FEDERAL SUBSISTENCE BOARD
PUBLIC REGULATORY MEETING

VOLUME II

MARRIOTT HOTEL
ANCHORAGE, ALASKA

MAY 17, 2006
8:30 o'clock a.m.

MEMBERS PRESENT:

MITCH DEMIENTIEFF, CHAIR
JUDY GOTTlieb, National Park Service
NILES CESAR, Bureau of Indian Affairs
GEORGE OVIATT, Bureau of Land Management
PAUL BREWSTER, U.S. Forest Service
GARY EDWARDS, U.S. Fish and Wildlife Service
KEITH GOLTZ, Solicitor's Office

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CHAIRMAN DEMIENTIEFF: Okay. We're going to go ahead and call this back to order. Vince made it in for the meeting today, and we're going to pick up with 19 and 20. And we have other people that are going to be on line that have other pressing duties on Proposal 60. So we're going to take that out of sequence. And then we'll go back to our opening public testimony. So we do have a couple of requests for public testimony, but we'll go ahead and complete the work on these two proposals. And I think we're making arrangements with regard to the people who are going to be on line with Proposal 60.

So with that, we'll go ahead and resume our discussion on Proposals 19 and 20. Discussion.

MR. EDWARDS: Mr. Chairman, you know, I guess where we left off last night, and somebody can correct me if I'm wrong, but there was a motion on the table. I don't know if we received a second or not, but at least I thought what the motion was that I made was that for this proposal that we would reduce the subsistence harvest to one bull and still not put any closures on the non-subsistence hunt.

I did have an opportunity last night to go through the transcript, and in retrospect I should have done that maybe before the meeting, because for me it was very informative. But maybe, and, Mitch, it's going to be up to you, but maybe since we didn't have -- Vince was not here yesterday, maybe it would be more appropriate to let him first discuss the proposal as he would have done if he was here yesterday. Then I can -- then I'll be more than willing to kind of offer my thoughts on maybe where we should go, or where we should end up.

CHAIRMAN DEMIENTIEFF: Yeah, that would be fine. And I know Vince has been reviewing all of his materials, so if you see me running around, I'm going to just confirm that we got a second. So we need to -- does anybody -- who --
MS. GOTTLIEB: George did?

MR. CESAR: Yeah, George did.

CHAIRMAN DEMIENTIEFF: Niles was his witness, he said George did it. Okay. So we just want to make sure we confirm that we do have a motion and a second.

So, Vince, you have the floor.

MR. TUTIAKOFF: Thank you, Mr. Chair, and Council members. I'm sorry for not being here yesterday. I had a mix-up in the schedule. I appreciate the time that you're going to give me here to talk to issues 19 and 20.

As you know, the Board, the RAC made a motion to continue the hunt with two caribou. And, of course, Fish and Wildlife has one for two and refer it to bulls only, and continue the commercial hunt, or non-subsistence hunt.

Our concern, I think our major concern, of the Board in discussions that I recall and going through the notes, was that we had a -- we have, number 1, a concern is economic issue. The fishing industry in that particular area which the community of Sand Point, King Cove, False Pass, and Nelson Lagoon, Cold Bay. And we have subsistence hunters that go into Cold Bay from Unalaska during the season. They are concerned, you know, that the issue of non-availability or not being able to make the needs of the economic issue, that they would continue to hunt.

The number 2 issue that came up in discussion was the discussion of a survey, a new one. They were not satisfied that there was a completed survey, and that the count that we were receiving may not be right. And, of course, it's very hard to do a survey in the Peninsula due to weather and all these other issues, availability of a plane. So really they weren't satisfied with how that was reported to them.

A third issue had to deal with the non-commercial hunt. They felt that the -- that we would support reduction in non-commercial hunt to -- and continue to keep the caribou hunt for the subsistence issues.
As I start to recall some of the discussions, as we went into the meeting, we are going to -- I believe going to stay with two bull hunt and ask that you continue to support that. The motion yesterday was to reduce the subsistence hunt and not affect the commercial or non-subsistence hunt, or, you know, not have an affect on it.

If there's any questions, I'll be happy to answer.

CHAIRMAN DEMIENTIEFF: Thank you very much. I'm not sure -- what was the motion anyway that you.....

UNIDENTIFIED VOICE: It's right here.

CHAIRMAN DEMIENTIEFF: Pete or who?

UNIDENTIFIED VOICE: Gary.

CHAIRMAN DEMIENTIEFF: Oh, Gary?

UNIDENTIFIED VOICE: I was pointing to the screen.

CHAIRMAN DEMIENTIEFF: Oh, okay. We've got it here. Okay. And, Gary, I understand you have some further thoughts?

MR. EDWARDS: Well, Mr. Chairman, I guess there's a couple ways to go. I mean, I want to, I guess, make a few remarks, but I guess one way to go would be to go forward with this motion, and then vote on it, and I'm going to I think ultimately vote against my own motion. That would be one way, and then defeat it, and come up with a new motion. Or I'm certainly willing to withdraw this one. I don't know which is the best procedure, but either way. And I'd like to maybe start again, so whichever way that would allow me to do that would be fine with me.

CHAIRMAN DEMIENTIEFF: If we would -- if we voted it down, we'd be sitting with existing, so the best thing to do is withdraw with the consent of the second.

MR. EDWARDS: I need to do that then. I'm the one -- okay.
CHAIRMAN DEMIENTIEFF: Yeah.

MR. EDWARDS: Then, Mr. Chairman, I would move to withdraw my motion.

CHAIRMAN DEMIENTIEFF: Do we have consent of the second.

MR. OVIATT: You have my consent of the second.

CHAIRMAN DEMIENTIEFF: Okay. So we don't have a motion before us now. And you're prepared to offer another?

MR. EDWARDS: Well, I'm going to kind of talk my way into what the motion is, because it's still -- I'm still trying to -- and with maybe some help here we can maybe figure out what way -- the best way to go.

I did take the opportunity last night to go through and read the transcript, as well as go back and look at some of the information. And that was very helpful for me, and I certainly want to commend the Regional Advisory Council. I think they did a very thoughtful job in going through this. I guess I was pleased to see that Stanley Mack came and was part of the public and offered some good comments, and I always have valued sort of his observations on this as an individual who has lived out there a long time.

You know, I made my motion yesterday, which basically would have reduced the subsistence harvest to one bull, and allow the sport harvest to continue. And the question was asked, well, how can you defend that? How can you put restrictions on the subsistence harvest from what has been occurring in the past and not impact -- not reduce other uses. And I think that's a fair question. And as I thought about it, I don't think I can defend it.

So then that sort of goes -- it leaves me with sort of the two proposals that were on the table. One of the proposals, and one I believe that the RAC is supporting would be a two-bull subsistence harvest and to leave the sport harvest alone.

Now, when I was out there last week talking to our refuge manager, Sandra Siekaniec, she was very concerned about that harvest, having a two-bull
harvest. And a lot of I think her concerns were driven
by feeling that she didn't -- historically maybe the
reporting both as the amount of people hunting as well as
the harvest hasn't been very accurate, and that on the
surface if you looked at prior to 2005 that might not
appear to be much in the way of harvest, maybe just a few
more animals. I think her concern is that it could be 30
more animals or so. So I think she had some real
concerns.

And the other thing, from a biological
standpoint, we've kind of got an awkward situation here.
We have a management plan that has a threshold of
populations, but historically that was based upon on the
animals on the mainland as well as on Unimak Island. My
understanding is that historically now these animals are
not moving back and forth as much, so that in itself says
we need to really kind of look from a management
standpoint what our plan should be.

We also have a problem out there that it
doesn't appear that our problem is our bull/cow ratio,
which seems to be certainly within thresholds, and you
could certainly argue that you could take additional
bulls. But the problem seems to be we're just not
getting any recruitment with the calves. And again the
reason for that is somewhat unknown, whether it's
nutrition, whether it's predation or what. But something
is going on there, and I don't think anybody seems to
disagree with that.

And so I think she has some concerns that
by allowing two bulls then, and really knowing exactly
what was occurring, that it would be -- might be too
much.

Well, then that brings us back to the
other alternative, which was then that the RAC had -- at
one point was talking about, was going to one bull and
closing the sport hunting. Well, when you look at it,
there's really probably not sufficient enough
information, and given the cow/bull ratio to say that you
needed to do that.

So it seems to me that the most
appropriate action would be taken probably based upon,
from a conservation standpoint, would probably be to go
to one bull for the subsistence hunt, and put
restrictions on the sport hunt. Go to something like not
allowing hunting in winter. Well, as we know, the
State's usually not very enamored when we try to restrict -- put, you know, certain restrictions on the sport hunt.

So in my mind we're really in a position where we probably can't take the right action which is appropriate to take, at least from my perspective, and that would be -- I guess if I was totally in charge, I would say we should go to one bull and put some restrictions upon the -- on the sport hunt, because right now we have an unlimited subsistence hunted and we've got an unlimited sport hunt on a population that we all agree is probably in trouble. And the reality is if things continue, we're probably going to have to end up putting restrictions on both of them. So I think we're in a -- we're not in, from my mind, an easy situation.

So all of that said, I guess where I'm kind of coming down would be to support what the RAC is suggesting, and that is to maintain the sport hunt as is, and to -- and this would be a reduction on the subsistence hunt, that would be reducing it to two bulls. But at the same time, one, I think we all need, both us and the State need to be judicious in trying to get really an accurate understanding of really what the participation is, as well as the harvest.

And I do believe that both our refuge manager as well as the State manager out there would have the option as we go into this hunt season to put some kind of emergency actions if either one of them felt that we needed to do that. And so I would encourage both of them, you know, to really work closely together.

Maybe it's also unfortunate that when we kind of -- one of the discussions that was interesting that I noticed in reading the transcript was there were some questions of, well, what has the State's advisory committees in those communities, what have they done? And the answer was, well, they really haven't weighed in on this issue. But it seems to me this is an issue that was ripe for the two boards to kind of come together and say, look, you know, we've got a problem out here. You know, we don't want to restrict non-subsistence use if we don't have to. We don't want to restrict subsistence use, but at the same time, we've got a population that we need to do somehow a better job. And maybe with the poor calf survival, maybe there's nothing that we really can do from a management standpoint, but we need to figure out, you know, well, what's actually going wrong there.
So saying all this, and maybe before I make my motion, if there's kind of any reaction or discussion, I'd be interested in what folks might think, or what Vince might think, or the State might think.

CHAIRMAN DEMIENTIEFF: Anybody else have any questions or comments.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: I guess just looking for the population numbers on the herds, I see the count estimates on table 1, but -- and a reference to table 2 with the numbers, but I'm not -- do we know what the herd population is about?

CHAIRMAN DEMIENTIEFF: Go ahead, Laura.

MS. GREFFENIUS: Judy, you're asking the population numbers on the Southern Alaska Peninsula Caribou Herd.....

MS. GOTTLIEB: Yes.

MS. GREFFENIUS: .....or the Unimak? I can tell you.....

MS. GOTTLIEB: Well, the Southern Alaska, because I guess I'm just looking at the management direction that they're saying discontinue harvest when the herd's below 2500. So I'm trying to figure out if it's less than 2500.

MS. GREFFENIUS: Okay. On the table on page 225, on the lower right corner, the most recent count is 1,651. This says 2005, because the -- even though the count occurred in early 2006, they label it 2005, because it's anywhere during the winter period. So -- and the count during the last five years for Unimak has been in the neighborhood of 1,000. So the total population is 2,660. And this is a population estimate. This isn't every last caribou, but a population estimate based on the best information available. So using that with the population thresholds that are given in the management plan, we're just above that 2500 threshold, because the management plan as we said is outdated. There's a process to work on getting it updated. But right now the number for 2500 is using the combined
herds. Does that help clarify?

CHAIRMAN DEMIENTIEFF: Further discussion.

MR. EDWARDS: Mr. Chairman, as I said, I'm not totally convinced that any of the options available for us really are the correct ones. But saying that, my motion is going to follow the RAC's motion, so I'm going to deal with Proposal 20 first and then go back to Proposal 19.

So, Mr. Chairman, I move that we adopt Proposal 20 as recommended by the Kodiak/Aleutians Regional Advisory Council. As I had said earlier, you know, if you look at it strictly from a bull/cow ratio, we're still within the -- the limitations, and that harvest which will be a reduction from the previous harvest should still fall within those biological parameters, and so I think that this is something that we can do; also at the same time it will provide us the -- and it would allow the non-subsistence hunt to continue.

CHAIRMAN DEMIENTIEFF: We have a motion. Is there a second.

MR. OVIATT: I'll second.

CHAIRMAN DEMIENTIEFF: Okay. Thank you. Further discussion on the motion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I think Gary made some good points about the RAC, you know, continuing to take the lead on this, and working perhaps with the local advisory committees to keep careful watch and see if there are other things both entities can do. And it sounds like the refuge is going to be real active in trying to get the most accurate harvest data as possible, and that will all be useful to us next time.

CHAIRMAN DEMIENTIEFF: I certainly agree that we have strong partnership with our RACs, and to hear that they're going to continue to work on the issue and help us to come to a long-term -- or longer-term solution is very gratifying to me. And because of our partnership, I certainly intend to support Gary's motion.
Is there further discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none, all those in favor with regard to Proposal 20 please signify saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carried.

Proposal 19.

MR. EDWARDS: Mr. Chairman, I move that we reject Proposal 19 as recommended by the Kodiak/Aleutians Regional Advisory Council, sort of based upon the decision that we just previously made on Proposal 20.

CHAIRMAN DEMIENTIEFF: We have a motion. Is there a second.

MS. GOTTLIEB: I'll second it.

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

(No comments)

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Okay. Motion carries. We're going to -- thank you very much for your help.

We're going to shift gears. We're going to go to Proposal 60 right now, which is a little bit out
of sequence, so we'll allow our Staff to change and begin a discussion on that, and we've to bring some people up.

(Pause)

CHAIRMAN DEMIENITIEFF: With that we'll go ahead and begin consideration of Proposal 60, and we'll ask for the Staff analysis at this time.

MR. DEMATTEO: Mr. Chair, Pete DeMatteo, Office of Subsistence Management.

Proposal 60 was submitted by Doug Frederick of Slana. He requests the elimination of the Federal spike fork antler restriction for Unit 12 remainder moose during the August 15th through the 28th season.

Because fewer moose hunters have used Unit 12 remainder in recent years, elimination of the spike fork antler restriction is not expected to attract additional hunters to the affected area during the fall seasons.

The current Federal harvest limit during the August 15 through 28th season is more restrictive than that of the existing State harvest limit for Unit 12 remainder. The proposed regulatory change would align Federal and State harvest limits by eliminating the spike fork antler restriction for Unit 12 remainder.

The spike fork antler restriction was initially implemented by the State as a conservative antler strategy that provided a harvest season that targeted the young bull component that has the highest natural mortality rate of the age classes for this bull moose population.

Mr. Chair, the proposed Federal regulations can be found on Page 486, halfway down the page. And for Unit 12 remainder for the August 15th through 28th season again the spike fork antler restriction would be restricted.

On the next line, Unit 12 remainder, the September season, it should be September 1 through 17th. The 1 through 30 was a typo.

The existing State season, further on down the page, for the remainder of Unit 12, the State
season's August 24th through the 28th and that's one bull. The State also has a September 8th through the 17th season, which is also a one bull harvest limit.

The Alaska Board of Game shortened the season in 2001, but increased the pool of animals that could be harvested by changing the spike fork antler restriction to the current any bull harvest limit. Since then the Federal Board eliminated the spike fork antler restriction in Unit 12, except for the area affected by this proposal. The Alaska Board of Game added the August 20 through 28 spike fork antler season in 1995 and the Federal Board followed suit the following year in 1996.

