoken against this action. Possibly the proponent could develop an alternative proposal.

CHAIRMAN DEMIENTIEFF: Thank you. Grace.

MS. CROSS: Seward-Penn Council opposes this proposal. We felt that it was inappropriate for a statewide regulation and should be addressed on a region-to-region basis. One of the reasons why we were not prepared to support the proposal was we didn't have much knowledge about Athabascan traditional ways relating to bears.


MR. O'HARA: Bristol Bay would like to have some additional information on this before we support it. Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Any other Regional Council comment. Gerald.

MR. NICHOLIA: Yeah, Mr. Chair, I wasn't at our last meeting but I think Craig Fleener was trying to have more utilization of bear parts. But in my Koyukon culture, it's different than the G'witchen culture and it's forbidden in our culture to sell brown parts of any kind. I don't know about Craig's.

CHAIRMAN DEMIENTIEFF: Thank you. Any other Regional Council comment. Hearing none, Staff Committee recommendation.

MR. JACK: Yeah, Mr. Chairman, the Staff Committee recommendation has two parts. First oppose the proposal consistent with the recommendations of the majority of the Federal Subsistence Regional Councils. The second part is, adopt the following regulatory language, which would allow the sale of handicrafts made from black bear fur. And this would be to align with the
State regulations.

On Section 25, utilization of fish and wildlife or sell fish. You may sell handicraft, handicraft articles made from the fur of black bear. On Section 25(a) definition, handicraft means a finished product in which the shape and appearance of the natural material has been substantially changed by skillful use of hands such as sewing, carving, etching, scrimshaw, painting or other means and which has substantially greater monetary and aesthetic value than the altered natural material while alone.

The justification is the proposal generates legal, cultural and biological concerns. Legal and jurisdictional issues are primary factors affecting this recommendation except for an article of handicraft made from the fur of black bear. The purchase, sale or barter of any parts of the bear is prohibited by Alaska state regulations. This proposal seems in direct conflict with traditional cultural values in several areas of Alaska. In the Koyukon/Athabascan culture it is inappropriate to sell items that include bear parts. In the Athabascan, Inupiat, Yup’ik and Alutiq cultures, it has been reported that there is a preference for leaving the bear hide and/or skull in the field. Historically commercialization of wildlife has a track record of being detrimental to population of large bodied species of wildlife.

Biologically bear are far different than furbearers that trappers harvest. For instance, brown bear have the lowest population growth rates of any species of North America land mammals. Brown bear females may not produce their first cubs until age five to ten and then only produce subsequent litters an average of every three to four years. Because of these biological constraints, the reproduction rate is low and except under special circumstances in limited areas. Regulations governing bear harvest should be conservative to avoid over exploitation. As a result of their sensitivity to overharvest, there are presently concerns about the health of certain Alaska brown bear populations.

While black bear are more productive than brown bear, similar principles apply to their management. Decline in bear population may be gradual and go undetected for a long period of time. The Alaska Board of Game authorized the sale of handicraft made from black
bear fur in 1998. Subsequent to that time there has been no follow-up proposals to align Federal regulations with these State regulations. It seems appropriate to align these regulations in order to facilitate consistency and reduce confusion.

Given these legal and jurisdictional issues, the commercial aspect of this proposal it may be appropriate for the proponent to work with the Alaska Board of Game to address his remaining concerns.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. HAYNES: Thank you, Mr. Chairman. The Department supports the Staff Committee recommendation to oppose this proposal but to allow the sale of handicraft items made from the black bear fur consistent with existing provisions in State regulation.

The Department does not support including brown and bear within the definition of furbearer. Nor do we support expanding the sale of bear parts beyond that currently authorized in State regulation. Allowing the sale of certain bear parts could promote unsustainable harvest in some parts of the state. Additionally, Alaska Native traditions surrounding the care, treatment and handling of harvested bears remains strong in many parts of Alaska. For individuals adhering to these beliefs, the sale of items that include bear parts could be viewed as inappropriate and disrespectful.

CHAIRMAN DEMIENTIEFF: Thank you very much. Board discussion. Judy.

MS. GOTTLIEB: Gerald, maybe I could ask you or maybe the coordinator knows, I was wondering when Craig is expected to be back?

MR. NICHOLIA: The last I heard he was being reassigned is the last thing I heard.

CHAIRMAN DEMIENTIEFF: Don.

MR. MIKE: Yes, Mr. Chair. Just following the latest news, I understand the military is demobilizing the people that are assigned to the security of the international airports. There's a possibility he
may return to Ft. Yukon. Thank you.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I guess I would offer, I think we all have a lot of respect for Craig and his ideas and suggestions, so it might be good to wait until he does return for a portion of the proposal as suggested so that he could take into account all the comments that have been made in his absence and perhaps do some further work in consultation with all the Councils.

CHAIRMAN DEMIENTIEFF: So you're recommending a deferral of the proposal? Yes, go ahead.

MS. GOTTLIEB: Yes. We might want to either defer all of it or support some of the parts where there does seem to be general agreement but rather than perhaps turn him down flat on some of the parts of it, wait for his return for more discussion. That's an option here.

CHAIRMAN DEMIENTIEFF: Will he be here this week? Nobody knows. Any other discussion?

MR. THOMPSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMPSON: Yes, I would be interested in hearing what Staff might suggest could be some repercussions if we do defer the whole thing and not provide a line up with the State regulations in the interim.

CHAIRMAN DEMIENTIEFF: Gerald.

MR. NICHOLIA: Yeah, is it possible to defer part of this proposal and then adopt the black bear part?

CHAIRMAN DEMIENTIEFF: Bill, maybe you could help us out on this part? Bill's our regulatory specialist. You heard the question, I guess, uh?

MR. KNAUER: Yes, Mr. Chairman. It is possible to adopt the Staff Committee recommendation and then allow Mr. Fleener to present a modified proposal
that addresses his concerns. Our regulations are reviewed annually and the opportunity for change occurs there. So there would be no long-term adverse effect in that regard.

CHAIRMAN DEMIENTIEFF: Thank you. Ron.

MR. SAM: Thank you, Mr. Chair. If you remember a few years back we had some legal ramifications because of arts and crafts under bear parts and I believe that if we do align with the existing State regulations, I believe that we could do away with most of these small charges and, you know, trouble with this.

CHAIRMAN DEMIENTIEFF: Thank you. Gary.

MR. EDWARDS: Mr. Chairman, I guess I would suggest that instead of deferring it, because from my perspective and reading the comments that we received from the majority of our RACs, most of them were unanimously opposed to expanding the sale of bear parts and I guess I would suggest that we could go along with the Staff Committee and then if the individual would like to come back and make a different proposal then we could address it at that time.

CHAIRMAN DEMIENTIEFF: Other discussion. Ken.

MR. THOMPSON: Is that a motion, Gary?

MR. EDWARDS: I thought we were still in discussion.

MR. THOMPSON: Okay.

CHAIRMAN DEMIENTIEFF: Is there any other discussion? Yeah, I think for myself -- well, maybe we'll get a motion on the floor first. Gary.

MR. EDWARDS: Mr. Chairman, I move that we accept the Staff Committee's recommendation, thereby, rejecting the proposal as written, but having a modified proposal which would allow for the use of black bear fur for handicraft purposes to align our regulations with those of the State.

CHAIRMAN DEMIENTIEFF: There's a motion. Is there a second?
MR. THOMPSON: Second.

CHAIRMAN DEMIENTIEFF: It's been moved and seconded. Discussion on the motion. Well, I intend to vote for the motion for the reasons that our process is very participatory. Out of respect to Mr. Fleener, if it's something that he feels that we need to take a further look at this year, he has the opportunity for a special action request. And the fact is as was stated previously, that our regulatory process is open each and every year and since most of our Regional Councils are in favor of the modification that's the reason that I intend to vote for the Staff Committee recommendation.

Other discussion. Regional Councils, no more? Gerald.

MR. NICHOLIA: Yeah, I'd say be very careful in making sure they understand you may sell handicraft articles made from fur of the black bear and you got to mention something about the claws or the hide or I mean the claws or the skull or the teeth, the gallbladder, too, because they might take too much advantage of what we're trying to do right here.

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.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

With that we move to Northwest Arctic, Region 8, Proposal WO02-39. With that we'll go to Donna to do the analysis.

MS. DEWHURST: Proposal 39 was submitted by the Northwest Arctic Regional Advisory Council. It is making adjustments in the sheep harvest in the Baird and DeLong Mountains in Units 23 and 26(A). This proposal was not a biologically driven proposal but more a user conflicts issue. Interestingly enough it's a user conflict among Federally-qualified subsistence users so it makes it a little bit more difficult.

It's gone through a lot of changes in the past several months. The gist of the proposal has two
parts. The first part is to require the destruction of
the trophy value of the horns by a National Park Service
representative and with the newest language suggested by
the Staff Committee, that's further defined and
clarified. The other aspect is to delegate authority to
the Park Superintendent, specifically Dave Spirites right
now, to be able to announce the winter season and
announce the harvest quotas. And the reasoning for that
was, the idea was to ensure -- the reason that the
seasons were split initially, there's a fall and winter
season, the reason the seasons were split was ideally the
fall season would be aircraft access and boat access and
the winter season was supposed to be snowmachine. But in
recent years opening October 1 there hasn't been enough
snow to use snowmachines so aircraft could still access.
So by the superintendent announcing the opening of the
winter season he could wait until there is adequate
snowfall to ensure that the winter season does provide
priority for snowmachine users. So that's the gist of
it.

It has gone through several rewrites, the
most recent of which was by the Staff Committee and went
a long ways to clarify the language further. That
concludes the analysis.

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

MS. H. ARMSTRONG: Thank you, Mr. Chair.
There were none.

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

MS. H. ARMSTRONG: Raymond you get to
read them.

MR. STONEY: Mr. Chairman, since I'm new
on this I think that Helen's got more information than I
do if that's.....

MS. H. ARMSTRONG: Would you like me to
read it for you?

MR. STONEY: Yes, please.

MS. H. ARMSTRONG: Raymond's our acting
Chair and this is his first Board meeting.
The Council supports with modification to clarify the language in the regulation stating that the superintendent of the Western Arctic National Park lands will announce the quota and the dates of the fall and winter sheep hunting season in the DeLong and Baird Mountains in Units 23 and 26(A). The quota could be zero. The trophy value of the horns must be destroyed by an NPS or an NPS representative upon return from the field.

Requiring destruction of the trophy value of the sheep horns would limit or prevent local subsistence users use of these horns for crafts or keepsake. However, the Northwest Arctic Regional Council expressed that this loss of craft value of horns would not have much of an impact on the subsistence value of area sheep to most users. Allowing the superintendent of the Western Arctic National Park lands to set both the season harvest quotas and the dates of the winter season would build in more flexibility into the harvest management system as long as close consultation is maintained with ADF&G and BLM prior to making these announcements.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. RABINOWITCH: Thank you, Mr. Chairman. The Staff Committee recommends adopting the proposal as modified by the Northwest Regional Council with some minor word changes. I think I would characterize these minor word changes as wordsmithing, trying to continue along with the intent of the Council but to further clarify items. One example would be to further clarify the destruction of the trophy value. So I know that we're going to get into this a little bit more in a moment.

CHAIRMAN DEMIENTIEFF: Thank you. I'm going to backtrack a minute. Since the North Slope representative is not here at this time, we'll ask their Regional coordinator to go ahead and give their comment.

MS. B. ARMSTRONG: Thank you, Mr. Chair. The North Slope Regional Council recommendation is to defer. There were concerns regarding destruction of the trophy value of the horns effectively eliminating craft use. More information was requested about justification
of this aspect of the proposal. The North Slope Council chose to defer their decision until the Northwest Arctic met and considered the proposal.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman. The Department supports the proposal as modified by the Staff Committee to reinstitute the fall season dates for sheep hunts in portions of Unit 23 and 26(A). Authorizes the Western Arctic National Park land superintendent to open the winter season by announcement and divide the harvest quota equally between the fall and winter seasons. However, opening the Federal sheep hunting seasons in Unit 23 and 26(A) by announcement may create more differences between the State and Federal seasons and will make it more difficult for the public to comply with the regulations. Eliminating use of aircraft for these hunts and/or delaying the winter season openings to mid-October or early November are alternative measures for addressing some of the problems identified in this proposal that could be considered and would result in more consistency between the State and Federal regulations.

If this proposal is adopted as modified by Federal Staff, then timely consultation by the Western Arctic National Park land superintendent with the Department and the BLM is essential.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. We're now ready to advance this to Board discussion. Sandy.

MR. RABINOWITCH: Yes, Mr. Chairman, excuse me. I forgot to mention one thing and I know that Judy will bring this up again in a minute. But we did find two errors in the Staff Committee recommendation that were inadvertently added into the record and I just want to be clear and point these out in a moment, there are two lines in here that were added in by mistake, I actually think I'm the guilty party when we were doing our editing. On Page 4, this is Tab B, Page 4 and the second one is Page 5. On Page 4 on the left column you'll see two large paragraphs, if you go to the bottom paragraph that begins Unit 23 north, and you go down
about 10 lines there's a sentence which reads, Federal
public lands are closed to the taking of sheep except by
Federally-qualified users. That same line is on Page 5
also about 10 lines down. Those were simply added in by
error in the editing process, they don't exist in the
existing regulation and there was no intent on anyone's
part that they be added.

So if they could just be lined out that
will shorten the discussion a little bit. And I've
checked with a number of members of the Staff Committee
to ensure that what I've just told you is correct.

Thank you.

MR. THOMPSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMPSON: Yeah, Donna, correct me if
I'm wrong but wasn't there some element of a late survey
on sheep in August and the inability to have that data in
a manner timely for Board action or am I thinking of
something else?

MS. DEWHURST: I think you're thinking of
something else.

MR. THOMPSON: That's not a factor in
this case?

MS. DEWHURST: The sheep are grazing in
mid-summer, yeah.

MR. THOMPSON: All right.

CHAIRMAN DEMIENTIEFF: Further
corrections to the proposal, what do we call it, the
corrections to the proposal, what exactly did you want to
have stricken out, Federally-qualified?

MR. RABINOWITCH: Yes, Mr. Chairman. The
sentence that I read you'll find in three places in this
regulation. The first location is in the first paragraph
on the left side, the left column, it says Unit 23 south
and those words belong in that first paragraph. It's in
the second paragraph which begins Unit 23 north and the
third paragraph which begins Unit 26(A) that the deletion
should occur. Again, in the second and the third
paragraphs are where the deletion occurs.
CHAIRMAN DEMIENTIEFF: Okay, got it.

Okay, is there any objection to the correction? Anybody.

Anybody have any objection at all to the correction?

We'll just go ahead and take it out like that, I don't think it takes a Board action to do that if it's simply a correction of an error. Further discussion.

MR. BRELSFORD: Mr. Chairman.

MR. BRELSFORD: I'd like to applaud the National Park Service and the Regional Council representatives for working closely on a local solution of this sort. I think we've heard in the last several years that there is some concern about a reasonable sharing of the sheep allocation between the hub community of Kotzebue and the smaller communities. And I know various ideas were discussed and considered as a tool to achieve that end. In the first instance, I wouldn't have thought destroying the trophy value of horns was a primary way to achieve that goal. Because I believe horns have been used in handicrafts in the region. However, I recognize that the Regional Council has thought this out at the local level and arrived at a package of changes that they believe will be most successful in achieving a better sharing of that sheep allocation between the large and the smaller communities.

So on the basis of the Regional Councils considered judgment on this, I'm prepared to support the proposed changes as we've heard them discussed.