No information exists exactly on the status of the affected moose population; however, there is some anecdotal information gathered from hunters that indicate there are few moose and even fewer bulls seen each year in the Unit 12 remainder portion of the Nabesna Road area.

The Department of Fish and Game estimates that from comparing data results from adjacent areas with similar habitat, that the affected population density is approximately 0.2 to 0.3 moose per square mile, making it a low density population.

Results from analysis of harvest data reveal that harvest in two UCUs, uniform coding units, associated with the Unit 12 remainder show some of the highest harvest rates along the road. The number of animals taken from the park during 1990 -- or, pardon me, 1976 through 1995. The Unit 12 remainder harvest constitutes approximately 38 percent of the total Nabesna Road, which compromises -- or composes Units 11 and 12, for that particular moose harvest.

There's no way to accurately monitor subsistence use of moose in the affected area of Unit 12 because registration permits are not required for the hunt.

Because adoption of this proposal would allow for the harvest of any bull, elimination of the spike fork antler restriction could cause an increase in harvest of the affected population in Unit 12 remainder. Based on the biological and harvest data that is available for Unit 12 remainder, adoption of the proposed regulatory change could have an adverse impact on the affected low density moose population, because of the
road access and the 14-day Federal August season.

And with that, Mr. Chair, I'll stop there. There may be others that have information regarding this proposal.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. MATHEWS: Yes, Mr. Chairman, there were three written public comments. A summary can be found on Page 485.

The AHTNA Subsistence Committee supported the proposal. They would support removing the antler restriction in the early season in a portion of the Wrangell National Park and Preserve, because it is more restrictive than the State season.

The Mentasta Tribal Council also supported the proposal, because it would make less restrictions for subsistence users.

The Wrangell-St. Elias National Park and Preserve Subsistence Resource Commission supported the proposal with modification. The Commission unanimously supports the original proposal with the modification to eliminate the season break between the August and September seasons. In other words, the harvest limit in Unit 12 remainder would be one antlered bull with a season of August 15th through September 30th.

Harvest levels in Unit 12 remainder at the end of August are low, and the proposed change in harvest limit during the early season is not anticipated to cause a conservation concern. There's no good justification for the season break at the end of August, particularly given that the harvest would be the same for the entire season. Removing the break would make the regulation easier to understand.

Mr. Chairman, that's the summary of public comments.

CHAIRMAN DEMIENTIEFF: Thank you. We have no additional requests for public testimony at this time.
Regional Council recommendation. Vince,
are you going to give that on behalf, or -- oh, I'm
sorry. Sue, I'm sorry.

MS. ENTSMINGER: Thank you, Mr. Chair.
At the Eastern Interior RAC meeting, we supported the
proposal as written, to make it any bull and eliminate
that spike fork for that 14 through the 28th season. And
at that time there was no conservation concern presented,
and the Council was supporting the local people.

I would like to comment though. There
was some more information come about since then, and I
had talked to Mason Reed, who is on line, and talked to
the area biologist, Jeff Gross, and one of the things
that has happened, Unit 12 in the State land adjacent to
the Federal land went to a 50-inch bull in the Little Tok
and the big Tok drainage. So I see that there might be
somewhat of a concern that people that can no longer hunt
any bull in those areas might put pressure into this
area. And it isn't something that the Council had a
chance to talk about as the whole council, and it
concerns me a bit, because the people that have already
commented, this -- there's -- you know, Jeff Gross was
not at the SRC meeting when they took it up, and he was
not at the Eastern Interior RAC meeting.

And it just concerns me that we have this
process and then we come into the meetings like this, and
the people out there don't really know what's going on,
and now here we are faced with maybe we need to be
concerned. And I think from what advice I would give the
Council at this time is that we parallel the State for
the any bull the 24th to the 28th in the early August
season.

And if there are any other questions,
I'll do what I can. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you very
much. Staff Committee.

MR. PROBASCO: Thank you, Mr. Chair. The
InterAgency Staff Committee supports this proposal with
modification as recommended by Eastern Interior Council.

Adoption of the proposed regulatory
change would allow Federally-qualified
subsistence users the same opportunity to
harvest one bull within the affected area
as provided under State regulations for
Unit 12, and that's the period of time of
August 24th to 28th. The Staff Committee
found no reason under ANILCA 805 Section
(c) to oppose the Council's
recommendation.

The InterAgency Staff Committee also
recommends a modification to eliminate
the season break between August and
September seasons, because the rational
basis for maintaining this break would no
longer exist if the antler requirements
are eliminated.

I think it's also important to note that
during the deliberations of this proposal, Mr. Chair,
that we did find an error in the season end date both in
the Eastern Interior Council book and also the same area
was found in the Federal regulation book. And
especially it is that our season in those two books
reported the date to go to September 30th; however, the
correct date as in the regulations is September 17th.
The InterAgency Staff Committee recommends that the
season reverts back to the correct ending date, which is
September 17th, regardless of what action the Board takes
today.

However, we are also recommending that
because people have been hunting under this error since
2003, that we recommend at a later date that the Board
take a special action request and look at the merits of
the September 30th for this year only. Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

MS. SEE: Mr. Chair, before Terry Haynes
gives our departmental comments, I wanted to note that
Deputy Commissioner Regelin who normally attends the
meeting, and was here yesterday, unfortunately had to
return to Juneau suddenly, and so he will not be here for
the rest of the meeting. He extends his regrets. Thank
you.

And Terry would offer our comments.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. HAYNES: Mr. Chairman, the Department
1 does not support the original proposal or the proposal as
2 modified by the Staff Committee. The Federal regulations
3 currently provide a four-day -- 14-day season in August
4 for spike fork bulls and a 17-day September season for
5 any antlered bull in the remainder of Unit 12.
6
7 And as Pete pointed out, due to an error
8 in the Federal regulations booklet, Federally-qualified
9 hunters have also had an additional 13 days of hunting
10 opportunity in this area for the past two years. In
11 comparison, the State resident regulations have provided
12 a 15-day season for any bull in the remainder of Unit 12.
13
14 This proposal would eliminate the spike
15 fork antler requirements and retain the same number of
16 hunting days in the Federal season. The proposal as
17 modified by the InterAgency Staff Committee would provide
18 an additional three days of hunting opportunity from
19 August 20 to 31st for any antlered bull.
20
21 Liberalizing Federal regulations as
22 proposed may increase hunting pressure and jeopardize
23 conservation of the moose population in a portion of Unit
24 12 accessed by the Nabesna Road.
25
26 The Department does not have any current
27 biological data for the remainder of Unit 12, but Staff
28 observation suggests that the area has low density moose
29 population. Until better biological data are available,
30 liberalizing the regulations as proposed carries a
31 certain amount of risk. The Department's area biologist
32 in Unit 12 and the wildlife biologist at Wrangell-St.
33 Elias National Park and Preserve agree that new
34 biological data are needed and they hope to conduct a
35 survey in the remainder of Unit 12 where the accessible
36 hunt area largely consists of park preserve lands within
37 the next two years.
38
39 The Department strongly opposes the Staff
40 Committee recommendation that the September 30 season
41 closure date remain in effect for one more year. The
42 Federal Board has not authorized hunting from September
43 18th to the 30th, and sufficient time is available to
44 inform affected residents of the correct season dates
45 before the fall hunting season. If the public is
46 interested in having a season extension to September 30,
47 a proposal should be submitted for evaluation by the
48 public and consideration by the Federal Board.
49
50 Thank you.
CHAIRMAN DEMIENTIEFF: Thank you. With that we'll advance to, excuse me, Board consideration.

We're going to plug in Mason Reed right now at this time. Mason, have you been able to hear the.....

MR. REED: Yeah, most of it.

CHAIRMAN DEMIENTIEFF: Okay. Good.

Well, this is your moment in the sun, so if you have information that you feel we need, we'd sure appreciate it at this time.

MR. REED: Okay. I've talked to Jeff Gross, ADF&G, pretty extensively on this, and both of us share some similar concerns, primarily that we have so little information on this population that liberalization of the season is probably not very prudent at this point. As I'm assuming Terry gave that ADF&G comments.

And as was mentioned, ADF&G and I are hoping to try to extend some count areas, some moose survey areas into that area this fall. And in '07 we'll be doing extensive moose surveys on that -- in that area on a three-year recurring basis.

I've looked at the harvest quite a bit since all this came up, and there has been an increase in harvest in the last three years. It's 25 to -- or, excuse me, it's -- yeah, the '04 and '05 harvest were double the average, and looking at the data, it looks like that may have been a product of the error seasons. These animals were harvest late in the season, from the 17th to the 30th, which is in that extended seasons that really doesn't exist.

So there has been an increase in harvest, possibly due to that error. So basically my position, I'm concerned about liberalizing the season. We have little harvest information and recent higher harvests.

And I'll be happy to answer any more questions. I have a fair bit of information in front of me.


MS. GOTTLIEB: Mr. Chair. Thank you for
allowing Mason, who's our wildlife biologist at Wrangell-St. Elias to participate today.

Everything discussed in this proposal is within the Unit, so that's why we're particularly trying to bring forward information. And we do apologize that the information provided to the RAC was not the information we have today.

And so, Mason, perhaps you can qualify this a little bit. I understand that the RAC was told that the bull to cow ratio was about 45 bulls per 100, but now that we have some different information, we believe it to be lower. Can you expand on that?

MR. REED: Well, we don't have any information specific to this population. There have been three count areas surrounding the area. Hetland (ph) has done extensive moose surveys north of this area and had over, let's see, over 100 bulls per 100 cows, so it's pretty much a non-hunted population.

The area that I surveyed myself which was what I used to present to the SRC when this was discussed, is quite a bit south of the end of the road. I set up the area to try to target the Nabesna Road population, but the Unit 12 remainder area is quite -- from the general Nabesna Road population. How indicative this is of the overall population, I just don't know. I had to sort out an area, and try to get an index.

And with that information, I had about anywhere from 45 to 50 bulls per 100, which is, you know, a good bit (indiscernible, telephone cutting out) proportion.

In talking with Jeff, one area that he has surveyed north of the Nabesna Road and the Little Tok drainage, he's reporting 20 bulls per 100. So what that does, it calls into question what is the best estimate of what the population's doing, because we have three widely disparate surveys, and results from these surveys.

So basically we just don't have the information on that. I think with the higher harvest that we found in the UCU related to Unit 12 remainder, that higher harvest with my medium bull counts, the 45 per 100, suggests that, you know, potentially the bull count might be lower than what I saw, but pure speculation.
MS. GOTTLIEB: Mr. Chair, if I could.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I'll pass out to my colleagues here moose -- a map of moose harvest within Wrangell-St. Elias National Park and Preserve. And if you look at the -- which at first glance almost looks like the State of Alaska, but it's really a map of the park, if you look to the very top in the middle where it says 53, it's the bright orange wedge kind of in the very middle there. This is the area we're talking about, and the brighter the areas, the higher the harvest. This area is essentially bisected or -- or maybe not exactly bisected, it has a road right through it, so it is extremely accessible. It does receive heavy hunting pressure, and therefore I suppose it's not a surprise that it would be a lower population at this point in time.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none, is somebody prepared to offer a motion.

MS. GOTTLIEB: Mr. Chair, I guess I have two options for us. Maybe I'll float those by.

I guess we would prefer that we leave things as is and very much make the effort to get a survey done this fall. When I say as is, I do mean cutting off the hunting season at September 17th as we were supposed to have done, but somehow didn't get in the regulation book. That's one option.

And another option would be to go to pretty much what the Eastern RAC had -- let me start again. Would be to go more towards one antlered bull with spike fork and switching over to one antlered bull for the first part of the season, still have the break and going to one antlered bull for the second part of the season.

CHAIRMAN DEMIENTIEFF: And, Sue, you did say that there's more information available than the RAC had available to them at the time of their meeting?
MS. ENTSMINGER: Yes, and it's all coming out now, so.....

CHAIRMAN DEMIENTIEFF: Uh-huh.

MS. ENTSMINGER: And just without being able to talk to everybody now, I think if we had this same information as a RAC, we would go with her second alternative, because the State already has 24th through the 28th open, and we feel like the Federal should not be more restrictive than the State, because that would still leave a spike fork in that same period of time, and it should come up to the same as the State's.

CHAIRMAN DEMIENTIEFF: So then -- I just want to build a record. Basically you're thinking that the RAC is going to take another look at the newer information? We apologize for these things happening, but it does happen in basically every forum that, you know, we get information after we have meetings. So it's just one of those things. So you feel like the RAC is going to continue to work on this?

MS. ENTSMINGER: Yes, I do, because I feel like if it -- if we wanted to see a more liberalized season, we have one year to make that proposal, because of the yearly cycle that you have. And, I mean, I'm taking a lot on myself, because, you know, I have a lot of faith in the people that have already testified, the villages, and then the SRC, these are the people that we live and work with, and I think originally Mr. Fredericks probably wanted to see it the same as the State, and then with the Federal season being longer on that August season, he thought it would be just to include the whole thing as any bull. And I don't think we probably put a lot of time into it, actually thinking about it.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Judy.

MS. GOTTLIEB: If I might add, and just qualify it a little bit, the existing State season is I think about August 24 to 28, and that's one antlered bull. Our season is longer, has been and would continue to be, but it would have the spike fork restriction on it. So more time, but more restrictive, or combine those two, so that for those few days it's similar to -- consistent with the State.
CHAIRMAN DEMIENTIEFF: Yes, Sue.

MS. ENSTMINGER: Yeah, I do appreciate that information. The 1st through the 7th is more season for the subsistence user, but during that block of time, they would have to become a sport hunter for the 24th to the 28th, and they would like to -- we like to keep regulations simple, that when you pick up the Federal regulation, you don't have to look at the State regulation to see that, oh, yeah, I could shoot any bull during this period under a State harvest. It should be all in the Federal book.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion. Terry.

MR. HAYNES: Mr. Chairman. If I might, a bit of background. When these regulations were changed in this area a number of years ago, and as Judy characterized it accurately, that there was more opportunity provided in the Federal regulations, a longer hunting period, but with antler restrictions, and the State had a -- there was a shorter hunting period with fewer antler restrictions, the intent was to take some of the pressure off the large bulls in the area, because we do believe it's a low density moose population, but to provide more opportunity for spike fork bull harvest.

There was also the break, a clean break between the spike fork and the any antlered bull season, a three-day break, so that there was no possibility of eliminate -- reduce the possibility of hunters taking a spike fork -- or taking a large bull when they shouldn't.

And, Sue, you talked about hunters having to hunt under the sport regulations. I'd just like to remind people that the State has general hunting regulations, and that certainly all State residents are considered subsistence users, so I don't think local residents would need to consider themselves sport hunters if they were hunting under the State regulations during that first week in September.

But beyond that, I guess the motion that, the second option that Judy put on the table, I wasn't clear about the exact dates and details, and perhaps that would help us to better understand what's being proposed.
MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: Sure, I'll be glad to restate that. That motion would be to have one antlered bull with spike fork from August 15th to August 23, so that's essentially the same as what we have now. From -- okay. Let me start again. August 15 to 23, one spike fork. One bull, one antlered bull with spike fork. Then consistent with the State season you'd have August 24 to 28 could be one antlered bull. Have the break and then September 1 to 17 would be one antlered bull which is theoretically no change.

MR. HAYNES: Thank you for that.

CHAIRMAN DEMIENTIEFF: Okay. Further discussion.

MR. EDWARDS: We don't -- is that a little confusing for the hunter, you go so many days, then you could switch for three days, then you have to take a break and you can switch for another? I mean, I guess if the hunters are fine with that, I'm fine with it, but.....

MS. GOTTLIEB: So actually, and maybe I'll put it in the form of a motion this time. It wouldn't be a switch after the break. It's one antlered bull before and after the break, just before the one antlered bull, there's -- subsistence users are accustomed to that requirement of having the spike fork. So in other words, the Federal and State season for one bull would start at the same date.