Thank you.

MS. GOTTLIEB: Mr. Chair, thank you.

There are about four different areas of change that we'd like to point out and this proposal is a bit complex. We have a handout here that illustrates, in at least a couple of colors, what some of those changes are. So if we can hand those out, I'll ask Sandy to go through the changes so everybody's clear. Again, we really believe that the intent of the RAC and the proponent is still all in there, we just want to go through the changes.

MR. RABINOWITCH: Mr. Chairman, that's working its way around the table so I'll give everybody a few minutes to get that. And, I think, Donna and Terry
when they come to you, if there's extras if you can just
pass them to anyone in the audience who might want them.
We also have this on a disk, Mr. Chairman, so I'll leave
it to you as to whether you want to try and get it up on
the screen or not but I brought it with me here.

(Pause)

CHAIRMAN DEMIEN'TIEFF: Okay, Sandy.

MR. RABINOWITCH: Okay. Let me
c寺ceptually try to explain what all this yellow color
and there's a little blue color and the redline and
strikeout are trying to do. The first body of text deals
with the trophy value aspect that Taylor spoke about a
minute ago. During the Staff Committee discussions, the
Park Service was asked if it would try to bring to this
table today more specific language about how to destroy
trophy value of the horns. So our Staff in Kotzebue
worked on that. We also consulted with Fish and Wildlife
Service and BIA and went around and around trying to find
language that would accomplish the goal of the RAC,
result in clear regulation and then fundamentally do
three things. One, make clear to the hunter what the
hunter has to do. Make clear to the agency, in this case
the Park Service, what it had to do. And make clear for
everybody what happened to the horns when the trophy
value is destroyed. So those were our goals.

We also combined all the language that
had previously been in two or three locations in the
regulation together. And so the net effect is the
following. I think I'll just read this. The hunter must
deliver the horns attached to the skull to the National
Park Service or National Park Service representative
within 30 days of harvesting the animal. The Park
Service or its representative will destroy the trophy
value by removing and destroying four inches of one horn
from the base end of the horn. What this is trying to
accomplish, again, is that the hunter, the agency both
understand what needs to happen and when and then the
actual destruction gets at both the monetary value and
what some will refer to as the book value of the horns.
At the same time by only destroying one horn it leaves
the other horn fully available for handicrafts and, in
fact, possibly some of both horns. So that's the intent
there. And that language carries through on all three
paragraphs; Unit 23 north, Unit 23 south and Unit 26(A).

The second body of text has to do with
the delegation to the Park Service superintendent. What
the changes shown in yellow here are primarily trying to
do delete some language about the annual sheep population
survey. The language has been in the regulation for a
couple of years. As far as I know it's not been a
problem but it was brought out during this review process
that someone could interpret the sheep population survey
being actually a requirement of the regulation. That is,
if you didn't do the sheep population survey you actually
couldn't announce a quota. We don't think that was ever
anyone's intent when it was brought up. We thought it
made sense to just delete it out of here and not go down
that road.

The third part we've effectively dealt
with and that is the language that crept into two of the
paragraphs by error and, Mitch, we've already taken care
of that. That's shown as the sort of dark blue and dark
blue strikeout at the very bottom of the first page and
toward the middle of the second page and so I won't dwell
on that.

And then the fourth and last area of
change in the right-hand column. What we've done is try
to add some simple language in at the request of many of
the users in the region who have repeatedly asked our
Staff in Kotzebue to try to word this in a plain and easy
understand way. So the intent of adding in, for
example, fall season, total annual relating to quota,
those are all attempts to just seeking clarity.

The only other one to point out there is
that you see the addition of April 1st, again, this is in
the right-hand column. There's nothing new about April
1st. It's the existing closing date for the regulation.
So, again, the goal is just clarity, that everybody knows
what that is and that it remain in existing regulation.
I would also point out, relative to Terry's comments a
moment ago, April 1st is different than the State's
closure, which I believe is April 30th. Terry, is that
correct?

MR. HAYNES:  (Nods affirmatively)

MR. RABINOWITCH:  Okay. So again, our
suggestion of April 1st isn't a change it's just for
clarity. I think I'll stop there and see if there are
questions.

CHAIRMAN DEMIENTIEFF:  Any questions for
MR. THOMAS: Thank you, Mr. Chairman. We go right from the ridiculous to the sublime here. I guess I'm having trouble understanding why trophy horns couldn't be used for handicrafts in any case. What's the need for the destruction?

CHAIRMAN DEMIENTIEFF: Sandy.

MR. RABINOWITCH: There might be more than one of us who would like to respond to you, Bill, and I don't think I'm the only one that can. The Council heard -- I'm hesitating because I'm partially feel like I'm answering for the Council. The Council heard from within the community a number of problems about this hunt last year. And as a result at their meeting there were four or five, and I would welcome Helen and Donna and, of course, Raymond to join in, the Council heard four or five different alternative solutions to the problems they heard about the hunt from the previous year. Destroying the trophy value of the horns but was one of those, okay, there were others.

And I think as Taylor said, that I was personally probably surprised as he was, that this is where the Council ended up. This is the vehicle they chose to try to address the problems in, primarily Kotzebue, I think. So what we've tried to do is tried to craft the language to do what we believe the Council wanted.

Maybe I should stop there and see if others want to add anything or not.

MR. THOMAS: Let me respond to that a little bit first. A couple of things. So far it all sounds like guess work. It starts off with hearsay, it starts off with anticipating and then you're hoping you reach the conclusion that's satisfactory to the Council. I never heard of anybody -- I haven't heard a violation of any kind is what I'm not hearing. So I'm wondering why the need to destroy trophy value.

CHAIRMAN DEMIENTIEFF: Helen.

MS. H. ARMSTRONG: Maybe I can offer a little bit of information. It was a member of the Council from Noatak who asked for this because the people in Noatak weren't particularly concerned with the horns
and there was a concern that there might be people in Kotzebue who cared a little bit more about the horns than they did about the meat. And because there was such a limited hunt with so few animals, if too many people from Kotzebue got it then there wasn't going to be enough for people in places like Noatak. And so that's where they came up with this compromise, a solution to make sure that people were going after it for the meat and not the horns.

MR. THOMAS: That's good enough for me, Mr. Chairman. Thank you.

CHAIRMAN DEMIENTIEFF: Okay. Grace.

MS. CROSS: I just need to make a correction. Seward Peninsula Regional Advisory Council has never discussed this issue although this paper said it. I asked the Staff and I didn't recall ever discussing this and the people that were at the meeting also cannot recall ever discussing this.

CHAIRMAN DEMIENTIEFF: Okay, we'll note that correction for the record. Other discussion.

MS. GOTTLIEB: Mr. Chairman, are you ready for a motion?

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I move that we modify the recommendations of both the Northwest Arctic Regional Advisory Council and the Staff Committee as reflected in the handout that we just provided.

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

MR. EDWARDS: Second.

CHAIRMAN DEMIENTIEFF: It's been moved and seconded. Discussion on the motion. No discussion. Are we ready for a vote? 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.

That moves us to the Seward Peninsula region and we'll stand down for a second while we get Staff set up.

(Pause)

MS. MCCLENAHAN: Thank you, Mr. Chairman. I'm Pat McClenahan, Staff anthropologist. We're at Tab 11 C, Page 63. This is the Staff analysis for Proposal WP02-36.

This proposal was submitted by former Seward Peninsula Subsistence Regional Advisory Council member, Toby Anungazuk, Jr., on behalf of the Native Village of Wales. This proposal would establish and set in place in permanent regulations a ceremonial harvest of one muskox and one bull moose for use at the Kinguitmuit Festival. There are no prior temporary or permanent regulations for this proposal.

The proposed regulation would be the taking of one moose, bull and one muskox by the residents of Wales as allowed for the celebration of the Kinguitmuit Dance Festival under the terms of a Federal registration permit. Permits will be issued to individuals only at the request of the Native of Wales. The harvest will occur between November 15th and December 31st in Unit 22 for moose and Unit 22(E) for muskox. The harvest will count against the existing quota.

The proposed ceremonial harvest would provide subsistence users in the Unit 22(E) communities an opportunity to share meat as part of participating in a traditional ceremonial practice that they have been unable to participate in the past 57 years.

No significant negative effect is anticipated on the muskox or moose populations as a result of this proposed harvest because the take will be part of the existing harvest goals.

The only issue regarding the proposal is that the State would prefer to modify the proposal to read one bull muskox as opposed to one muskox.

As background information I'd just like to tell you that former Council member Toby Anungazuk, Jr., and Council members Elmer Seetot and Johnson...
Eningowuk are all members of the Muskox Cooperators Group. And two of them were present and were part of the discussion at the Council meeting. They had no concerns about the muskox population. The Council voted to support the proposal as I've just presented it. With respect to the muskox population Kate Persons, ADF&G area biologists informed us that the muskox population is healthy and is growing. Additionally muskox harvest quotas have not been filled during the past several years.

Mr. Chairman, that concludes my remarks.

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

MS. B. ARMSTRONG: Mr. Chair, there aren't any written public comments for Seward Penn.

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

MS. CROSS: The Seward Peninsula Regional Council fully supports the ceremonial hunt for revival and preservation of the cultural practices over there. Currently the two species of animals will just be taken out of the quota that's already there. As far as I'm concerned there's no concern over the size of the muskoxen population in that area either. And I think that if there was a concern I'm sure there would be immediate action taken to change the sex of the muskoxen. It's just one female at this point, I mean it's either one bull or one female. So both regions, both communities that utilize that area for muskoxen hunts, they have no concerns about it. So I think that this is something that can be easily remedied in the future if population concerns become evident or there's starting to be population concerns, but there is none now.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MR. RABINOWITCH: Staff Committee recommends adopting the proposal exactly as the Seward Peninsula Council has just recommended. And Grace did such a good job presenting the justification I really don't have anything more to add.
CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department supports this proposal with qualification. We support the Staff Committee and Seward Peninsula Regional Council recommendation to adopt this proposal with the additional stipulation that the requested muskox harvest be limited to bulls only. Both the moose and muskox seasons are open during the proposed harvest period of November 15 to December 15. The proposed harvest of one moose is not expected to have any significant effect on the moose population in Unit 22(E). In 2001, the Department authorized the community of Wales to take a bull moose under terms of a cultural education permit for use at the cultural dance festival. Similarly, the harvest of one muskox for ceremonial purposes should not result in the established harvest quota being exceeded in Unit 22(E) since it has never been reached in either the State Tier II or Federal subsistence permit hunts.

We do note as was discussed at the Seward Peninsula Regional Council meeting that the proposed harvest of one muskox during the November 15 to December 15 period would be inconsistent with the current Federal regulation which allows the harvest of cow muskox only from January 1 to March 15. To remain consistent with the recommendations of the Seward Peninsula Muskox Cooperators Group, the Department recommends that harvest be limited only to bull muskox.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes, Judy.

MS. GOTTLIEB: Well, certainly this request is very consistent with others that we have received from around the state and I would certainly support the concept of it. Just a clarification from the Department, if I might. Terry, when you were saying inconsistent with regulation and we should do bull only, was that just for the month where the regulation wasn't consistent or you mean in general?

MR. HAYNES: Mr. Chairman, I'm sorry, I
MS. GOTTLIEB: At the very end of your statement you said there was an inconsistency in the regulations where, I believe, females were not allowed to be taken so then your conclusion was that we should recommend or pass that only male muskox be taken but did you mean during the one month time period of inconsistency or did you mean for this permit?

MR. HAYNES: Mr. Chairman, we recommend that a bull muskox be the requirement for this hunt.

CHAIRMAN DEMIENTIEFF: Further discussion.

MR. BRELSFORD: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BRELSFORD: Listening to the Department's comments, I believe much emphasis has been placed on remaining consistent with the Muskox Management Plan. And I believe that is a goal that the Board has upheld in most cases, that we prefer to work in concert with the cooperators in that fashion. I found, quite important, the information that Chair Grace Cross provided having to do with the direct participation of several of the cooperators representatives during the deliberation of this proposal. So in the end, what it appears to me is that there is not a biological concern about any harm to populations that would come from the flexibility in this current proposal. And I believe because there was participation by members of the Cooperators Working Group there would be no concern taken or offense that in some way the Federal Board has failed to continue to work closely with the Cooperators Group. So in the end I think that concern could be set aside and I'm prepared to support the proposal as it's before us.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Other discussion. I'm sorry, Grace.

MS. CROSS: I have one quick comment. There is currently now, January through March a female muskox hunt. And the number -- there's a certain quota and this muskoxen would fall into that quota too. The quotas have not been changed at all, they've just stayed consistent.
This female just happened -- if they catch a female instead of a bull it would just happen to be outside of a given hunt months to accommodate for the festival itself.

Thank you.

CHAIRMAN DEMIENTIEFF: Other discussion.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: At the Regional Advisory Council meeting there really was very good discussion on all of these issues and so I would move that we support the proposal as recommended by the Staff Committee.

CHAIRMAN DEMIENTIEFF: Taylor.

MR. BRELSFORD: I second.

CHAIRMAN DEMIENTIEFF: It's been moved and seconded. Is there any 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. I think at this time we're just going to take a little short break right now as we switch regions.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: Okay, we'll call the meeting back to order. We're going to move on into the Southcentral region. The first proposal we have up is WP02-16. Let's get the analysis, please, who's going to do that? Okay, Donna.

MS. DEWHURST: Unit 13, caribou. The primary request to go back to two caribou versus two bulls, which was a change the Federal Subsistence Board
made last year. The other change requested was to alter the seasons; basically taking out the fall season and going from a December 1 to April 20th. Those are the two primary changes that were requested.

To kind of put this in a nutshell, what we're dealing with is a population that has declined but appears to possibly have stabilized with a slight increase in calf production just starting last year but the numbers are still well below the State's management objective. Last years numbers 33,700, the management objective is 35,000. So we're not too far below but we're below.

The new information we do have, if you go to Table 1 on Page 9 in your analysis, just to give you an update for this years harvest, the State end of the harvest, the State's side of the harvest it's 958 is their final numbers for this year, for this past season and our current numbers are at 433. Now, 433 represents approximately 590 percent reporting. But we're at the point that on our end, at this point this is when we usually send mailout cards out to the folks saying, hey, you haven't reported and we get some back but generally the folks that haven't reported at this stage are folks that didn't harvest. So we anticipate getting a few more in but probably not a huge wave. So if we had to guess I think we'll stay way below the 500 mark. I don't think we'll come anywhere near that. So right now we're at 433, that's 59 percent reporting and those numbers are as of this morning.

Originally, the Staff recommendation was to oppose this proposal based on the fact that the population is still depressed. There still is a conservation concern and combined with the fact that the harvest has done quite well despite the fact that it has been under a bulls only restriction. We also oppose the changes in the dates given Table 2, which is on Page 10, that we saw no reason to cut out the October/November harvest because it has been used by subsistence users and there was no justification to restrict Federal subsistence users.

Given the latest information and the high harvest, we are at a record high harvest as of right now and I'm sure it's going to only go up. Given that, the recommendation at this point, Staff recommendation is to defer, in that, we've had a lot of requests. We're trying to meet the needs of the subsistence but yet at
the same time we do have a conservation concern. We will have new information as of the summer on the population with additional information in the fall. So when we're in this seat next spring we'll have some really good information to base a better decision on. So deferring it for one year, I think, will be a much more sound situation on a highly controversial issue. To meet the needs of conservation concerns, to see if the population will indeed go back up given the fact that we are seeing some calf production or not. And by then we'll have a good basis for a sounder decision than right now. And that's also strongly based on the fact that we did have a record high harvest this year.