So I will move for Proposal No. 60 that -- now, I need to just double check what the RAC -- and this is consistent for the most part with what the Eastern Interior RAC suggested. August 15 to 23, one antlered bull with spike fork. August 24 to 28, would be one antlered bull, and then September 1 to 17, one antlered bull.

CHAIRMAN DEMIENTIEFF: So there is a motion. Is there a second to the motion.

MR. CESAR: I'll second.

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

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Again, I hope we will be able to present the most accurate information to the RAC either at or before its next meeting, as soon as we have more information, and appreciate Sue's assistance here, because I know she's really familiar with this area, so we're lucky we're here today.

CHAIRMAN DEMIENTIEFF: Thank you. Further discussion on the motion.

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none, all -- oh, go ahead.

MR. BREWSTER: I do have a question. So we are eliminating, back to what the committee was originally recommending, continuing between the 28th and the 1st. We're eliminating that?

MS. GOTTLIEB: Correct. It does seem to be better to have that break.

MR. BREWSTER: Just for the consistency?

MS. GOTTLIEB: Uh-huh. (Affirmative)

MR. BREWSTER: Okay.

CHAIRMAN DEMIENTIEFF: Further discussion.

(No comments)

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed same sign.

(No opposing votes)
CHAIRMAN DEMIENTIEFF: Motion carries.

Thank you very much, Mason.

MR. REED: Thank you.

CHAIRMAN DEMIENTIEFF: Appreciate your input. And you can go back to work now.

MR. REED: Okay. Glad to be of help.

CHAIRMAN DEMIENTIEFF: Before we do public testimony, Seward Pen has one proposal, Proposal No. 53, which I believe will just take us a minute. And with that I'll call on you, Grace. We're not going to do the Staff analysis or anything, and I believe you have a request?

MS. CROSS: I have a request for the Board, thank you, to table this motion. I think we need to -- that Seward Pen needs to re-look at it for clarification. Thank you.

CHAIRMAN DEMIENTIEFF: And that's based on the fact that there's information that you didn't have?

MS. CROSS: Yes. It's based on the fact that we did not look at what the State -- the State Board of Game had not met when we submitted the proposal. I think we need to revisit the proposal. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Is there a motion to honor Grace's request.

MR. CESAR: I'll make it.

CHAIRMAN DEMIENTIEFF: We have a motion to table. Is there a second.

MR. OVIATT: Second.

CHAIRMAN DEMIENTIEFF: With that, there's no discussion on a tabling motion. All those in favor of the motion please by saying aye.

IN UNISON: Aye.

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

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay. Now we'll go to public testimony. Who do we have here. Okay. We have Austin. I can't hardly read your last name. Maybe you can just give me the correct -- your writing is obviously as good as mine is.

MR. AHMASUK: Austin Ahmasuk.

CHAIRMAN DEMIENTIEFF: Okay.

MR. AHMASUK: Okay. Thank you. For the record, Austin Ahmasuk. I'm the subsistence director for Kawerak. I also serve on the Norton Sound Advisory Committee, but I'll be giving testimony in regards to Kawerak proposals. I understand that via the consensus agenda, those items have been predecided upon for deferment. I wanted to provide comments as to those proposals.

First of all, I would like to talk about maybe some of the adjoining RAC comments as well as some of the -- as well as the Staff Committee comments. In looking at the C&T proposal before you, it would be terribly presumptuous for Kawerak to look at to try and put forth before this Board C&T uses of other regions when we don't know them, when we really can't undertake a process like that, because we have issues and concerns for our own region. That is, we have ties to our own regions, and things that our tribes require of us, so it would be a very difficult thing for Kawerak, as is apparently indicated in some of the staff comments to try and determine what other C&T uses may exist outside of our region.

We don't doubt that on the periphery of Unit 22 that there are shared uses of some of those C&T resources that we named there. And in terms of the proposal, we did our best to try and identify our own subsistence and customary and traditional uses. Now, if other regions wanted to join in, they're certainly more than welcome to.

I would though caution that the uses that other regions may come up with or may propose would likely be only those resources on the boundary. They wouldn't be ones so far into Unit 22 that they could -- that anyone could put forth a proposal that would be substantiated, such as claiming resources near Wales or
Teller or Brevig. Those communities are far removed from any other region, and so those C&T uses preside or are exclusive to those communities.

When these proposals were developed, there was initially a lot of confusion as to some of the authorities, some of the traditions that this Board has or the policies that this Board has when they look at C&T uses. One of the first very confusing things that came about was when an area proposes a C&T determination that there is in time a restrictive regulation that gets written down. Now, in reviewing ANILCA and what I know about ANILCA, ANILCA generally allows hunting, and it also allows persons to propose C&T uses. I don't see anywhere in that law where it indicates when a C&T use is identified that also a restriction is put in place, which is what the RAC was told in the beginning, which is why you see some of the comments from the RACs that you have in your RAC recommendations, as well as the InterAgency Staff Committee recommendation. I don't think that those arguments hold water. ANILCA it seems fairly clear to me, persons can propose C&T uses, and that's all that we've done.

And so I understand that your Board has a good idea as to what it may do regarding these proposals, but I would though urge the Board to do this, and that is to discuss at this level, though you may have already said to defer them, very clear language that the RACs can go forward with in terms of the C&T proposals, because like I indicated before, the RACs are not given a very clear understanding of the Federal position. Some Federal Staff or Federal Board deliberation here would greatly assist RACS when they look at these proposals as well as clear up misunderstandings that there may be.

I hope that the Board understands where I'm coming from, and where the proposals are coming from. None of the proposals were meant to exclude anybody. And I think that there are examples within your own regulations where C&T uses are determined and where other non-subsistence uses are allowed. That example is in Units 1, 2, 3 deer, and your actions yesterday regarding Unit 9(D) caribou whereby there are C&T uses defined, determined, but you allowed other uses to occur.

I also believe that, and I may be wrong here, but apparently the example for the contra Unit 9(A), (C) and (D) brown bear hunting where C&T uses are defined, but no uses are allowed. And I'm just referring
So a whole slew of things apparently can happen when there are C&T uses. Total inclusion to, of course, subsistence priority and Federally-qualified users, or Federally-qualified and non-Federally-qualified users.

Again, I guess the take-home message that I would offer to you is the RACs I think really need some clear understanding from the Board at to how you view these proposals, and what you might expect from them.

In terms of the proposals, where they come from, Kawerak did only its best efforts to try and identify its C&T uses and hopefully have those uses established, and not exclude any other region. None of the resources listed are in any peril, they aren't in any danger, they're quite healthy. Many of the -- several of the resources there are expanding westward onto the Peninsula, and so there's no shortage, and persons enjoy the most liberal seasons in the State of Alaska.

So with that, thank you.


MS. GOTTLIEB: Mr. Chair. Thanks, Austin for coming in today. I remember your discussions at the Seward Pen Regional Advisory Council. And while these proposals are on the consent agenda, we've not yet actually approved that. However, in attending other Regional Advisory Council meetings, I did hear at those meetings that they deferred because they wanted more data to see whether communities, others -- other than those that were named in your proposals might also be included.

And while C&T may sometimes be a bit of a time-consuming process, and all the Councils heard that it was never the intent of Kawerak or Seward Pen to exclude other users, they wanted a bit more time for study to see whether the communities you outlined were the total, or whether there could be more. So I think we're on the way.

And in terms of some of the examples you mentioned, C&T can include or it can exclude, but people also have other options which were discussed in those other proposals you mentioned through the State system.
And so that's why it seems like it's mixed a little bit.

But I think the process is well under way, so we ask yours and the RAC's patience on this. Thank you.

CHAIRMAN DEMIENTIEFF: Any other questions.

(No comments)

CHAIRMAN DEMIENTIEFF: Thank you very much for your testimony. Willard Jackson.

MR. JACKSON: Thank you, Mr. Chair. My name is Willard Jackson. I'm KIC Tribal Council, also a clan member of the Teikukeidi Tongass people.

I come with a story. Our stories entwine us with our history and our culture, traditions. It's the story of Fog Woman. It's a story from the Gun-ah-ka-dee (ph), the Raven, our opposite tribe of the Tongass. And it talks about the migration of the salmon and why salmon appears every year. This time of the year is a run of the king salmon and the coho and the sockeye and the chum come to the major rivers each year.

And it talks about respect. Respect for one's property and one's values. In today's society, as we move forward in 2006, and the many things that are happening in Indian country and the villages and even the Lower 48, to our brothers and sisters on the Plains. We as native people are connected. We are connected to the land. We are connected to the sea. Therefore our spirit intertwines with one another as native people as well as non-native people. We walk this earth. We hunt on our land, and we provide for our families in that nature, and that is a given to our people as human beings.

There was a young man, he was interested in this young woman. Her father was chief of the salmon. Her name was Fog Woman.

If you've been to the Ketchikan area, you'll see the Johnson pole. And the Johnson pole establishes the Tlingit and Haida. It created KIC. It created ANB. And it sustains the Tongass Tribe as a body and a whole on the history of how life should be and how life was back then, and how it should be today in 2006. So you're looking at a lot of years.
A young man was interested in Fog Woman. They went to her father's house, and he asked her hand in marriage. And the young man spoke to Chief of the Salmon for hours and hours. And the comments that came from Fog Woman's father were respect. He told him, I don't ever want you to raise your voice to my daughter. I don't ever want you to strike her. Respect. They got married and Fog Woman moved back to his home. And in that movement, that young man went out every morning to fish the sea just like as we do today. There are people fishing out there today. He went out every day, and every day he came back, he didn't have anything. Didn't have a catch. And this went on and on and on. Finally one day Fog Woman sent her two slaves out to receive some bark and some roots, spruce roots, and started weaving this basket. She was half completed with this basket, and her husband came to the door, and his comments was, I don't know why you're making this basket. We have nothing to put in it. She just continued to weave this basket. She completed the basket, and her husband came home off a fishing trip in the canoe, and didn't respond to her. He had nothing to put on the table.

She commanded the slaves to go down to the waters edge and fill their basket up half full of water from the sea. They returned the basket back to Fog Woman, and she wiped her hands through it. Her next command was to have them pour the water out on the land, and these sockeye were jumping all over the place. She cleaned the fish and she prepared a meal for her husband. And she continued to do that, and she filled a cache for her house, and she continued to command the slaves to get water, and she con -- she fills the cache for the village.

One day, the young man was so content, and he wasn't the provider any more, he struck out and hit her. Fog Woman got up and she started walking out towards the sea. The young man was right behind her and reached out and grabbed her. And each time he put his hands on her, his hands would go right through her. The young man went back to her father's house and begged for his wive to come back.

Today you go to these major rivers throughout all this region of Alaska, to my brothers and sisters to the north, fish return there every year. Fish return to the Southeast area every year. Fog Woman is still feeding her people in that manner.
I tell this story to my grandchildren every time I see them, in respect. I share with Merle, one of our tribal council members, I share every time I go to the meeting, I'm going to tell my grandson what I talk about today. I talked about you. I talked about your history, trying to keep you alive. I'm trying to keep Ketchikan alive. I'm really trying hard to keep our people alive, and our culture. That weight's on your shoulder, Ketchikan. So I'm just coming here to share that story with you, to share that the Tlingit people, the Haida people and Tsimshian people are still in existence today because of these stories.

(In Tlingit)

CHAIRMAN DEMIENTIEFF: Thank you very much. Tom Harris.

MR. HARRIS: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. HARRIS: My name is Tom Harris. I'm the current president of Alaska Village Initiatives, but I am stepping down from that position to take a position with Tyonek Native Corporation. The information that I have for you here -- to share with you today is part of the reason for that.

But on the screen there you see obviously something you're very familiar with, and this is indeed the mission of the organization to work with the subsistence issues of rural Alaska on Federal lands.

Please go on to the next.

Obviously we have these individual agencies present. I need to ask at this point, is there anyone here from USDA, Natural Resource Conservation Service? Okay. Thank you.

Your deliberations are extremely important to the survival of not only the habitat, but also the people who reside on them from one end of this State to the other.

Alaska Village Initiatives -- excuse me. Alaska Village Initiatives Board of Directors has been looking at this issue since 1998 and comparing what's happening up here in Alaska with what has happened in the
Lower 48. And at this time we believe that there are two participants missing from the discussion on what happens to wildlife in Alaska. Those two participants are responsible for the greatest increase and the healthiest wildlife populations in U.S. history. In your packet you have a chart like this that documents the information. And as a result, we have four states that harvest 100 times more per acre in wildlife than Alaska does. On the average, the Lower 48 states harvest 35 times more wildlife per acre, and I'm specifically speaking of grazing wildlife, than Alaska does as a direct result we believe of these two participants.

Please go on.

Those two participants are USDA Natural Resource Conservation Service and America's private property owners. NRCS is the primary Federal agency that funds private land owners to protect and conserve natural resources. Eighty percent of the Lower 48 lands are privately held. Conversely here we have 90 percent publicly owned versus 10 percent. However, in the Lower 48, 90 percent of the wildlife is located and cared for on private lands as a result of participation in this program with NRCS.

The question has to be asked, and obviously we're trying to get our habitats sustainable, but please understand that Alaska communities can only hope to achieve sustainability with subsistence, not without.

There is a new economic resource that has been successful in creating sustainable economies throughout the Lower 48. It provides $1.1 million to Alaska in 2003 and $13 million in 2005. It opens doors to multiple new opportunities that had not been available to Alaskans before and it is part of a $6 billion national budget that Alaskans have yet to gain equitable access to.

You have in front of you on the screen a chart that shows grazing wildlife production analysis from 2001 to 2004, and it compares Alaska as a land mass to five groups of states -- or, excuse me, six groups, that have equivalent land size. And that red line is the equivalent land mass that you see.

Keep going. And one more. Right there.
And you can see that there's a tremendous production level of wildlife in the Lower 48. And whenever we show this, people immediately say, well, of course, look at their environment, look at their habitat. Their conditions are far different from Alaska. And we agree on that. However, 30 years ago those populations weren't there. Thirty years ago New Jersey was going through the same discussions that are happening here today.

And as we look at the funding, and we look at the investment of the Federal Government in this effort, we see again, 2004 -- go ahead and change that -- and the U.S. average funding for 2004, this is funding directly to the landowner to improve habitat, is $61 million. Go on. Alaska receives $13 million. Go on. However, the native corporations with 44 million acres only received 1 million. And as a result -- and I make you aware that during 2004, that is the highest ever received by a native -- any native landowners. This includes native allottees as well.

You can take a look at this. It's either sunrise or sunset, depending on the choices that are made in the next few years about what happens to this habitat and what resources we as a nation invest toward it.

This is a five-year review of funding that -- from this same agency, and again, the same geographic groups of states. And you see Alaska there obviously at the bottom. And there's a tremendous disparity.

Let me put it in perspective. $31 million for Alaska in a five-year period. Of that, less than $3 million made it to 44 million acres for habitat improvement on private lands. On the other end of the scale, equivalent land mass, states received $3.7 billion. And again this is for the funding of habitat protection for natural resources. These are not domesticated animals. And group number 1 there, the closest to Alaska, received over $800 million.

USDA has -- in the Lower 48 they're sometimes referred to as a gang of three. It's a bill sustaining both community economies. And those agencies, go ahead -- excuse me, those agencies are USDA Rural Development, Natural Resource Conservation Service, and Farm Service Administration. In Alaska, Rural Development is the largest. In the Lower 48, Natural
Resource Conservation Service is the largest.

To date we have failed to access these funds for Alaska. The impact to Alaska is approximately $100 million annually coming into these communities to help restore wildlife populations in those communities. Alaska needs it leadership to access -- we have the 2007 Farm Bill will be taken up in Congress in this October, it comes every five years. There's a correction that needs to be made there to make certain that this resource is made available equitably to Alaska as it is to the Lower 48.