That concludes the Staff analysis.

CHAIRMAN DEMIENTIEFF: Thank you.

Summary of written public comments.

MS. WILKINSON: Thank you, Mr. Chairman. There were four written comments. Three were in support and one is opposing.

The Wrangell-St. Elias Subsistence Resource Commission supports this proposal because it would streamline the process for obtaining permit -- I think that's the wrong thing. I'm sorry, that's the wrong one, excuse me. There's a glitch in my process.

The Wrangell-St. Elias National Park Subsistence Resource Commission supports this proposal with modification. To modify the season to November 1st to April 20th and the harvest limit to two bulls and not to two caribou.

The Paxson Fish and Game Advisory Committee supports the proposal provided ADF&G believes the herd can support the additional hunting pressure. Taking cows can substantially hurt the population and it can take years to undo the effects of one hunting season.

The Denali Subsistence Resource Commission opposes this proposal, unanimously opposes -- excuse me -- the object to the change to two bull caribou harvest to limit to two caribou harvest limit and to change the winter season to December 1 through April 20. The Commission concurs with the Staff analysis preliminary conclusion for the reasons stated in the justification.
And that's the conclusion. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. We have a couple requests for public comment. Tony Lee Jackson. Roy Neely or Ray Neely. And Gloria Stickwan didn't make it in.

UNIDENTIFIED VOICE: There's another meeting right now on Migratory Birds.

CHAIRMAN DEMIENTIEFF: Oh.

UNIDENTIFIED VOICE: Is there a way to postpone.

MS. DEWHURST: Mr. Chairman, that meeting goes all the way through tomorrow, the one he's talking about, the co-management Council.

CHAIRMAN DEMIENTIEFF: Okay. I'm just forward looking, it looks like we probably have a good chance of getting done tomorrow. I've already got a request in from Southeast that there's people that are flying in this evening that will be here at 8:30 in the morning and want to testify on some proposals.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I thought Gloria did comment briefly on this.

CHAIRMAN DEMIENTIEFF: Yes, she did earlier.

MS. GOTTLIEB: Yeah, okay.

CHAIRMAN DEMIENTIEFF: But there's been a couple other requests since then. As much as I'd like to stop, if they're going to be meeting through tomorrow, I think we'll just go ahead and move it on.

MS. HILDEBRAND: Mr. Chairman, I was just going to remind the Board that Gloria did testify and said she supported the BLM recommendation and that if the Board had decided to defer she would agree to that also.

CHAIRMAN DEMIENTIEFF: Thank you. Yeah, I think we're just going to go ahead and proceed on.
Regional Council recommendation.

MR. LOHSE: Mr. Chair. The Southcentral Regional Council, at their meeting, with the information that they had on hand at that time voted to support the BLM alternative with the following amendments. We wanted to change the winter season from October 21st through April 20th. And we wanted to stipulate that if a hunter took a cow in the fall season he wouldn't be allowed to hunt again until the winter season. And that only one caribou could be taken per day, that would kind of prevent people from taking a cow and then going out and getting another caribou at the same time. We looked at the fact that in the winter season with the horns dropped, most of the animals that you'd be taken would be bulls, over 90 percent of the animals would be bulls. And if you, in the fall, took a cow, that pretty much ended your hunting at that point in time so people would try to just take bulls.

With the current harvest level and everything, I doubt and I'm speaking for myself, not for the Council, but I doubt if the Council would object to deferring on this proposal with the information that's just come in. But that's strictly my opinion, the Council voted to support this with these modifications.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee recommendation.

MS. FOX: Thank you, Mr. Chair. Staff Committee has recommended deferring action on this proposal until the 2003 regulator year. The Staff Committee, BLM Glennallen Field Office and the Southcentral Regional Advisory Council have looked closely at several options to provide flexibility in the subsistence harvest limit allowing for a limited cow harvest while promoting continuing growth of the Nelchina Caribou Herd. It is acknowledged that some local subsistence users object to the 2002 restriction to bulls only as being biologically unnecessary contrary to traditional subsistence hunting practices and as causing controversy over law enforcement actions on inadvertent cow harvest.

Noting the record high harvest this year, With this information the Staff Committee concluded that it's not time to adopt a more flexible harvest limit including a limited cow take. Instead the Staff Committee recommends deferring action pending results of
the population surveys and composition in the summer and fall of 2002. If the Nelchina Caribou Herd has grown to meet the minimum population level of 35,000 animals from the 33,700 in 2001, then additional flexibility in the subsistence hunt may be warranted.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department supports the Staff Committee recommendation to defer action on this proposal for one year for the reasons presented in the Staff Committee justification.

We don't support reinstituting a cow harvest in Unit 13 until the Nelchina herd has reached the State's minimum management objective of 35,000 animals and the trend is stable or increasing. As was noted in the Staff analysis, Department will continue to monitor the herd, conduct surveys and provide updated population estimates later this year. Herd growth was observed last year but one year of growth doesn't establish an upward trend, however, we're pretty confident that there will be additional growth recorded this year. Habitat and forage conditions have been favorable to herd growth and we hope that that situation will be reflected in the updated population estimate.

We also oppose extending the season into April as was sought in the original proposal because doing so would add hunting stress to cow caribou within a few weeks of their calving. Even if the hunt is for bulls only, cows would be subject to disturbance by hunters. The low cow harvest projection cited in the revised proposal would not account for some unknown number of cow caribou that are wounded and left to die or misidentified by hunters or taken out of season and not reported.

The Department does support restricting the winter hunt to antlerless caribou only although this would reduce hunter opportunity to harvest some small bulls.

When the Nelchina herd reaches 35,000 and shows a continuing upward trend the Department plans to revisit the current harvest quotas and make appropriate recommendations for changing the regulations. If herd
growth continues and approaches 40,000, the high end of our population objective, the Department likely would propose allowing a cow harvest in State regulations to maintain the herd at a sustainable size for the available habitat.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion. Go ahead.

MR. BOS: It does seem prudent to defer action on this proposal given that the Nelchina herd is below the minimum population objective and also the large harvest by subsistence hunters this year. If census counts this summer and fall show an increase population and strong calf production, the Board could consider liberalizations next year.

CHAIRMAN DEMIENTIEFF: Any other discussion.

MR. BRELSFORD: Mr. Chairman, are we ready for a motion?

CHAIRMAN DEMIENTIEFF: Yeah.

MR. BRELSFORD: I'd like to move to defer Proposal WP02-16 as recommended by the Staff Committee and for the reasons laid out in that justification. This is an issue that the BLM Glennallen Field Office has been quite concerned about and we have made every effort, we believe, to find greater flexibility while allowing herd growth. The recent harvest results suggest that it's not time to make this change in harvest limits and instead we join in the consensus of focusing on the new survey results in the fall and waiting for the population to attain the minimum population objective.

I'd like to mention, too, that the BLM will be working more closely with local hunters in hunter education and outreach to avoid inadvertent cow harvest. We'd like to overcome some of the ill-will that was the result of the change last fall and I think now that we see it with a little bit better lead time we'll be able to add some constructive outreach with the local public on that point.

Thank you.
MR. THOMPSON: I'll second that motion, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: It's been moved and seconded. Discussion.

MS. GOTTlieb: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTlieb: I think with the discussion on conservation concerns as well as the flexibility of the Chairman of the Southcentral Regional Advisory Council, it would make sense to support the motion.

CHAIRMAN DEMIENTIEFF: Thank you.

Additional 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.

By request I had Proposal 17 taken off the consent calendar. Since it's very unlikely that Gloria is going to be here I'm going to go ahead and reverse myself. Since only a Board member can have those pulled off of the consent agenda. Since she didn't testify on Proposal 17, was planning on coming back for it, but I'm just going to go ahead and reverse myself and put Proposal 17 back on the consent agenda since I was the one that made the initial request.

So with that we'll give our Staff time to adjust here and get ready for Proposal 19.

MS. PETRIVelli: Mr. Chairman, my name's Pat Petrivelli and I'm the anthropologist for the Southcentral region. Proposal 19 was submitted -- well, the Staff analysis begins on Page 32 and it was submitted by the Wrangell-St. Elias National Park. It would allow one moose without calf to be taken in the Wrangell-St. Elias National Park in either Unit 11 or 12 by two hunters designated by the Mt. Sanford Tribal Consortium for the annual Batzulnetas Cultural Camp. The intent of
this proposal is to place authorization of the harvest
into the Subpart D portion of the regulations eliminating
the need for an annual special action request. The
proposal would mainly impact administrative procedures.

Just for some background, the Tribal
Consortium has sponsored the Annual Batzulnetas Cultural
Camp since 1994. For the past six years the Consortium
has applied for and received a special permit for a moose
hunt and currently there isn't a regulation in place for
this specific camp. The Federal Subsistence Board
granted five special actions and then the most recent
one, in 2001 was granted by the Office of Subsistence
Management due to a regulatory change that allowed the
office to renew or to grant renewals to educational and
 cultural camps.

Title VIII of ANILCA in its implementing
regulations are shown in Table 1 on Page 34 and while the
regulations that recognize subsistence use more than the
act of harvesting and allow for cultural and educational
camps. There's eight activities that are currently
identified in Subpart D regulations. Three of those
eight are for specific activities and the other five are
just general activities of a recurring nature.

Cultural and educational subsistence
activities have been recognized through 24 special
actions and of those, six were for the Batzulnetas
Cultural Camp.

The cultural considerations for the camp
has been documented in the previous six special permits
and for biological considerations in Units 11 and 12
where the hunt is to occur there are currently Federal
subsistence seasons as well as resident and non-resident
State seasons for bull moose. In Unit 11 the current
harvest level is considered sustainable and human harvest
have minimal effect on moose abundance in the unit. In
Unit 12, the moose population is described as stable or
slightly declined since 1997.

In reviewing the current procedure and
the proposed procedures for granting the permit adoption
of this proposal would streamline the process of
obtaining an annual permit for the Batzulnetas Cultural
Camp by removing the involvement of the Office of
Subsistence Management and would retain oversight by the
Wrangell-St. Elias National Park Staff. Additional
information presented at the Southcentral Regional
Council meeting held in March emphasized the documented history of the cultural camp, the building of a relationship with the local National Park Service office rather than the distant office in Anchorage. The continuing involvement and participation by the local National Park Service Staff in the event as well as the streamlining of the permit process is factors that would benefit the camp participants.

And that concludes the analysis.

CHAIRMAN DEMIENTIEFF: Thank you.

Summary of written public comments.

MS. WILKINSON: Thank you, Mr. Chairman. Well, now, I can tell you that the Wrangell-St. Elias Subsistence Resource Commission supports this proposal because it would streamline the process for obtaining the permit to hunt the ceremonial moose for the Batzulnetas Cultural Camp. They state that the new OSM regulations are still more cumbersome than the proposed regulation. Chistochina Village and the National Park Service have a government to government relationship and the SRC feels that it's important to recognize that special relationship.

That's the end of the comments, sir.

CHAIRMAN DEMIENTIEFF: Thank you. There are no requests for additional public testimony at this time. Regional Council recommendation.

MR. LOHSE: Mr. Chair. The Regional Council supports this proposal. We're referring to a well-established, well known cultural camp that operates on the edge of Wrangell-St. Elias National Park. The National Park Staff takes part in the camp or at least is present at the camp, it's not like something's going to be going -- they're the ones that would be issuing the permit and it's not like they would be issuing a permit to a camp that might not be in existence that year.

This would streamline the process for all involved and would take the process into the local area. The National Park Service has a station right there in the local area and it would establish good relationships between the National Park and the people involved.

Thank you.
CHAIRMAN DEMIENTIEFF: Eastern.

MR. NICHOLIA: Thank you, Mr. Chairman.

The Eastern Interior Regional Council supported this.
The Council's in support of streamlining the permit
process. The process regulation will eliminate the
permit process for a special request for the Batzulnetas
Cultural camp to harvest one moose. The Council supports
having the local agent work with Mt. Sanford Tribal
Consortium organizers of the Batzulnetas Cultural camp.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee recommendation.

MS. FOX: Thank you, Mr. Chair. The
Staff Committee recommends the Board adopt the proposal
in support of the recommendations of the Southcentral and
Eastern Regional Advisory Councils. Adoption of this
proposal would streamline the process of issuing permit
renewals to Mt. Sanford Tribal Consortium for their
annual cultural camp while allowing the residents of
Mentasta and Chistochina to continue to build their
relationship with the local National Park Service
officials. This change would benefit the subsistence
users and the local management agency.

Thank you.

CHAIRMAN DEMIENTIEFF: Department
comments.

MR. HAYNES: Mr. Chairman, the Department
does not support this proposal. Although we continue to
support the issuance of the special permit authorizing
the harvest of moose for use at the Batzulnetas Cultural
Camp and we have from the outset of the provision in
Federal regulation, we recommend it continued to be
administered as provided for in Subpart D, Section 25(g)
of the subsistence management regulations for public
lands in Alaska.

We agree that delegating authority to the
National Park Service could and would streamline the
process but we're concerned about the precedent that this
would establish for a camp that may not occur every year.
One alternative that should be considered is for the
National Park Service to work with camp officials to
facilitate the submission of the annual request to the
Office of Subsistence Management since this requirement
appears to be a primary concern of camp officials.
Thank you.

Chairman Demientieff: Thank you. We're ready to advance this to Board discussion.

Mr. Thomas: Mr. Chairman.

Chairman Demientieff: Yes, Bill.

Mr. Thomas: Mr. Chairman, I think the proposal is really written well and it's not asking for a lot. The grounds for not supporting this by the State is taking us back historically to where communities that use subsistence for these different occasions as a negative characterization. I don't think that's fair. I don't think that's justification to deny them that opportunity. So I would certainly support the proposal.

Chairman Demientieff: Thank you, Bill.

Other discussion.

Ms. Gottlieb: Mr. Chair.

Chairman Demientieff: Yes.

Ms. Gottlieb: I just wanted to say that the Park Service does not expect the harvest of this one moose to have any adverse effect on the population within Units 11 and 12 and that, earlier, I believe Gloria did state that CRNA supported this proposal as well.

I also want to remind and invite the Board members that we hope to go to the Batzulnetas site in mid-July.

Chairman Demientieff: Good. Further discussion.

Ms. Gottlieb: Mr. Chair.

Chairman Demientieff: Yes.

Ms. Gottlieb: I will move that we adopt the recommendation submitted by the Southcentral and Eastern Interior Subsistence Regional Advisory Councils and the Wrangell-St. Elias National Park and Preserve Subsistence Resource Commission for Proposal 19. Adoption of this proposal would establish a special provision in regulation that allows the National Park Service to issue an educational and cultural and moose
harvest permit for Units 11 and 12 within Wrangell-St. Elias National Park and Preserve.

And so the regulation would read, it's a little bit different than what's in the book, but that, two hunters designated by Mt. Sanford Tribal Consortium from either Chistochina or Mentasta Village, one moose without calf may be taken in Wrangell-St. Elias National Park and Preserve in either Units 11 or 12, June 20th to June 30th. Permit will be issued from the Wrangell St. Elias National Park and Preserve headquarters or one of the offices closest to the site. And we welcome that continued relationship with those villages.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. THOMPSON: Second.

CHAIRMAN DEMIENTIEFF: 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 20(B).

MS. DEWHURST: Proposal 20(B) was submitted by Mr. Bill Stockwell of Cooper Landing. It is dealing with grouse in Unit 7, which is the Seward side of the mountain range on the Kenai Peninsula. The modification would reduce spruce grouse limits from 15 per day, 30 in possession to 10 per day, 20 in possession and eliminate the Federal subsistence ruffed grouse season. That's the two aspects.