And I've just got a few more slides here, and we'll wrap up, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yeah. We'll need to ask you to summarize if you would.

MR. HARRIS: Okay.

CHAIRMAN DEMIENTIEFF: This information you made available to us, and you can rest assured that we'll have the opportunity to look at it, so.....

MR. HARRIS: Okay. As we look at this, Mr. Chairman, I will turn away from the presentation and just finalize. Most people know that Doyon's the largest landowner in America. That landowner has about 11 million acres as a private land owner, and a community. If that 11 million acres were to hit the average of the Lower 48 in wildlife production, that would be an annual harvest of 60,000 animals per year. That is higher than the entire harvest for the State of Alaska.

So thank you for your time. Alaska Village Initiatives is going to continue to pursue this. I'm leaving Alaska Village Initiatives to work with a native corporation who is in a position to be the first in line for this and to hopefully represent opportunities that will contribute to your efforts. I'll stand down now.

Thank you, Mr. Chairman. And if there are no more questions.....

CHAIRMAN DEMIENTIEFF: Any questions.

(No comments)
CHAIRMAN DEMIENTIEFF: We want to thank you very much for the information. You can rest assured that we do do our work, and we will be reviewing your materials. So thank you very much for taking your time to come and make this presentation. We appreciate it.

MR. HARRIS: Thank you.

CHAIRMAN DEMIENTIEFF: Merle Hawkins.

MS. HAWKINS: Good morning. My name is Merle Hawkins, Ketchikan Indian Community, tribal council member.

And many of you have heard my comments before, but there's probably some that haven't, and I'm here as an advocate for my tribe and my people to please ask you to vote in support of rural status for Ketchikan, to have Federal rural subsistence status. And I will highlight some of the reasons why I believe you need to vote in support of this.

Ketchikan, even though we're over the population limit of the 7,000, we do possess the significant characteristics of a rural nature. We're on an island surrounded by forest. All the commodities in the community that are purchased are brought in by barge or by the Alaska Marine Highway System, which is the ferry system.

Tourism is one of our major industries now, no longer fishing and timber harvest. We've had major losses of jobs and income because of the loss of those industries.

Infrastructure, they are planning to build a bridge to Gravina, and I understand they've received $100 million which is about one-third of the cost of that bridge. But that will not impact our rural status, because it's just a bridge from one island to the other. You still won't get to the outside world by any easy means.

The fish and wildlife survey that was done also shows that we use almost 88 pounds of resources per person per year, which is a major gain from the 33 pounds that was previously used. And I believe if we keep working on doing those surveys, we can continue to monitor how much of the resources the Ketchikan people do use. Ketchikan can also show -- we represent not only
the three tribes of the area, Tlingit, Haida and
Tsimshian as a tribe, but the borough and other agencies,
the city supported us in our quest for rural status by
resolution.

We can easily show customary and
traditional use by patterns of consistent use of the
resources. Seasonal use, consistent harvest, traditional
means of handling, preparing and preserving, handing down
of the knowledge of the fish and wildlife, the hunting
skills, the harvesting and gathering. That is carried on
by our JOM program, which is a federally-funded program
that teaches all the children in the community.

And the population of our community is
beyond the control of the community at this point,
because we do have up to 800,000 that come and that
number's going to keep growing.

And also the fact that I would like to
speak about is the fact that KIC and the community of
Ketchikan and the members of the community have asked
numerous times to have a hearing in the community. We
did have a Southeast Regional Advisory Council meeting,
but I still believe that our community members have a
right to speak to the governing Board here that's going
to make this decision. You carry very important
authority here, because you're carrying out the authority
of ANILCA which is congressionally authorized to protect
the cultural aspects of our subsistence lives. So I
would like you to think and talk to some of the Ketchikan
members that are here, myself or Willard Jackson, about
this, and we'll certainly answer any questions that you
have. So please vote yes for rural status for Ketchikan.

Thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you very
much. Any questions or comments.

(No comments)

CHAIRMAN DEMIENTIEFF: We are -- without
committing, we are looking very strongly to doing a
hearing Ketchikan. It's one of the things that we --
because you have continued to raise the concern, we are
looking very strongly at trying to be able to find a way
to accommodate you. But again we appreciate both you and
Willard's efforts to get here. We know the time and the
expense it took you to get here, and we appreciate your comments. Thank you.

MS. HAWKINS: Thank you.

CHAIRMAN DEMIENTIEFF: Aaron Tritt.

MR. TRITT: Good morning, Mr. Chairman.
Thank you for inviting me. My name is Aaron. I'm from Arctic Village. I'm a Gwich'in Indian.

I just want to while the Federal Subsistence Panel are here, and you, Mr. Chairman, are here at the meeting, I wanted to try to maybe introduce my ideas and forming a good regulations for native people in Alaska.

As far as I'm concerned, there's no native policies in our State and Federal capital that's in favor of native people right now. We're talking about long-term protection and tribal cultures and tribal fish and game management programs. And as far as native people are concerned, this planet was -- in the beginning, it was perfect. There was nothing wrong with it, down to the grain of sand there was nothing wrong with it. It's perfect. And native people in the western hemisphere has been living in harmony with this perfect culture for thousands of years. And they have respect for it.

And yet today we're caught between two cultures, the concrete culture and our culture. And it's an economic -- we're between cash economy and subsistence living lifestyle. And we're losing. We're losing on both sides, because we have no policies. As they take our subsistence lifestyle away and contaminate our lifestyle, our culture, you know, then we haven't -- then we have a cash economy, but then we don't have representers in our state and national capitals.

Every time a native policy comes up, there's Republicans that jump on it. The majority of House and Senate leader that jump on it to make sure they don't recognize it, they don't pass it. And that hurts native people out in the villages. And that's not fair.

Last summer -- I mean, this -- yeah, last summer in Arctic Village, there was two king salmon up there, and I grew up in Arctic Village. I have never seen king salmon in Arctic Village in my lifetime. And I
believe they follow the temperature of the water. As the
water gets warmer and warmer, they follow the direction
of the water. Arctic Village is in a high elevation so
the water is cooler. They don't go that far. But
they're beginning to go in that direction. Why? Because
there's changes. There's changes in the behavior of the
animals. There's changes in the climate. There's
changes in technology and people. Everything is
changing.

Why can't we stop? Why can't we stop and
have a global economic peoples convention and have a
native panel and native people involved in this
convention, because they know, they see it. It's been
going on for such -- since the beginning of the history.

We have caribou fences in Arctic Village.
Over 200, 500 years old caribou fences. People survive
with those fences. The owners of those fences were known
to save people, thousands of people from starvation.
It's a culture that's been going on for thousands of
years.

Oil development. They want oil
development up there.

And Arctic Village is the protected area
in this country. We're a tribal government reservation.
We manage our tribal fish and game management program
within our jurisdiction. And the Federal is protecting
the fish and game, Federal Fish and Game -- the Arctic
Refuge area.

And yet we still have problem regulating
our subsistence management programs, because there's too
many people coming in from the Lower 48. There's sheep
hunting we have problems with up there. You know,
there's people -- there's planes flying up there that we
don't even know about, which they should identify
themself to us. We should have an air traffic control
where they can call us and tell us how many people is in
that plan. Give us that plane identification number.
Something. Something to be in control, to regulate. And
we don't regulate and it's going to get worse and worse.

The migration of the caribou. You know,
you talk about oil development, and the caribou goes to
Arctic Refuge every springtime, and the reason they go up
there is because of the spring water that comes from the
mountain. It runs into the coastal plains. It mixes in
with the lichen. It's like a sponge. It's a nutrition.
It's rich. And it can easily contam -- be put
contamination. and they want development.

And I want to let you know that the
Federal Government has done a good job in working with
the native tribal people. Underline tribal.

And so today I believe that native
collection and movement is important, to begin to
introduce native policies in Juneau and Washington, to be
endorsed and recognized and support by the public, and
the majority leaders in our State and Federal government
in this country.

And there's a lot more to talk about on
all these issues. It's not only subsistence, but if we
don't do anything about it, you know -- we don't want our
future children to look back and, you know, look like we
haven't done anything. So I hope we can work together on
this, and I hope we stop having these little meetings,
and go to the highest level possible and get some strong
policies that's going to protect the native people and
the native children for the future of this state.

Thank you.

I agree with you as far as that warming. I mean,
I think I've told some of you, I don't know if I told the
Board, but they're now getting a king salmon run for the
last two years in Barrow, and that's totally unheard of.
And I've seen the salmon. I do know that they're there,
so they're, you know -- I mean, things are changing a
little bit.

With that, we're going to -- as I pointed
out yesterday, all the Bristol Bay proposals are on the
consent agenda. We're going to take a short break, and
then when we come back, we're going to go to Yukon-
Kuskokwim. So with that, we'll take a little break.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: We'll go ahead and
call the meeting back to order, if we can have -- we'll
take up Proposal 27. If we can have the Staff analysis,
MR. DEMATTEO: Mr. Chair. The analysis of Proposal 27 is found in your books on Page 279.

And Proposal 27 was submitted by the Yukon-Kuskokwim Delta Regional Advisory Council. The Council requests the establishment of a Federal controlled use area for all moose seasons in the lower Yukon River drainage within Unit 18.

This proposal was originally deferred by the Board as Proposal 05-11 at your May 2005 meeting. The Board's decision to defer Proposal 11 was based on its limited jurisdiction to implement effective controlled use areas because of the mixed land jurisdictions within the affected area.

The Council also submitted a companion proposal to the Alaska Board of Game, State Proposal 9 at its October 2005 meeting. The Alaska Board of Game rejected Proposal 9 at its November 2005 meeting based on their conclusion that the current level of impacts from fly-in hunters on the resource and on affected users is insignificant.

Proposals 11 and 27 and the State Proposal 9 were submitted because of local concerns of aerial moose spotting by lower Unit 18 moose hunters who fly from areas south of the Yukon River drainage to the lower portion of the Yukon River to hunt moose. Local residents have reported seeing non-local fly-in hunters spotting moose from privately-owned aircraft during the Federal moose seasons in the lower Yukon River drainage.

Mr. Chair, the proposed regulations can be found on Page 279 of your books, and it would show the proposed language that would describe the closed area.

A reported total of one moose was taken in the affected area by fly-in hunters from south of the Yukon River drainage in Unit 18 during the period of 1998 and '99 through the regulatory year of 2003/2004.

If this proposal is adopted, Federally-qualified subsistence users would be restricted from accessing traditional hunt areas in the lower Yukon drainage with privately-owned aircraft to hunt moose.

The Federal Board's jurisdiction does not
include flight rules for pilots and their passengers who
spot moose over Federal lands and those who spot moose
and access state jurisdictions by privately-owned
aircraft.

Mr. Chair, it is important to mention
that the Board has not established any Federally --
pardon me, Federally only controlled use areas in Alaska.
Controlled use areas are established by the State of
Alaska, and the State access restrictions within the
controlled use areas are mirrored in the Federal
subsistence regulations.

Local concerns about aerial moose
spotting should be directed toward the local State and
Federal land managers who can address these issues
through the proper law enforcement channels.

Mr. Chair, Staff recognizes the
importance of this proposal to the Council and also to
the residents of the lower Yukon River area, but Staff
wrestled with this analysis just as we did with the
analysis of Proposal 11 from last year. Because of the
complex land jurisdiction in the lower Yukon River,
adoption of a Federal only controlled use area would not
address the proponents' concerns. Therefore, without the
establishment of the controlled use area, a Federal
controlled use area would not meet the requested action
as desired, as stated in this proposal.

And with that, Mr. Chair, I'll stop
there. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. NICK: Mr. Chair. For the record, my
name is Alex Nick. I'm the Regional Council coordinator
for Yukon-Kuskokwim Delta.

There were three new written public
comments received. The first one is from Asa Carsarmuit,
Incorporated from Mountain Village. And I'm going to try
to stay with the important points of the comments.

CHAIRMAN DEMIENTIEFF: Yeah, we do have
those in our books.

MR. NICK: Yes. Okay. Asa Carsarmuit,
Inc. supports WP06-27, executive summary of which is the
proposed regulation on establishing a controlled use area
for subsistence moose hunt in Unit 18. Asachaq (ph) Inc.
has concern about aerial moose spotting in lower 18 unit.
Asachaq feels that spotting moose from an aircraft
creates an unfair advantage over rural users who do not
practice this method of locating moose during the moose
season. Subsistence users in this area travel by land
and by water. Spotting by aircraft will not be fair for
those harvesting by land and water. We need to maintain
the abundance of moose in the area by restricting access.
Asachaq (ph), Inc. Board of Directors fully supports the
proposed regulation. The implementation and approve of
this regulation will assist in management of the moose
residing in the area. Asachaq (ph), Inc. believes this
is one favorable method of ensuring the improvement of
the moose count in the area described. Asachaq (ph) Inc.
understands the importance of ensuring the population of
the moose in the area for the subsistence usage. We
commend the efforts of Kuskokwim Delta Regional Advisory
Council in submitting this proposal. We support efforts
such as this for the betterment of Asachaq (ph)
shareholders.

And the second comment is from Native
Village of Hooper Bay, and they wrote, on behalf of the
Native Village of Hooper Bay and its tribal members, we
would like to enlighten your knowledge of the traditional
and customary hunting grounds within and on Unit 18. In
the past and up to now the hunters have noticed that
there have been unidentified aircraft flying within Unit
18 disturbing customary and traditional hunters from the
area of Unit 18. All customary and traditional hunters
from Unit 18 have worked hard in raising the number of
moose within Unit 18 by working with the U.S. Fish and
Wildlife Service in increasing the number of moose
through the moratorium on moose that was implemented a
few years ago. And now that a population has increased.
We would like to have Unit 18 a no fly zone to keep
outside hunters from flying and disturbing the hunters,
moose and other game that may be in customary and
traditional hunting grounds. The tribal members of the
Native Village of Hooper Bay are very concerned about the
incidents concerning aircraft in Unit 18 due to the fact
that they participated in the moratorium on moose. They
support the no fly zone within Unit 18.

And, Mr. Chair, the third comment is from
City of Mountain Village in form of resolution that the
city council supports the resolution.
Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. We have one additional request for public testimony at this time. Tim Andrew.

MR. ANDREW: Good morning, Mr. Chairman. Members of the Board. Thank you for the opportunity to testify before you today.

For the record, my name is Timothy Andrew. I'm the director of wildlife resources for the Association of Village Council Presidents in Bethel.

And I come before you today to testify in support of Proposal 27, 28 and 29 and in opposition of Proposal No. 30.

The people of the lower Yukon area have worked fervently and hard over the past 20-some years in developing the moose populations in this area. They have bypassed many an opportunity to harvest moose to feed their families in order to build this moose population to where it is today.

Like what is stated by Mr. Ted Hamilton from Emmonak in one of his written testimony for Proposal 30, it's like a potluck. I mean, when we have a potluck out there, we honor somebody. When we honor somebody either in the community or a group of people in the community, normally those people are given first opportunity to partake of the potluck. But if we went ahead and adopted this proposal, or if we do not adopt this proposal, it would basically be like a person that is not being honored coming into the community and be in front of, or get the first opportunity to partake of the potluck.

So we really recognize the sacrifice that many of these people have taken in the lower river and support this proposal to make it a no fly zone.