On the ruffed grouse season there is no effective ruffed grouse population in that area. The surveys, I've only heard a couple during drumming surveys and they basically weren't on Federal public lands so it's pretty simple to understand the reason to eliminate the ruffed grouse season. As far as the spruce grouse limit in the take, the bag limits, it was brought up in concern, that spruce grouse numbers have declined. Granted spruce grouse are notoriously cyclic and that
they will have their ups and downs, a little bit longer
cycle than with ruffed grouse, but they do have their ups
and downs, but the current down isn't so much from the
normal cycle, the current down is more representative of
habitat loss and that there has been a very significant
loss in spruce on that portion of the Peninsula by the
spruce bark beetle. And it's going to take a number of
years before that habitat will naturally restore itself.

So based on that, it's more likely that
this cyclic decline will stay down for a longer period
and so reducing the harvest limit would be biologically
sound with the conservation concern that habitat loss has
caused the decline in the population, not just the simple
normal ups and downs that we would expect to see. So
based on that, we are supporting the Staff
recommendation, which is to support the proposal.

CHAIRMAN DEMIENTIEFF: Written public
comments.

MS. WILKINSON: Mr. Chairman, there are
none.

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

MR. LOHSE: Mr. Chair. For Proposal
20(A) [sic] Southcentral Regional Council supports it.
There is no history of customary and traditional use of
this recently introduced species. In fact, some of the
people were even wondering why the species was
introduced.

For Proposal 20(B) the Council sees no
need to change spruce grouse harvest limits. In the
lower end of the cycle people are not able to take as
many birds as the regulation allows. We feel it's
generally pointless to try to micromanage small game
species like grouse and rabbits; they cycle, they go up
and down.

Personally, myself, I'll say for things
that I've studied in other states, they've come to the
same conclusion, micromanaging small game species of the
cyclic nature, whether it's habitat or non-habitat,
because of their limited access to them just doesn't make
much sense. So we oppose changing the bag limit. We
don't think it will have any effect on the harvest or on
the return of the species.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MS. FOX: Thank you, Mr. Chair. The Staff Committee recommends the Board adopt the proposal and in addition, we'd like to see the public booklet contain a diagram of ruffed grouse tail feathers similar to the diagram used in the State regulation booklet and a notice that ruffed grouse are not available to subsistence users in Unit 7 and 15.

The Staff Committee noted that the recommendation of the Southcentral Council that they saw no need to change the harvest limits of spruce grouse, however, the Staff Committee recognizes a conservation concern as described by Donna. That we have a situation where the spruce bark beetle infestation has significantly reduced spruce grouse habitat. Spruce grouse population surveys have indicated a marked decrease in grouse populations within areas traditionally hunted along road systems. So reducing the Federal subsistence harvest limits would address these conservation concerns and align with State regulations while still providing some subsistence harvest opportunities.

With regard to ruffed grouse, since they were introduced on the Kenai between '96 and '98, there's been no evidence of a viable population on Federal public lands thus creating a conservation concern to continue a subsistence harvest. Eliminating the Federal harvest would allow this introduced population a further chance to become viable in the future.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department supports the Staff Committee recommendation to adopt this proposal which will align the State and Federal regulations for spruce grouse in Unit 7 and help to conserve this resource. Closing the Federal season for ruffed grouse is appropriate as this species was not transplanted to the Kenai Peninsula until the mid-1990s.
and is found primarily on non-Federal lands.

We also recommend and support the notion or the idea of having a diagram of ruffed and spruce grouse tail feathers published in the Federal regulation booklet to aid hunters in distinguishing between these two species.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

MR. THOMPSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. THOMPSON: I think the discussion and arguments presented are pretty persuasive about the conservation concerns relating to both the spruce and the ruffed grouse and the advisability of aligning the regulations to make them more understandable by the users, therefore, I'd move that we adopt the proposal.

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

MR. BOS: Second.

CHAIRMAN DEMIENTIEFF: Discussion.

MR. BOS: I'd like to comment, I think Ralph's observation, he accurately characterized normal situations with cyclic species like grouse and the effect of hunting generally lightly hunted areas, birds in lightly hunted areas can repopulate than more heavily hunted areas. I think in this situation on the Kenai, though, we have a different circumstance. We have a very large scale loss of habitat. It's going to take many years for that habitat to come back so I'm not sure that the large lightly hunted areas on the Kenai can really serve to repopulate birds that are taken from the more heavily hunted road side system. And so I think there is a conservation concern.

Also I heard testimony at the Regional Council meeting from the audience and comments from the Council as well that generally subsistence hunters rarely take as many as 10 grouse. So this, in effect, I don't believe will constitute a significant restriction on subsistence use. I think it is prudent to take a conservative approach to managing grouse in this
CHAIRMAN DEMIENTIEFF: Thank you.
Additional discussion.

MR. LOHSE: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. LOHSE: Mr. Chair, while I don't disagree with that and I'm sure the Council doesn't disagree with that either and we recognize there can be some concerns, our idea basically was that we have a tendency in our culture to try to micromanage everything and some micromanaging is effective, most micromanaging is not effective. And in this case, I think that the hunters themselves will micromanage their take of grouse a lot more than making the bag limits 10 or 15 because I don't think either bag limit makes any difference at all. And so to change regulation is just to change regulation doesn't make sense to us.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.
Additional 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 48.

MS. DEWHURST: Proposal 48 was submitted by Mr. George Covel of Cordova. It involves the moose harvest in Unit 2(E) which is basically the Cordova area. The original request was to amend the starting date from August 15 to September 1 and he also requested to split the bull allocation to a 75 Federal, 25 percent State, so 75/25 split, where currently the bull permits are totally administered by the State. The concern there was that there is more and more competition from other areas as moose harvest has gone down, moose availability has gone down statewide. The few moose hunts that are open to urban users are getting more scrutiny and more use and
this being one of them. So there's been a big influx in
the number of people in Anchorage, specifically that have
put in for this harvest because it was done with a
lottery. And based on that the Cordova folks were
going less of the piece of the pie, so to speak, so
that's why they requested the Feds to step in and insure
that they would still get what they consider to be
adequate to meet their subsistence needs.

The aspect of the 75/25 split, I think
was worked out in the community, given a large
cooperative effort between the U.S. Forest Service, ADF&G
and the local users, that I think that this is pretty
well accepted by everybody at this point.

The change of the starting date to
September 1 really had no opposition either. I contacted
the original proponent and they said originally the
thought was that commercial fishermen would be able to go
in August but they realized that that wasn't real viable
so they had no problem with going to the September 1. So
that really isn't contended either. For the most part,
this has gone along nicely. We did make a change to the
cow season to cut it off early to October 31st, which
would allow a monitoring study done by the lead agency,
the Forest Service, but cooperatively with Fish and Game
to monitor population status there which involves radio-
collaring and capture drugs. So we did put the October
31 closing date on cows to allow that to continue. That
really isn't contested either.

The only issue of contention at this time
is the ending date of the Federal bull season. The way
the proposal reads right now would be September 1 through
December 31st. The existing State season ends on October
31st, so the Federal season would extend two months past
the existing State season.

The pro side of it, the reason to keep
the December 31 is because it would benefit the Federal
subsistence user, it's a -- there's a limited number of
permits given so it's not going to change the harvest.
It's just going to change when the harvest is taken. And
allowing the hunt to go into November and December would
allow the hunt to go past the rut. The rut,
traditionally, we're dealing primarily with October and
allowing a later hunt would allow people to harvest bulls
after the rut. So it would benefit the Federal
subsistence user.
On the other side of the coin, the concern was that the State season would close October 31st so we would not be consistent with the State hunt and that in the past all of the animals have been successfully taken by October 31st. Of course, the opportunity to take them afterwards was never provided before.

So based on all these considerations, the Staff recommendation is to stick with the December 31 ending for the bull season to provide maximum opportunity for the Federal subsistence user without causing any biological repercussions. That concludes the analysis.

CHAIRMAN DEMIENTIEFF: Written public comments.

MS. WILKINSON: Mr. Chairman, there were two written comments. Both were in support with modification.

The Cooper River Prince William Sound Fish and Game Advisory Committee supports the proposal with the following amendments. Change the bull harvest in Unit 6(C) from a statewide draw of 100 percent to a statewide draw of 25 percent of the allowable harvest to be determined by winter surveys and the remaining 75 percent become a Federal subsistence drawing conducted in conjunction with the Federal subsistence cow drawing by the U.S. Forest Service also determined by winter surveys. And only one subsistence moose may be harvested per household. The advisory committee thoroughly discussed this proposal at a public meeting and the amendment was approved by the proponent. The advisory committee believes that these amendments will provide more opportunity to area residents that the percentages used following historical averages and consider private land ownership conflicts.

The Native Village of Eyak supports Proposal 48 because subsistence use of moose is important to the Native Village of Eyak and to the residents of Cordova.

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

MR. LOHSE: Mr. Chair and Board members.

The Southcentral Regional Council supported this with
This proposal concerns allocation of a stable, healthy moose population. There are no conservation concerns. It has the support of the local residents and the agencies.

As a little bit of extra on this, I'd like to remind the Board that this basically was a community moose herd. Mudhole Smith flew the original calves down from the Kenai Peninsula. They were raised on the post office lawn. The local school kids fed them. They turned lose out there, this was to be a community moose herd. It was established for the community, it was watched over by the community, they were protected by the community, they were fed by the community and they've had lots of community input into the objectives for the herd for maintaining what kind of growth and what kind of level they wanted to reach and for the end use. And out of this came a herd that has been used mostly for local use. That says 75 percent. I think if you go back and look at the total averages you'll find that Cordova's harvested over 75 percent of these moose.

So I think that you're well within the reasons of what this moose herd was put there for.

Now, as far as December 31st is concerned, like she said, it doesn't change the harvest, it allows people to take moose after the rut. By going to Federal land, the moose hunters are going to be limited to a smaller area than they were allowed to hunt moose on before. There's State land out there, there's private land out there and a fair percentage of the moose have been taken on State and private land. The Federal hunt is going to have to take place on Federal land. It may take longer to get the moose on Federal land, it's going to be harder to do it. And I question the need to close a season just so that we're consistent with the State. In this case here it's a permit drawing, there's only so many moose.

And another example of why this is a community moose hunt, if you have a permit in Cordova everybody knows who has the permits. And if somebody's driving out the road and they see the moose and you're
not out there, you'll get a phone call at home to tell
you that your moose is at Mile 11 standing alongside the
road, would you please hurry up and get out there and go
get it and everybody will share in helping you get it to
the road and you're expected to share what you get, too.
So this is probably or has been in the past the most
community hunted moose hunt in the state.

I know for a fact that you get plenty of
help if you've got a permit so thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee.

MS. FOX: Thank you, Mr. Chair. The
Staff Committee recommends adoption of the proposal in
support of the recommendation of the Southcentral
Council. In Unit 6(C) the bull harvest is currently
managed through a State run drawing hunt open to all
Alaska residents. Change in the allocation of bull
harvest permits to 75 percent Federal, 25 percent State
would provide more subsistence opportunities for rural
residents of Cordova and still allow some harvest on
State and private lands.

The current season dates of August 15th
were originally requested in 2000, however, if Federal subsistence users no longer feel a
need for this earlier opening date, changing the opening
date to September 1st would parallel existing State
regulations. Closing the Federal subsistence cow moose
season on October 13th in Unit 6(C) would reduce harvest
opportunities for local users. However, much of the high
quality moose biological information used to evaluate
population condition reproductive success and calf
survival is derived from use of radio collared moose
cows, generally captured in November. Federal laws
require a 60 day gap from when capture drugs are used on
animals until any harvest is allowed. Keeping the
current cow harvest closing of December 31st would pose a
human safety issue or alternatively, effectively
eliminate the ability to capture and examine moose cows
in November greatly hampering future population data
gathering.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department.
MR. HAYNES: Thank you, Mr. Chairman.

All of my objections have already been addressed. The Department supports two of the three parts of this modified proposal. We support changing the fall cow moose season dates in Unit 6 to September 1 to October 31 consistent with the corresponding State season dates. We also support creation of the bull season by Federal registration permit only as well as the Federal allocation of 100 percent of the cow permits and 75 percent of the bull permits with an overall harvest limit of one moose permit per household.

We continue to recommend the Federal bull season be September 1 to October 31 consistent with the State season. Hunters currently harvest about 95 to 100 percent of their moose in the bull hunt and normally harvest a moose by mid-October. Virtually all Cordova residents who obtain a permit also harvest a moose and almost always do so before the end of October. We also note that most of the land along the road system between Cordova and the airport is managed by the State and therefore would not be opened to hunters with a Federal registration permit. The area south of the road also closed to the use of snowmachines thereby making access to Federal lands more difficult.

Thank you.

CHAIRMAN DEMIENTIEFF: Board deliberation.

MR. THOMPSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Ken.

MR. THOMPSON: Yes, Mr. Chairman, I've very recently been advised of the extent to which the community of Cordova has come together, not only in the long-term but more recently in developing this regulation there has been a lot of community input that's really to be applauded. I think they've worked out all of the rubs, if you will, that might have occurred had we not had all of this consultation.

So I'd like to move that we adopt this proposal as modified and as recommended by the Southcentral Council. I believe the net effect of the modified proposal is to improve the subsistence opportunity and I believe it also accommodates research ongoing over there that's designed to protect the long-
term health of the moose herd in Unit 6(C), that's, as I understand it, as an important element as well.

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

MS. GOTTLIEB: Second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes, go ahead, Judy.

MS. GOTTLIEB: I also appreciate Ralph giving us the full background on this population and do want to commend the community council for their consensus and collaboration. It's another example of why this program does work so well because people are willing to put in the time to solve these problems and bring us some good solutions.

Thank you.

CHAIRMAN DEMIENTIEFF: Greg.

MR. BOS: Thank you, Mr. Chair. Just a question for clarification. As worded in the proposed regulation, the number of 15 permits has been identified, would that be just for this year, I suppose, because as I understand the State and Federal managers would jointly decide on the quota of permits based on the moose counts; is that correct?

MS. DEWHURST: I'm not sure where you're getting the 15. The proposed language is on Page 57 under the Staff -- oh, okay, that's wrong. If you're looking at Page 56, that is incorrect.

MR. BOS: Yes, thank you.

MS. DEWHURST: The proposed regulatory language is on Page 57 which doesn't list a number of permits.

MR. BOS: Thank you.

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

MR. THOMPSON: Yeah, I'm getting a nod over here from our local managers that that is the case.

CHAIRMAN DEMIENTIEFF: Further discussion. No discussion on the motion. 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.

Well, we're moving through rather quickly. I'm hesitant to jump regions in case there are people tracking that may intend to testify. We do have people, I know, flying in from southeast. If anybody knows of anybody from the Delta, Western or Eastern interior that may want to testify on any of the proposals, let them know they better be here tomorrow because we're on track to finish up tomorrow, it's looking like that right now. But we are going to adjourn early today, recess early and we will start again at 8:30 with Southeast.

(PROCEEDINGS TO BE CONTINUED)

* * * * *
CERTIFICATE

UNITED STATES OF AMERICA

STATE OF ALASKA

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

THAT the foregoing pages numbered 2 through 54 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME I taken electronically by myself and Nathaniel Hile on the 13th day of May 2002, beginning at the hour of 1:30 o'clock p.m. at the Hilton Hotel in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 22nd day of May 2002.

__________________________
Joseph P. Kolasinski
Notary Public in and for Alaska

My Commission Expires: 04/17/04