And there's, you know, Staff comments by the InterAgency Staff Committee, the Department of Fish and Game comments indicate that, you know, the fly-in hunters will not likely be a problem. And I'm pretty sure there are different areas across the State, in fact, one was just mentioned this morning in the case of Arctic Village where somebody thought it was not going to be a problem, but it's a problem today, of airplanes coming in
from all different directions. You know, if you look at the Kanektok River, the Goodnews River, Aniak River in the Kuskokwim area, or in the Kuskokwim River corridor, you know, people -- I'm pretty sure managers back then didn't think it was going to be a problem managing the sport fishery in those communities. Today it's a problem. I mean, we have many, many, many, many people coming in, converging on these rivers during the summer. And it's getting to be almost like the Kenai River, combat, the combat fishery.

And I'd just like to stress that moose resources in the lowest part of the Yukon River is an important food species for the people there. You know, statistically it shows that meat is extremely important to the people in our villages. Over 600 pounds per capita is the latest statistic that I've seen of wild meat consumption in that area, or in the western part -- in our part of western Alaska. So, you know, whatever protection that we can provide for the moose populations and for subsistence opportunity in the area, it would really help us out.

We also support Proposal No. 28 and 29, 28 extending the moose season from a 10-day period to a 20-day period would greatly enhance subsistence opportunity for many of the people in Unit 18. And we also support the definition of calves that is written into the proposal.

This past hunting season, in December of 2005 and January of 2006 when this State-sanctioned hunt went on, we received a number of calls from people in the villages being cited for harvesting illegal calves, even though it was legal to harvest calves in the area. People were complaining that law enforcement officers were citing them for harvesting calves. And when people called, I was extremely confused. I was wondering what was going on.

And it turned out to be that the definition of calves between the hunter and the enforcement officials was completely different. The enforcement officials and the regulation indicated -- regulations indicate that calves are moose that are less than 12 months -- or 12 months or less than a year old. And most of the people out in our area don't customarily harvest calves that are probably about this tall, and maybe about this long, and maybe yield 50 pounds of meat, maybe 20 pounds, 30 pounds. That's just not very much of
harvest.

So we really support the current proposed
definition of a calf to indicate that it is a calf with
its mother. And much of the harvest effort under the
State-sanctioned hunt went after those bigger -- the
bigger calves that accompanied their mothers. So that
would basically help support, you know, what the more
common and local -- what the local definition of calf is.

We would also like to go on record to
oppose Proposal No. 30. This is a proposal that we
believe is premature. It is -- a proposal to open up
Unit 18 for sport and nonresident hunting. There is a
current moratorium that is going on in the lower
Kuskokwim area between the Community of Kalskag down to
Tuntutuliak, down to Eek and up towards Lakes on the
Kuskokwim side. And we also have a pretty stable moose
population in the upper to mid lower Yukon, but we have a
rapidly expanding moose population in the lowest part of
the Yukon River, but we have a great subsistence need in
the Yukon-Kuskokwim Delta that needs to be protected.
And by opening the hunt up to a general sport hunt would
greatly affect the subsistence harvest in the area.

And, Mr. Chairman, that basically
concludes my testimony, and I'd be more than happy to
answer any questions that you have.

CHAIRMAN DEMIENTIEFF: I just wanted to
clarify one quick thing, Timothy, and that is that if
you're not intending to testify individually on 29 and
30, then I'll make sure that we get your testimony that
you're giving on 27, I'll make sure that they get into
the record on 29, 30. Is that your intention?

MR. ANDREW: Yeah.

CHAIRMAN DEMIENTIEFF: Okay. Good deal.
So we won't call on you for 29 and 30, but we'll make
sure your points get into the record.

Okay. Regional Council recommendation.

MR. WILDE: Mr. Chairman. The Yukon-
Kuskokwim Advisory Council support Proposal WP06-27,
support without modification, for eight, against none.
That our local concern about aerial moose spotting in
lower Yukon Unit 18, residents that are in that area feel
that spotting moose is aircraft creates, feel that unfair
advantage over rural users who do not practice this
method for locating moose during the moose hunting
season. Such as uses in that area travels on the land
and water and spotting by the aircraft will not be fair
for the harvesting by land and water. We need to
maintain the abundance of moose in that area by
restricting access.

Mr. Chairman. Meeting in Emmonak we had
as many people ever have ever since we start advisory
meetings in lower Yukon, and it's very interesting one,
and people talk, so a lot of times that me, myself, I try
to keep correct, because there's some things that I know,
and people out there talking about. We transplant moose
in lower Yukon for six years, and we let our -- that's
what the people say, some of the elders say. We let our
people, young people to listen to us, concern, because we
need some food for our people. Young people listen.

But we want to thank Holy Cross people.
We thank them and very much who helping us to make -- go
up there to that area we go moose hunting. They never
tell us to go back and anything. They help us. Even
some of them be bringing us out to show where best place
is. I remember that Mr. Demientieff, I saw him in the
gas station. He said, Harry, go out there and get
something for your family I never forget that. Those
are the people that thinking about getting food or to
keep our family alive. I appreciate. I appreciate this.

Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you. I
think that whole issue that you talked about in terms of
Holy Cross, that's really come a long ways from when
people first started going up to Holy from down the
river. There was a little -- it was a little bit rough
there, but you guys did a real good job of working it out
with the local people. So I thank you for that.

Staff Committee.

MR. KESSLER: Good morning, Mr. Chair.
I'm Steve Kessler with the InterAgency Staff Committee.
The Staff Committee comments are on Page 278 of your
Board book.

The Staff Committee opposes the proposal,
contrary to the recommendation of the Yukon-Kuskokwim
Delta Subsistence Regional Advisory Council. The Federal
Subsistence Board does not have the jurisdiction to
restrict access methods on State and private lands, or to 
restrict spotting of moose from aircraft. Because of the 
mixed land ownership and state jurisdiction on navigable 
waters within the affected area, establishment of a 
Federal only controlled use area would not effectively 
restrict aircraft access as requested by the proponent.

Both Federal and State regulations 
currently prohibit taking moose the same day the hunter 
is airborne. If illegal use of aircraft for hunting 
moose in the area is occurring, such incidents should be 
called to the attention of law enforcement personnel.

Conservation of a healthy moose 
population is not an issue in this area.

Additionally, the Board has not 
established any Federal only controlled use area. To be 
effective in areas of mixed jurisdiction, both State and 
Federal controlled use area provisions need to be in 
place.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman.

Consistent with the position of the InterAgency Staff 
Committee, the Department does not support this proposal. 
We're unaware of any information that supports the need 
for creation of the proposed controlled use area on 
Federal public lands in Unit 18.

The Board of Game considered, but did not 
adopt a similar proposal at its November 2005 meeting.

As was noted in the Staff analysis, 
records indicate that only two hunters have reported 
using aircraft to hunt moose in this area since the year 
2000, and only one of those hunters successfully 
harvested a moose.

Because the proposed controlled use area 
would apply only to Federal public lands, it would not 
address the proponents concerns and would only complicate 
the hunting regulations.

Because the moose population in this area 
is healthy and growing, establishing a controlled use
area would unnecessarily restrict opportunity.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

One of the things that was suggested yesterday, too, and I forgot to mention it, we accommodate State to go last, because they want to hear everybody else's comments. So Regional Council representatives are more than welcome to -- because you are part of this discussion, if you, having heard what everybody has to say, if there's other follow-up information, then we ask you to go ahead and give it.

Discussion. Judy.

MS. GOTTLIEB: Mr. Chair. Maybe a question for Terry, given that this has been brought up as an issue for several years now, and we understand the Board of Game rejected establishing a special use area, but are there other things that can be done, education, communication, or any other ideas of what might help alleviate the problem that the RAC has raised to us several times?

MR. HAYNES: Mr. Chairman. Judy, I'm not sure what the Board of Game or the Department would be empowered to do in a case like this where there's an abundant moose population. A lot of the credit goes to local people in that area for following that five-year moratorium. And so they're legitimately concerned about having opportunities and not having competition. But just in terms of what we can do in a case like this, I don't know. State lands, State-managed lands are a small portion of that area. And so I'm -- right now, I'm not sure. We could certainly talk internally and see if there might be things that could be done, but it's.....

UNIDENTIFIED VOICE: Education.

MR. HAYNES: Education is kind of an on-going process when issues arise. This is a case where, in the context of some of these other proposals, I know there hopefully will be further discussion about moose management in Unit 18. So perhaps that can be a topic added to the list.

MS. GOTTLIEB: Thanks. Yeah, I think
that would go a long ways. And, Harry, I know the RAC
will continue to be involved as well.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none, is
somebody ready for a motion?

MR. EDWARDS: Mr. Chairman, I will move
that we reject the recommendation of the Yukon-Kuskokwim
Delta Regional Advisory Council with regards to Proposal
27. In making my motion, you know, I note that as has
been brought up, that there is no conservation concern.
We have a moose population. We have a moose population
that is certainly reported to be healthy and growing.
And the fact that now only Federal hunters, you know, can
hunt in this area on Federal lands, I mean, this
restriction on aircraft would actually end up restricting
any subsistence hunters who might want to use aircraft to
reach the areas, those who may own their own airplanes,
for example. And it also would be ineffective in
achieving the objectives of the Council, because hunters,
you know, would be able to use aircraft to access land
and waters under State jurisdiction. So I just can't
see, you know, any advantage for this proposal.

CHAIRMAN DEMIENTIEFF: We have a motion.
Is there a second.

MR. OVIATT: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion on the
motion.

(No comments)

CHAIRMAN DEMIENTIEFF: 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 29.

MR. WILDE: Mr. Chairman, Proposal 29 the Yukon-Kuskokwim Regional Advisory Council support Proposal 29 with modification. The modification is that calf is broad, its stayed with its mother, so regulatory wording should be added to mother after word calf.

CHAIRMAN DEMIENTIEFF: Thank you, Harry.

Staff analysis.

MR. DEMATTEO: Mr. Chair. The proposals 28 and 29 were analyzed together, so if it's all right, we'll start with 28.

CHAIRMAN DEMIENTIEFF: 28 is on the consent agenda, so we're going right to 29.

MR. DEMATTEO: Oh, understood. So 29.

Mr. Chair. The analysis of 29 begins on page 288 of your books. And this was submitted by the Yukon Delta National Wildlife Refuge.

The intent of Proposal 29 is to provide Federally-qualified subsistence users with the opportunity to harvest either one antlered bull or one calf in the portion north and west of a line from Cape Romanzof to the Kusilvak Mountain to Mountain Village, and excluding all Yukon River drainages upriver from Mountain Village. The proposed regulations can be seen on Page 289 of your books.

The moose population in the proposed area of the lower Yukon River has grown substantially in recent years. It continues to grow rapidly with the high production and survival rates of calves. If Proposal 29 is adopted, any additional harvest of moose that would occur from the proposed action may slow the rate of the population growth minimally; however, no detrimental impacts to the population are anticipated.

Adoption of the proposed action would also provide Federally-qualified users with the opportunity to harvest moose, and would align Federal and Staff harvest limits for the affected area. Adverse impacts to the adult moose population and also the abundant calf population in the affected area are not anticipated as a result of adoption of Proposal 29.
And with that, Mr. Chair, I'll stop there. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. NICK: Mr. Chairman. There were no written public comments received. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. And again I'll note that Timothy Andrew's testimony -- I've already given instructions to the court recorder, or to the recorder to make sure that it's part of the transcript.

MR. ANDREW: Good morning, Mr. Chairman. Members of the Board. Thank you for the opportunity to testify before you today.

For the record, my name is Timothy Andrew. I'm the director of wildlife resources for the Association of Village Council Presidents in Bethel.

And I come before you today to testify in support of Proposal 27, 28 and 29 and in opposition of Proposal No. 30.

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Like what is stated by Mr. Ted Hamilton from Emmonak in one of his written testimony for Proposal 30, it's like a potluck. I mean, when we have a potluck out there, we honor somebody. When we honor somebody either in the community or a group of people in the community, normally those people are given first opportunity to partake of the potluck. But if we went ahead and adopted this proposal, or if we do not adopt this proposal, it would basically be like a person that is not being honored coming into the community and be in front of, or get the first opportunity to partake of the potluck.

So we really recognize the sacrifice that many of these people have taken in the lower river and support this proposal to make it a no fly zone.
And there's, you know, Staff comments by the InterAgency Staff Committee, the Department of Fish and Game comments indicate that, you know, the fly-in hunters will not likely be a problem. And I'm pretty sure there are different areas across the State, in fact, one was just mentioned this morning in the case of Arctic Village where somebody thought it was not going to be a problem, but it's a problem today, of airplanes coming in from all different directions. You know, if you look at the Kanektok River, the Goodnews River, Aniak River in the Kuskokwim area, or in the Kuskokwim River corridor, you know, people -- I'm pretty sure managers back then didn't think it was going to be a problem managing the sport fishery in those communities. Today it's a problem. I mean, we have many, many, many, many people coming in, converging on these rivers during the summer. And it's getting to be almost like the Kenai River, combat, the combat fishery.

And I'd just like to stress that moose resources in the lowest part of the Yukon River is an important food species for the people there. You know, statistically it shows that meat is extremely important to the people in our villages. Over 600 pounds per capita is the latest statistic that I've seen of wild meat consumption in that area, or in the western part -- in our part of western Alaska. So, you know, whatever protection that we can provide for the moose populations and for subsistence opportunity in the area, it would really help us out.

We also support Proposal No. 28 and 29, 28 extending the moose season from a 10-day period to a 20-day period would greatly enhance subsistence opportunity for many of the people in Unit 18. And we also support the definition of calves that is written into the proposal.

This past hunting season, in December of 2005 and January of 2006 when this State-sanctioned hunt went on, we received a number of calls from people in the villages being cited for harvesting illegal calves, even though it was legal to harvest calves in the area. People were complaining that law enforcement officers were citing them for harvesting calves. And when people called, I was extremely confused. I was wondering what was going on.

And it turned out to be that the definition of calves between the hunter and the
enforcement officials was completely different. The enforcement officials and the regulation indicated -- regulations indicate that calves are moose that are less than 12 months -- or 12 months or less than a year old. And most of the people out in our area don't customarily harvest calves that are probably about this tall, and maybe about this long, and maybe yield 50 pounds of meat, maybe 20 pounds, 30 pounds. That's just not very much of harvest.

So we really support the current proposed definition of a calf to indicate that it is a calf with its mother. And much of the harvest effort under the State-sanctioned hunt went after those bigger -- the bigger calves that accompanied their mothers. So that would basically help support, you know, what the more common and local -- what the local definition of calf is.

We would also like to go on record to oppose Proposal No. 30. This is a proposal that we believe is premature. It is -- a proposal to open up Unit 18 for sport and nonresident hunting. There is a current moratorium that is going on in the lower Kuskokwim area between the Community of Kalskag down to Tuntutuliak, down to Eek and up towards Lakes on the Kuskokwim side. And we also have a pretty stable moose population in the upper to mid lower Yukon, but we have a rapidly expanding moose population in the lowest part of the Yukon River, but we have a great subsistence need in the Yukon-Kuskokwim Delta that needs to be protected. And by opening the hunt up to a general sport hunt would greatly affect the subsistence harvest in the area.

And, Mr. Chairman, that basically concludes my testimony, and I'd be more than happy to answer any questions that you have.

(Incorporated per Chairman Demientieff)

CHAIRMAN DEMIENTIEFF: Having done that, there are no additional requests at this time.

Regional Council, do you have additional comments, Harry?

MR. WILDE: Yeah. Mr. Chairman. People there during the meeting, there was some of them, and also Councils, calf harvesting is not customary, traditional. And there is concern about definition of a calf. Some of them, they're talking about, elders
mostly, they say that it is a very danger in case -- just
like trap. Trap, because they don't hardly talking about
people back home, they don't talk about very much
Federal, but State. State. They say that State is
watching us just like a dog. They're ready to tie us up.
Our children, sometime they're afraid to go out there.
And this one here is the one that's just like a trap,
that's what they say.

But Council, they're saying that this is
-- they're helping us, because every time when we go out,
we don't catch, sometime we didn't catch a moose anyway.
This is opportunity for the lower Yukon subsistence
hunters to feed their family. So they support, Council
supporting that.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee.

MR. KESSLER: Mr. Chair. Steve Kessler
with the InterAgency Staff Committee.

The Staff Committee recommends that you
support this proposal with modification as recommended by
the Y-K Delta Subsistence Advisory Council, except in
regards to the Council's recommendation to specify that a
calf must be with its mother to be legally harvested.

The modified regulation should read as is
shown on Page 287. And the part that I want to point you
to is the definition for calf. Calf means a moose,
caribou, elk, muskox or bison less than 12 months old.

We seem to have consensus on the question
of a calf harvest. The only question concerns the
definition of a calf. Adoption of the proposal should
include definition of calf similar to the State's
definition.

The InterAgency Staff Committee believes
that adding the requirement that a calf must be with its
mother as recommended by the Council would unnecessarily
restrict and confuse subsistence users and would be
unenforceable. Imposing this requirement could be
considered detrimental to the satisfaction of subsistence
needs.

It is not clear what being with its
mother means. In the winter, calves may be encountered
in groups of moose where it may be difficult to determine
which if any is the mother, unless the calf is in close
attendance. In some situations, it's also possible that
a yearling moose in the company of a cow or other large
moose could be mistaken to be a calf.

Although taking a calf in close
association with a cow may reduce the risk of mistakenly
taking an older moose, hunters can be selective without
that regulatory restriction.

Mr. Chairman.

MR. HAYNES: Mr. Chairman. The
Department supports the proposal as modified by the
InterAgency Staff Committee for the reasons explained in
the justification on Page 287 of the meeting book.

CHAIRMAN DEMIENTIEFF: Thank you. Board
discussion. Judy.

MS. GOTTLIEB: Mr. Chair. I guess for
those who have seen moose more out in the field than I
have, how would you know if an animal is 12 months old by
looking at it?

CHAIRMAN DEMIENTIEFF: I know I do. I
mean, you could easily recognize last year's calf.
They're really easily recognizable if you -- there's just
a size difference, and, you know, they'll have -- the
bulls will have little spike fork in the horns. So I
mean, it's easy. And sometimes you'll see a cow with
this year's calf and last year's calf. And sometimes
when you're fortunate enough to see that, it really helps
you to distinguish a difference between them, but, yeah,
I know I don't have no trouble doing that.

Go ahead.

MS. CROSS: May I speak?

CHAIRMAN DEMIENTIEFF: Go ahead, Grace.

MS. CROSS: In Nome just last week we saw
a cow with twins. We obviously can tell they were last
year's. There's substantial size difference.

CHAIRMAN DEMIENTIEFF: Niles.
MR. CESAR: Mr. Chairman. The only moose I get a chance to see are all wrapped up and comes either burger or steak fashion, so I have the same problem as Judy.

MR. EDWARDS: Mr. Chairman, maybe a question for Harry. The Council's primary concern is that they might take a calf that then would be determined to be illegal, is that the primary concern?

MR. WILDE: I'm kind of hard -- having hard time hearing you, but your question was what?

MR. EDWARDS: Well, the way I understand, the Council's recommendation was that they were okay with the proposal, and with the modifications, but you wanted to have language in there that would indicate that the only calves that could be taken were those that were with their mothers, and I wanted to further understand again the importance of that to the Council.

MR. WILDE: Yeah. Mr. Chairman. Council, you know, they're -- we listen to our people, because they are according to the people there. And they afraid, elders were afraid, but a lot of times they go out for just for nothing. So some of the Council were saying that this would be something that maybe that it could help the hunter, even if there's a calf. The only thing is some problem is in case you're -- well, calf is not very big anyway. In case you miss the calf and can hit the cow, you'll be in trouble. They know that. But Council approved that. It sure would be better than -- well, obviously better than nothing, get the calf, because even though they understand we're not customary traditional practicing killing a calf.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: You know, maybe one other thought which could possibly work. I mean, here in Anchorage there's usually a given week or less than 10 days calves are born. Would it make sense to put a time frame in there so people would know approximately when these calves would be about a year old? That's one option to try to determine a date.

But secondly I guess by adding this definition to this particular unit for not only moose but
all these other animals, we've not really had that
discussion with the RACs, and I don't know if this will
end up becoming then a Federal definition. We just
haven't had that discussion, if it's a statewide
definition, if it's just for this proposal.

CHAIRMAN DEMIENTIEFF: Further
discussion.

(Whispered conversation)

MR. COLLINS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes. Ray.

MR. COLLINS: Yeah. Western Interior
didn't take a position on this, because it's outside our
area, but now we're into a discussion that's a little
larger, because it's going to effect definitions
statewide.

But the first question I have, according
to Harry's testimony, they don't traditionally harvest
calves, because they're so small. Why are we encouraging
the harvest of calves in an area where we want to grow
the herd? I don't understand why that's in there, I
mean, where it's coming from, why they even want to
harvest calves.

CHAIRMAN DEMIENTIEFF: Who wishes to
respond to that amongst Staff?

MR. DEMATTEO: Mr. Chair, the answer to
the question is this particular area is just the lower
Yukon River area, okay, from Mountain Village on down to
the mouth. That particular area is -- the population is
the result of the moose moratorium, and that population
right now has done quite well, in fact better than
anybody ever expected. Let's see, two years ago I
believe they estimated that the calves per cows was like
80 per 100 cows, and now it's down to like 60. They want
to -- the thought is maybe to offer up some of the cows
for harvest to prevent potential problems down the road
that with an over-abundance of calves may cause within
the population. So again, it's just for in an area where
there's a concern about the number of calves per 100
cows. It's not the remainder, just the lower Yukon River
portion.

CHAIRMAN DEMIENTIEFF: Further
MS. CROSS: I have a question.

CHAIRMAN DEMIENTIEFF: Yes, Grace.

MR. DEMATTEO: Is there a -- do you have a map where you can identify which area you're talking about?

MR. DEMATTEO: The only map I can think of is if you have the Federal Subsistence Management Regulations for this year, the green book. Do you have that in front of you?

MR. RIVARD: Page 570 in the book.

MR. DEMATTEO: And also on page 470 in the book, thank you, Don, there's also a map. There's the unit maps for the State.

And we're talking essentially an area that goes below Mountain Village. If you see the Yukon River there, and the area downstream from Mountain Village and also essentially the area to the west of there.

But we're not talking about the entire remainder, which is the area outside of there, we're just talking about that area, which the current status of the moose population is a result of that five year moratorium on moose hunting and the population literally exploded. And there is some concern that if -- based on the number of moose calfs that there could be habitat problems down the road, the sensible thing is to do is to offer up some of those calfs for hunter harvest during the winter season.

Does that help?

CHAIRMAN DEMIENTIEFF: Further discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: I guess following up on Pete's comments then, why logical to take the calfs and not perhaps increase the general limit or extend the
MR. DEMATTEO: The season is being extended by 10 days, it was a to be announced 10 day season and now it's a 20 day season, so also the season is being doubled and the harvest limit is being expanded to include one calf.

CHAIRMAN DEMIENTIEFF: Further discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Is someone prepared to offer a motion.

MR. EDWARDS: Mr. Chairman. I would move that we adopt with modification Proposal 29, as was recommended by the Yukon-Kuskokwim Delta Regional Advisory Council except for the Council's change to the definition of calf.

I guess implicit in my motion would be that we would adopt the definition consistent with what the State is and also if it's necessary that that motion would entail providing the manager of the Yukon-Delta Refuge to restrict harvest to only one antlered bull after consultation with the State.

As the information we've been provided would sort of indicate that -- or does indicate that this population seems to be able to support a harvest of calfs and particularly with the Refuge manager having the authority to restrict that, if necessary. You know, as also said that there is times, certainly, maybe advantages, if people are taking calfs we'd probably prefer them to take calfs that are not with their mothers as opposed to those who are with. And even if we would go with maybe the language with mothers, somebody shooting a yearling that was accompanying the mother, would be in violation. So I think for consistency and all, we should go with the 12 month restriction.

I think my understanding is that the hunting season would occur, you know, when those animals would be around seven, eight months old, you should be able to tell the difference, particularly people who have spent a lot of time in the field, which I think we're assuming that most of our subsistence hunters are.
So that would be my motion and my rationale for it.

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

MR. OVIATT: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion.

(No comments)

CHAIRMAN DEMIENTIEFF: 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: Staff analysis for No. 30.

MR. DEMATTEO: Mr. Chair. The analysis for Proposal 30 can be found on Page 297 of your book, and this was submitted by Henry S. Powers, III of Bethel.

The proponent requests that the Board eliminate the Federal regulatory closure restriction for the September 1 through 30 moose season in the remainder of Unit 18. The proponent feels that the Federal closure regulations for this area should be changed to allow sport and recreational hunters from outside of Unit 18 the opportunity to utilize Federal lands to hunt moose.

The proposed regulations can be seen on Page 297, halfway down the page, which would essentially eliminate the language, except by Federally qualified rural Alaska residents hunting under these regulations, and would add the language, by non-Federally qualified users except in the remainder of Unit 18 during the fall season.

So it would widen the eligibility.
The non-resident closure was originally established by the Federal Board in 1991 to ensure the subsistence needs and rights received first priority. This was important at that time because of the low moose numbers in that particular area.

We mentioned in the previous analysis that the moose population in the Unit 18 remainder is essentially bounding and could sustain an additional harvest than what is presently taken. Again, this is the result of the successful five year moose moratorium on hunting. Harvest records reflect that the harvest of moose by local users is increased on the Yukon River portion of Unit 18 but harvest in 2002 appears to be stable at just over 200 bulls taken per year.

If this proposal were adopted, the proposed action is expected to have little biological affect on the lower Yukon River moose population and minimal affect on the subsistence opportunity. Any increased harvest is expected to be initially minor, but the sociological and political effect of immediately removing this restriction could be detrimental to the success of future management actions and cooperative efforts within the Yukon River communities.

Mr. Chair. Again, this is another proposal that was very not easy to analyze. It has complex issues, and it's much more than just looking at the biology of the moose population and also the harvest of moose taken by local residents.

Staff feels it's important that it be recognized that the residents of Unit 18 have a long history of cooperation in managing the natural resources of their area, includes the establishment of more than one moose moratoria and also the success of the Delta Goose Management Plan. And these were achieved by broad public involvement within those actions. Not to mention the sacrifices that were made by local residents during the moose moratorium, particularly in the lower Yukon River and it's felt by some that there may not even be a moose population there if it wasn't for public cooperation.

Again, Mr. Chair, if we look at just the status of the moose population and the current harvest, it's hard to justify the continuation of the closure, however, the format of a biological analysis does not leave room for consideration of social and political
issues that are as equally important to consider.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Let me just back up a minute, with regard to Proposal 29, just a head's up for the rest of the RACs, that you'll need to look at it, because that language for definition of a calf, it's a statewide language so if you got troubles with that, you know, I'm sure we'll hear back from you, so please, just a head's up, just make sure you guys take a look at it so -- and bring it to the attention of your RACs.

Sorry about that.

Written public comments.

MR. NICK: Mr. Chairman. There were approximately 21 written public comments, 18 of those were in the form of a resolution.

First public comment is from Ted Hamilton of Emmonak Tribal Council. He states, I compare the proposal to a potluck-type dinner. As resident of Unit 18 we have just gotten in line for dinner and someone knocks heavily at the door demanding to get in and be served. The new guys will not go to the end of the line, but demand to go to the front of the line and be served before others that have been there longer. Is there enough to go around? Why did they demand that they be invited without invitation.

The success rate of our subsistence hunters is very low. If then half of the hunters go all season long without a harvest, even if they go every day. Soaring fuel prices also hurt the subsistence hunters. We cannot hunt as much as we like. Our hunters found out that if they put their money together more fuel could be bought, but more hunters are in the boat and this turns counter-productive, more hunters together, more noise generated equals less harvestability.
In GMU 18 the hunting opportunities are not equal. If you have money you can fly, spot a moose, and hunt same day. This is not a level hunting field. We need a few more years to get ready for people from outside GMU 18 who want to hunt and possibly harvest a moose in GMU 18. Why did the guide/outfitter not contact tribes or corporations in our area to see if we would object to extra hunting pressure?

The proposal mentioned that there would be no extra hunting pressure. How can that be when our hunters in GMU 18 will be going out in strong numbers.

Right now there is not enough moose in GMU 18 to even fill half of the freezers in villages in GMU 18 and still be under the guidelines of the State of Alaska's sustainable harvest regulations. If there should happen to be a big flood on the Lower Yukon Delta we stand a chance to lose up to half our moose population because we are in the flood plain.

Another thing to mention is that up river, the moose population's going down, this means that up river subsistence hunters may come down river to GMU 18 and hunt in an already crowded area.

And Glen Fredericks, President Georgetown Tribal Council also writes, following this letter you will also -- excuse me. Following this letter you will receive a resolution of the Native Village of Georgetown requesting the Federal Subsistence Board reject Proposal WP06-30 submitted by Henry Powers of Bethel to allow non-resident hunting to occur on Federal public lands in the Yukon-Kuskokwim Delta.

The self-imposed moratorium on moose hunting has meant that some of our members have had to go without meat.....

CHAIRMAN DEMIENTIEFF: Alex, if I can --
you know, we -- these are all in the book, we've all had ample opportunity to review them. If we can just kind of summarize the ones that are in favor and maybe the ones that are opposed, because we don't need a verbatim reading of it, because we've all read them.

MR. NICK: Okay, Mr. Chair, thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. NICK: Glen Fredericks opposes the proposal.

And we received approximately 18 individual and organizations located in the Yukon-Delta who opposed the proposal for several reasons, with the main one to protect the subsistence way of life.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you, very much. And rest assured we've all looked at those, so, you know, we're aware of them and to go through verbatim, it gets a little redundant with us but you can rest assured that the people's testimony has been reviewed and is part of the record so we can carry that message back home to let people know that it was there, but I thank you very much for that.

We also, again, Timothy's earlier testimony will be transcribed with regard to Proposal 30, his oral testimony here.

(M Incorporated per Chairman Demientieff)

MR. ANDREW: Good morning, Mr. Chairman. Members of the Board. Thank you for the opportunity to testify before you today.

For the record, my name is Timothy Andrew. I'm the director of wildlife resources for the Association of Village Council Presidents in Bethel.

And I come before you today to testify in support of Proposal 27, 28 and 29 and in opposition of Proposal No. 30.

The people of the lower Yukon area have worked fervently and hard over the past 20-some years in
developing the moose populations in this area. They have bypassed many an opportunity to harvest moose to feed their families in order to build this moose population to where it is today.

Like what is stated by Mr. Ted Hamilton from Emmonak in one of his written testimony for Proposal 30, it's like a potluck. I mean, when we have a potluck out there, we honor somebody. When we honor somebody in either the community or a group of people in the community, normally those people are given first opportunity to partake of the potluck. But if we went ahead and adopted this proposal, or if we do not adopt this proposal, it would basically be like a person that is not being honored coming into the community and be in front of, or get the first opportunity to partake of the potluck.

So we really recognize the sacrifice that many of these people have taken in the lower river and support this proposal to make it a no fly zone.

And there's, you know, Staff comments by the InterAgency Staff Committee, the Department of Fish and Game comments indicate that, you know, the fly-in hunters will not likely be a problem. And I'm pretty sure there are different areas across the State, in fact, one was just mentioned this morning in the case of Arctic Village where somebody thought it was not going to be a problem, but it's a problem today, of airplanes coming in from all different directions. You know, if you look at the Kanektok River, the Goodnews River, Aniak River in the Kuskokwim area, or in the Kuskokwim River corridor, you know, people -- I'm pretty sure managers back then didn't think it was going to be a problem managing the sport fishery in those communities. Today it's a problem. I mean, we have many, many, many, many people coming in, converging on these rivers during the summer. And it's getting to be almost like the Kenai River, combat, the combat fishery.

And I'd just like to stress that moose resources in the lowest part of the Yukon River is an important food species for the people there. You know, statistically it shows that meat is extremely important to the people in our villages. Over 600 pounds per capita is the latest statistic that I've seen of wild meat consumption in that area, or in the western part -- in our part of western Alaska. So, you know, whatever protection that we can provide for the moose populations
and for subsistence opportunity in the area, it would really help us out.

We also support Proposal No. 28 and 29, 28 extending the moose season from a 10-day period to a 20-day period would greatly enhance subsistence opportunity for many of the people in Unit 18. And we also support the definition of calves that is written into the proposal.

This past hunting season, in December of 2005 and January of 2006 when this State-sanctioned hunt went on, we received a number of calls from people in the villages being cited for harvesting illegal calves, even though it was legal to harvest calves in the area. People were complaining that law enforcement officers were citing them for harvesting calves. And when people called, I was extremely confused. I was wondering what was going on.

And it turned out to be that the definition of calves between the hunter and the enforcement officials was completely different. The enforcement officials and the regulation indicated -- regulations indicate that calves are moose that are less than 12 months -- or 12 months or less than a year old. And most of the people out in our area don't customarily harvest calves that are probably about this tall, and maybe about this long, and maybe yield 50 pounds of meat, maybe 20 pounds, 30 pounds. That's just not very much of harvest.

So we really support the current proposed definition of a calf to indicate that it is a calf with its mother. And much of the harvest effort under the State-sanctioned hunt went after those bigger -- the bigger calves that accompanied their mothers. So that would basically help support, you know, what the more common and local -- what the local definition of calf is.

We would also like to go on record to oppose Proposal No. 30. This is a proposal that we believe is premature. It is -- a proposal to open up Unit 18 for sport and nonresident hunting. There is a current moratorium that is going on in the lower Kuskokwim area between the Community of Kalskag down to Tuntutuliak, down to Eek and up towards Lakes on the Kuskokwim side. And we also have a pretty stable moose population in the upper to mid lower Yukon, but we have a rapidly expanding moose population in the lowest part of
the Yukon River, but we have a great subsistence need in
the Yukon-Kuskokwim Delta that needs to be protected.
And by opening the hunt up to a general sport hunt would
greatly affect the subsistence harvest in the area.

And, Mr. Chairman, that basically
concludes my testimony, and I'd be more than happy to
answer any questions that you have.

CHAIRMAN DEMIENTIEFF: Regional Council
recommendation.

MR. WILDE: Mr. Chairman. Yukon-
Kuskokwim Subsistence Regional Advisory Council not
support Proposal 30 without modification, against eight
-- the Council against eight, for, none.

We have to listen to our elders, people
from the Yukon-Delta and the lower Yukon have expressed
their concern about this proposal. And people of Lower
Yukon share their concern and met and they say the needs
of the Lower Yukon villages are not met, what they mean,
my understanding, when they talk there, we never catch
some time that even time one moose, sometimes not enough
for the family, they are concerned about the changing
environment, stability of moose population and there is a
concern about people in the Lower Yukon being able to get
enough moose to feed their family into the future
generation.

So I think the Council they understanding
what those people, they try to say.

CHAIRMAN DEMIENTIEFF: Thank you, very
much. Staff Committee.

MR. KESSLER: Thank you, Mr. Chair.
Steve Kessler with the InterAgency Staff Committee.

The Staff Committee recommends that you
defer the proposal, which is contrary to the
recommendation of the Y-K Delta Regional Advisory
Council. And I ask you that you please bear with me
because we do need to provide the logic for deferring.
It's sort of the social part of the situation that the
Board needs to consider.

There is strong widespread resistance
among Yukon-Kuskokwim Delta villages to
the proposed elimination of this closure.
The moose population in the area has increased rapidly as a result of the moratorium on moose hunting from 1988 to '94 and now supports a substantial harvest that provides moose to villagers in the region.

The moratorium was implemented through agreements and cooperation between the affected villages and the agencies, and its success depended on the voluntary compliance with the moratorium by local residents. Many of these people are concerned that allowing non-local hunters into the area will reverse the hard-earned gains they achieved in establishing a productive moose population.

As you know a similar moratorium was implemented for the Lower Kuskokwim drainage in 2004 after years of village outreach efforts by the State and Federal agencies and Native resource managers. The success of the Lower Yukon moratorium was key in achieving this consensus among lower Kuskokwim villages to support the Kuskokwim moratorium.

Although the moose population in the Lower Yukon River drainage can now support use by both Federally qualified users and others, rescinding the closure to non-Federally qualified users in that area may jeopardize the continued support and the ultimate success of the Kuskokwim moratorium.

Effective management of wildlife resources on the Delta has historically involved participation and consensus building among the affected villages. Additional dialogue is needed with the affected villages in both the Lower Yukon and Kuskokwim drainages to reassure them that allowing use by non-local villages and other non-Federally qualified users, when the moose population can support such use will not jeopardize their opportunity to harvest moose.
Therefore, a deferral is recommended to allow that dialogue to occur.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman. The Department supports deferral of this proposal for one year only.

We want to join everyone else in acknowledging the success of that moose hunting moratorium in the area and the commitment that local residents made to its success. It's really a model for all of us to look closely at for other situations that might require similar action.

The success of that moratorium in rebuilding the moose population in the remainder of Unit 18 has eliminated the need to restrict hunting opportunity only to Federally qualified subsistence users. The moose population there can now sustain additional harvest and the Department is encouraging more harvest in the area below Mountain Village. Allowing non-Federally qualified subsistence users to hunt moose in the remainder of Unit 18 is not expected to attract very many non-local hunters to the area.

No evidence is presented to support deferral of this proposal in order to ensure conservation of a healthy moose population in the affected area of Unit 18. However, we agree with the InterAgency Staff Committee that additional time is needed to discuss this proposal with residents in the affected area and we recommend that this be done within the next year, consequently we seek assurance from the Board that this proposal will be resubmitted for consideration in 2007 and not deferred indefinitely.

Thank you.

CHAIRMAN DEMIENTIEFF: I guess as we go to the discussion, the point that I'm struck by in terms of the Council recommendation and the fact that our process allows it to come back in a year's time consistent with the deferral people, I guess my own personal inclination is just to go along with the recommendation of the Council and oppose the proposal
knowing that it's going to come back after people have had -- or a refined proposal will come back in time for next year's cycle.

That's the only point that I wanted to make because there's probably going to be some modification. And, you know, we're going to the people, I'm sure we're going to be going to the RAC anyway to do that, and so think even though the Staff Committee and the Department are in favor of deferral, I think, myself, I'm just in favor of adopting the Council recommendation all the time knowing we'll probably be dealing with this again next year.

Further discussion.

MR. BREWSTER: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BREWSTER: I guess I would address this to the Fish and Wildlife Service in terms of engaging in the dialogue with the local villages. Is there a plan in place, how would they go about that?

MR. EDWARDS: Well, I'm not aware, and maybe somebody else is, is that, if we necessarily currently have a plan, I think. Our Refuge folks have an excellent relationship for the villages out on the Delta and, you know, I would have full confidence in them that they would proceed to have a dialogue and do it in a responsible manner.

CHAIRMAN DEMIENTIEFF: Yeah, Gary, that's also been my somewhat more than casual observation, is your Staff out there's ability to work with the local people has been really excellent through the years.

MR. EDWARDS: Mr. Chairman. Maybe to get some additional discussion I'll go ahead and make a motion and then maybe we can go from there.

I would move that we would reject the recommendation of the Yukon-Kuskokwim Delta Regional Advisory Council, which was to reject Proposal 30 and instead I would move that we would defer the proposal. And in so saying that I really enjoyed the analogy that Ted Hamilton gave about the potluck, I mean it's -- you know, you have worked real hard over the stove all day long and, you know, gone out and gathered your food and
you have invited your friends and family and neighbors and all of a sudden other people show up at the door.

And it's not that you might not have enough food to provide for them, it's just the idea, well, you know, you could have at least had the courtesy to ask us and then we would decide whether, you know, we were going to welcome you or not. So I thought it was a very good analogy.

I do think we have a situation here where I think, you know, one way to go obviously would be to support the Council and reject it, I guess I don't personally feel comfortable, given that what seems to be occurring, you know, with the population and all that there's necessary good justification to do this by just outright rejecting it. I do think by deferring it, you know, it does provide the opportunity for this dialogue. You know, folks have really, I would argue have sacrificed to help get these populations to where they are and I think we need to be respectful of that and recognizing that as the abundance occurs, it provides the opportunity to obviously share and let more involved in that but I think we have to work through that process.

I'm also concerned that we need to be careful as to what implications any of our decisions might have on the other portion of the unit where folks have equally made those sacrifices. But I think deferral is a better way to go. I think in some ways, you know, might spur the dialogue recognizing that at some point in time, as the populations continue to increase, that the use will be expanded and I think that maybe sends a better message to all involved as opposed to outright rejection of it.

CHAIRMAN DEMIENTIEFF: Let me understand in all that. The motion is straight up to defer the proposal, right?

MR. EDWARDS: Yes, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Okay. And you're giving your argument.....

MR. EDWARDS: Actually I think my motion was a rejection of the Council's recommendation which was to reject the proposal, instead I would move that we would defer the proposal.

CHAIRMAN DEMIENTIEFF: Right. You've
given your justification for that.

MR. EDWARDS: Right.

CHAIRMAN DEMIENTIEFF: But I just wanted to make sure that we got the motion down, which is basically to defer. Is there a second to the motion.

MR. CESAR: Yes, I'll second that motion. Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CESAR: So I can understand this a little clearer, so basically we would defer the motion and leave it go with the status quo, which is that the area is closed to non-Federally approved subsistence users; is that correct?

MR. BOYD: As I understand it, that's correct. It would remain closed to all non-Federally qualified hunters, yes.

CHAIRMAN DEMIENTIEFF: Further discussion.

MR. BREWSTER: May I ask by adopting the motion to defer, does that -- is it the responsibility of the Council then to bring it back in a year or does the Board take it up within a prescribed period of time?

CHAIRMAN DEMIENTIEFF: You know, I think it's the property of the Board still to come back and, you know, we've heard from both Staff Committee and the Department and we know it's going to come back before the RAC but we are going to engage and take another look at it, and basically it will be a year away.

Any further discussion on the motion.

(No comments)

CHAIRMAN DEMIENTIEFF: Again, I intend to vote against the motion, even though I know all the approaches get us to the same place and I know it's going to stay a live issue, I'm just in favor of using the RAC recommendation. So I just wanted to restate my position with regard to that.

Further discussion.
(No comments)

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Opposed.

Aye.

CHAIRMAN DEMIENTIEFF: Motion carries. Okay, with that we'll shift gears -- what time is it?

MR. BOYD: Quarter to noon, 17 to noon.

CHAIRMAN DEMIENTIEFF: It's about a quarter to noon, I think we just might as well break right now because I know we won't have time to go through and we got Western and Eastern, I think, right after lunch, so we'll go ahead and engage at 1:00 o'clock.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: Let me just kind of go over the agenda. The reports that we'll have after we do finish the regulations, right now we have six proposals that we have left to do, and the reports shouldn't be that long, each one of them. And I've been checking with the Council Chairs, I don't know that we have a lot of issues with regard to the Board/Council Chair discussion, but we certainly want to do diligence, however that works out.

What I'm saying, I guess, is there's a possibility that we may get done today, you know, but we still have the room tomorrow irregardless and actually I can't even -- for some reason can't even get a flight to Fairbanks tomorrow so I don't know if I'm not here until Friday anyway, I don't know what the big occasion is but anyway that's kind of where we're at. But there is a possibility, but then on the other hand, you know, we've got Tom's party tonight and we're going to need to break early. So we'll go along, and as opposed to going late and finishing up, we'll go ahead and postpone the rest of the agenda until in the morning so that's the way we're going to approach this and we'll just be flexible.
In any event no matter how you look at it, we're going to get done ahead of schedule, so like I said six more proposals, the first one being Western, let's see what is it, 34?

MR. BOYD: Yes.

CHAIRMAN DEMIENTIEFF: Staff introduction.

MR. DEMATTEO: Mr. Chair, the analysis for Proposal 34 can be found in your book beginning on Page 313 and this proposal was submitted by the Western Interior Regional Council.

It would change the closing dates for the fall moose seasons in Unit 21(A), 21(B), 21(D), 21(E) and Unit 24 from September 25 to the closing date of October 1st. This proposal would also change the closing dates for the fall moose seasons in the Koyukuk Controlled Use Area in Units 21(D) and Unit 24 from September 20 to the closing date of October 1st.

This proposal was submitted because the proponent feels that warmer than normal fall temperatures are delaying the movement of bull moose during the fall seasons. The proponent has made the claim that the delay in fall movements of bull moose has prevented subsistence hunters from harvesting the moose they need.

The proposed regulatory changes can be found on Pages 316, 317 and 318. Resource managers agree that additional data is needed before a determination can be made concerning the recent warmer than normal fall temperatures, are part of a longer term climate pattern. Analysis of results from population surveys conducted in Unit 21(B) and 24, except that portion of the Koyukuk Wildlife National Refuge could support an additional, but limited harvest during the proposed six day season extension.

For the affected areas in Units 21(A), 21(D) and 21(E) analysis of results from moose population surveys indicate that these areas cannot support an additional harvest.

Mr. Chair. Since the beginning of the dual management system in 1990, the primary goal has been to align Federal and State regulations towards achieving cooperative management goals and to limit, when possible,
hunter confusion over regulations. Extensive efforts over the last 15 years has been made to align hunting and fishing regulations throughout the affected areas where and when possible. If Proposal 34 were adopted, it would bring the Federal regulations out of alignment with the State and subsequently with current management objectives. Also State and Federal regulations not in alignment would produce mixed blocks of Federal and non-Federal lands with different season dates around the villages. Some local residents would have difficulty in determining the differences between Federal and State jurisdiction. The non-alignment of regulation creates potential law enforcement issues as well.

Adoption of the proposed regulatory changes may result a need to establish a Federal permit system for the Federal only fall seasons because current management objectives prescribe a close watch to keep harvest totals within the management guidelines.

If this proposal is adopted it will also be necessary to do extensive outreach with hunters regarding the different land status boundaries in order to avoid potential law enforcement situations and also to collect harvest information.

With that, Mr. Chair, I will stop there and answer any questions you may have.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. MATHEWS: Yes, Mr. Chairman, they're found on Page 311 and we have an additional one that came in since the publication of the book, so there's five written comments.

Three were in support with modification and two opposed.

There's Gates of the Arctic Subsistence Resource Commission, they took up this proposal twice. At the first time they took it up they unanimously supported the proposal for the reasons stated by the proponent, which is the declining moose population, restriction on cow harvest and warmer fall weather. When they took it up recently at their April meeting in Coldfoot they discussed the proposal again and they urge
favorable action on this proposal as recommended by the
Western Interior and North Slope Regional Advisory
Councils, i.e., the northern portion of 24. So they
supported that.

And then the moose population of the
northern portion of Unit 24 has declined.
The winter cow moose harvest has been
restricted and the warm fall weather has
delayed the onset of the moose rut. The
combination of these factors makes
meeting basic subsistence needs very
difficult.

The Alaska Regional Office for the
National Parks Conservation Association. They support it
with modification.

For one of the reasons, for the change in
the season has been suggested because of
the warmer temperatures, the suggested
revision to the regulation extends the
season either by a week or 10 days.
Isn't extending the season contradictory
to the concern about moose populations.
To address the contradiction, the
Advisory Board, which I assume is the
Council, may want to consider shifting
the season later with no change in the
season length.

So we interpret that as support with
modification.

Holy Cross Tribal Council opposed the
proposal for their area which is Unit 21(E).
The Holy Cross Tribal Council opposes
extending the bull season in their area.
The Grayling, Anvik, Shageluk, Holy Cross
Local Advisory Committee also opposed it.
And then the Koyukuk Local Fish and Game
Advisory Committee supported with modification. They
supported it for the northern portion of the Koyukuk
River and they were also taking up the parallel proposal
before the Board of Game, which is Proposal 95.

But anyways, they felt that the moose
population was healthy enough to support any additional harvest with this extension. And the communities of Alatna and Allakaket need this fall season extension.

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

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

MR. COLLINS: Mr. Chairman. The Western Interior SRC, the one that put this in, it was fairly broad when we first put it in, after further discussion, what we're really asking for now is only for that upriver area with Alatna and Allakaket up there up in 24 for the extension of the season and we can see where other areas now have not -- Holy Cross and others have not asked for the longer season.

One of the most frustrating things, I think for subsistence hunters now is the lack of control you have over your hunting. When I say -- if I take you back a few years, when I first moved to the Upper Kuskokwim area, let's say there, we had a season that opened in August and continued until mid-September or something like that. And subsistence hunters could then pick and choose when they went out, when the weather conditions changed it wasn't a problem, we had a long enough season you'd wait until it was cold enough to keep the meat then and then you would go out. But in recent years, with the more restriction, shorter seasons and then with the State changes where now everyone in the state is a subsistence hunter we've lost the flexibility we had to have separate subsistence seasons under State regs for local people that give them an opportunity to go out and get the meat they need and I know from those villages up there, it was very frustrating to them with a short fall season, and then having the warm weather to be forced to go out and burn up gas at the high cost they pay in Allakaket and so on up there during that short season to try to get their moose. And I know the State made the argument, well, people are getting the moose they need. The records have showed that the harvest is the same. But what it doesn't show is that they're having to put in a lot more effort.

And so by asking for a longer season it
only affects those Federal subsistence users in that
immediate area and allows them, if we do have a warmall, they can wait until the leaves start dropping
before they expend their gas to go out and get a moose
and increase -- it's not going to change the harvest a
lot. And I think we have some obligation to try to allow
a longer season of opportunity for local people when it's
not going to make a big impact on the harvest, even
though it does make a difference between State and
Federal regs.

So we would ask that you seriously
consider now, at least the part for the up river
Allakaket area. They're at the head of the river where
they pay the highest price for gas and they've got
conditions in the fall when the water may be low, it may
be difficult to get out, giving them a longer season
gives them more opportunity to get the moose they need
instead of forcing them all to be out during that early
season when they're competing with all the hunters in the
state, the floaters coming down the river and so on
there.

So I'd ask that you seriously consider
that part of this regulation for the area up there on the
Federal lands.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee.

MR. BOYD: You still have Eastern
Interior.

CHAIRMAN DEMIENTIEFF: I'm sorry,
Eastern, I didn't realize, go ahead.

MS. ENTSMINGER: Thank you, Mr. Chair.
Yeah, the Eastern takes it up as a crossover proposal
because some of our people have C&Ts in that area and
they also support with modification as presented by the
Staff and for similar reasons as been outlined by the
other Council member.

CHAIRMAN DEMIENTIEFF: Thank you. YK.
Harry.

MR. WILDE: Mr. Chairman. Yukon-
Kuskokwim Delta Advisory Council oppose this proposal.
Yukon-Kuskokwim Delta Regional Advisory Council oppose proposal because of Yukon Innoko Moose Management Working and Grayling, Anvik and Shageluk and Holy Cross Fish and Game Advisory Committee did not support this proposal.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you, very much. We also have a recommendation from North Slope and we're going to ask Pete to go ahead and give that.

MR. PROBASCO: Thank you, Mr. Chair. Vince, were you ready to do it?

(Pause)

MR. PROBASCO: Okay, North Slope is to support with modification to apply the extended fall season dates to Unit 24 Federal public lands north and east, but not including the Koyukuk National Wildlife Refuge. And they made no recommendations for Units 21(A), 21(B), 21(D) and 21(E).

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Of course, there will still be ample opportunity for Regional RAC representatives to discuss the matter as we begin the deliberations, so thank you for your opening comments.

With that we'll go ahead to Staff Committee.

MR. PROBASCO: Thank you, Mr. Chair. Staff Committee's recommendation on Proposal 34 is to support with modification as recommended by the Western Interior and the North Slope Regional Advisory Council to provide season extensions for Units 21(B), 21(D) and those portions of Unit 24 north and east but not including the Koyukuk CUA or the Koyukuk National Wildlife Refuge. And the recommendation is found on Page 309 and 310.

The justification for this recommendation is the adoption of the modified regulation would provide additional hunting opportunities for those residents that have a positive customary and traditional use determination for moose.
in portions of Units 21(B), 21(D) and 24.

Analysis of the results from moose survey data indicate that only the populations in these areas could support an additional, but limited harvest during the proposed season.

The remaining affected areas do not currently have moose populations that could sustain additional bull harvest expected to occur during the six day extension.

A State registration permit should be required for the recommended August 22nd to 31st season for 21(D).

And a final recommended modification is to require a Federal registration permit for the March 1 through 5 season for Units 24(B) north of the Koyukuk River except the John River drainage.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman. This is a complex proposal that addresses several aspects of providing moose hunting opportunity in portions of Unit 21 and 24. The Department supports some parts of this proposal that align with Board of Game actions taken earlier this year and which have been supported by the Western Interior Regional Advisory Council, local Fish and Game Advisory Committees and the Yukon-Innoko Moose Management Working Group.

Specifically, the Department supports adoption of August 22 to 31 season dates for Units 21(B) and 21(D) outside the Koyukuk Controlled Use Area as recommended by the Middle Yukon and Ruby Fish and Game Advisory Committees.

We recommend no changes for Unit 21(A) and 21(E) as recommended by the Western Interior Regional Council and the GASH and Middle Yukon Fish and Game Advisory
And we recommend no changes for Unit 24.

Primarily for biological reasons the Department does not support the proposed September 26th to October 1 season extensions in Unit 24. The late September hunt would occur during the beginning of the peak rutting period and may result in some level of disruption. Research suggests that populations with low bull/cow ratios that are skewed heavily to yearling bulls, such as those in Units 21(B) and 21(D) may be impacted if normal rutting activities are disrupted. Even though moose populations densities in these areas are relatively high, disruption during the rut could be detrimental. The low density moose populations in Unit 24 with high bull/cow ratios and relatively few yearling bulls also may be impacted by disruption to normal rutting activities.

The Department recommends that Federal seasons be aligned with seasons established by the Alaska Board of Game in March of this year. The Board of Game adopted a 10 day season extension -- or 10 day season opening from August 22 to 31 in Unit 21(B) (ph) outside the Koyukuk and in Unit 21(B), the Board of Game did not adopt a season extension for any other areas covered in this proposal.

Finally, adoption of the Unit 21(B) parts of this proposal as modified by the InterAgency Staff Committee will not align the State and Federal regulations. The State regulations provide for registration and drawing permit moose hunts in the remainder of Unit 21(B), that portion of the Nowitna River drainage up stream from the little mud river drainage inside a corridor extending two miles on either side of, and including the Nowitna River.

Very few Federally qualified subsistence users have reported hunting moose in this area during the past five years so we don’t believe the Federal Board needs to distinguish this area from other parts of the remainder of Unit 21(B) this next regulatory year, however, the Department may submit a proposal next fall
to address this discrepancy and clarify the requirements for Federally qualified subsistence users who may be hunting moose in the upper Nowitna area.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Well, as Terry said and I was going to say this, too, this has been a really complex proposal and I think it's been mulled over and discussed for quite a while and so I commend everybody who's had a part in trying to come to some conclusion here. And I would support what the InterAgency Staff Committee has worked out in conjunction with the three of the four Councils.

CHAIRMAN DEMIENTIEFF: Thank you. Go ahead.

MR. OVIATT: This is a complex issue, and I congratulate everybody that sat in and worked through this issue with us all. BLM also supports the recommendation by the Staff Committee for this proposal.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion.

MR. COLLINS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Ray.

MR. COLLINS: Does the Staff position recommend opening up the 24 area portion in the upper river there, is that part of that recommendation or not?

MR. PROBASCO: Mr. Chair -- oh, go ahead Gary.

MR. EDWARDS: Go ahead.

MR. PROBASCO: Mr. Chair. Mr. Collins, yes, it does.

MR. COLLINS: Thank you.
CHAIRMAN DEMIENITIEFF: Gary, you had something else.

MR. EDWARDS: Well, Mr. Chairman, I'll go ahead and try to make a motion.

As recommended by the Western Interior and the North Slope Regional Advisory Council I move that we adopt Proposal 34 with the modifications that they have identified. Instead of trying to go through all of those, I believe those are the ones that would be identified on Pages 309, 310 and 311, and correct me if I'm wrong, and so I won't go through each and every one of those, as they have been said at least three different times. There's a lot here, and there's a lot of individual pieces to all of this. But at least it's my understanding that folks have worked closely on this and I think feel that all these changes, proposed changes and dates and all are appropriate and will not have any conservation concerns and will be of benefit to the folks who use these resources in these various units.

CHAIRMAN DEMIENITIEFF: We have a motion, is there a second.

MR. OVIATT: I'll second.

CHAIRMAN DEMIENITIEFF: Okay, thank you. I just congratulate all the people for all of the work. We've been dealing with this for some time. And even as we progress and I intend to support the motion for all of the reasons you've outlined, Gary, in your making the motion, but as with all of our regulations, as we get further review we have the opportunity to refine but because we haven't been able to get even this far until today then I just believe in us moving forward and we always have the ability to fine-tune later, so we'll cross that bridge as issues come up.

So that's my rationale for intending to support the motion.

(No comments)

CHAIRMAN DEMIENITIEFF: Any other discussion.

(No comments)

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries. Okay, let's see, Seward Penn doesn't have any proposal on with the withdrawal of 53. Northwest Arctic is on consent. And looking forward North Slope is also on consent -- or consensus, or whatever, so we're going to move into Eastern Interior.

Go ahead.

MR. MATHEWS: Mr. Chairman. I don't know if Tom Boyd got a chance to talk to you, that we've been negotiating with representatives of Arctic Village that are en route here, they're supposed to arrive in about 20 minutes and they mainly want to talk about Proposal 57, so if the Board would like to hear their testimony, you would have to take Proposal 57 later on on the agenda.

CHAIRMAN DEMIENTIEFF: We'll honor that request, Vince, that's a long way to travel and so we don't want to have a fruitless trip. So maybe we'll go into 58 then, Staff analysis.

Go ahead.

DR. WHEELER: Thank you, Mr. Chair. My name is Polly Wheeler, I work for the Office of Subsistence Management. And I will be presenting the analysis for Proposal 06-58 for you today. You can find it in your hefty Board book on Pages 460 to 472. I have the cheater's version, just the Eastern Interior thing up here, but it's still the same pages.

I'm not going to go through all of the analysis today, but rather incorporate it by reference, and address a few of the key points here, Mr. Chair.

This proposal, WP06-58 was submitted by the Eastern Interior Alaska Subsistence Regional Advisory Council. It requests that the positive customary and traditional use determination for moose in portions of
Unit 12 be expanded to include all residents of Unit 13(C). The Council's rationale for submitting the proposal is that it supports a more comprehensive customary and traditional use determination for Unit 12. Because of the proximity of the Unit 13(C) residents to Unit 12, as well as acknowledge that Unit 13(C) residents have a traditional pattern of hunting moose within Unit 12.

The existing regulation is in your books on Page 462, and the proposed regulation is on Page 464.

Just a little bit about the regulatory history because it is a little bit confusing and you may not remember from a year ago when you addressed this same area for Chistochina in this same area for the same species but I'll just hit a few of the highlights here. The regulatory history is on Page 464 in your books.

The customary and traditional use determination for moose in Unit 12 is essentially the same as originally adopted by the Federal Board in 1992 from State of Alaska determinations. The State recognized the customary and traditional use of moose in all of Unit 12 by residents of Unit 12 and to address use by residents of other areas, three areas within Unit 12 were identified. 1989 State regulations referred to these areas as south, east and north respectively. For the purposes of this analysis and actually if you can follow me on this one you'll be ahead of the game on the next proposal because they refer to the same areas. So for the purposes of this analysis these three areas are labeled as A, B and C in the regulatory language above, that is on Page 464, and are depicted in Map 1.

In the south or the A portion of Unit 12 which encompasses the Nabesna Road area, residents of Unit 12 were recognized as having positive customary and traditional use as were residents of Unit 11 north of the 62nd parallel and that's approximately at the junction of the Unit 11 boundary with the Klawasi River (ph). Also residents of Unit 13(A), (B), (C), (D), residents of Dot Lake and Chickaloon. Again, they were included as recognized as having a positive customary and traditional use.

In the north or C portion of Unit 12, residents of Unit 12 and residents of Dot Lake and Mentasta Lake were recognized as having customary and traditional use of moose.
And in the east or B portion of Unit 12, residents of Unit 12 were the only customary and traditional users recognized until 1998 when the Federal Subsistence Board added the residents of Healy Lake to all of Unit 12.

And, again, at your May meeting last year you probably remember that you added residents of Chistochina to the customary and traditional use finding for all portions of Unit 12 through Proposal 05-21.

And, again, this proposal asks to add the remaining residents of 13(C) to the C&T determination for moose in all of Unit 12.

The community characteristics you can find in your book on Pages 464 to 465 but I'll give you just a little summary here. Basically as already noted the community of Mentasta Lake is included in the customary and traditional use finding for moose in the A and C portions of Unit 12, but not in the B portion. Gakona and Slana are also included in the customary and traditional use finding for moose in the A portion of Unit 12, but not in the B or C portion of Unit 12. And people residing along the Glenn Highway and Tok cutoff road are also not included in the customary and traditional finding for moose in the B and C portions of Unit 12.

The discussion of the eight factors begins on Page 465 to 470 and goes through to 470 in your book, it's a lengthy discussion. Basically the discussion on these five pages indicates that the people in the area demonstrate a long-term consistent pattern of use of moose in the area in question exemplifying the pattern indicated by the eight factors. Again, for a detailed discussion of this pattern I refer you to Pages 465 to 470 in your books.

In terms of effects of the proposal. Adoption of Proposal 06-58 would recognize the remaining residents of 13(C) as customary and traditional users of moose in the remaining portions of Unit 12(B), that is east of the Napesna River and Napesna Glacier, south of the Winter Trail from Pickerel Lake to the Canadian Border and C, the remainder of Unit 12. This recognition should not have an impact on other users or the resource.

Mr. Chair.
CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. MATHEWS: Yes, Mr. Chairman, there were three written public comments. A summary can be found on Page 461.

Two were in opposition.

The AHTNA Subsistence Committee opposes the proposal. This subunit is the AHTNA people's customary and traditional use area.

The Mentasta Traditional Council also opposed this proposal. They do not support the proposal and would like -- well, if it is to pass, they would like to read, Mentasta Lake and Chistochina instead of Unit 13(C) residents. The communities of Mentasta and Chistochina have traditionally used this area and to include all of Unit 13 would include others with no use.

The Wrangell-St. Elias Subsistence Resource Commission really didn't come up with a position on it because they had a split vote, and they wanted to share both positions.

Those who supported the proposal noted that people living in Unit 13(C) have well-documented ties to the region at issue. The recommended that rather than using the term Unit 13(C), the regulation should list the designated resident zone communities of Chistochina, Mentasta, Gakona, and Slana.

Those who opposed the proposal were concerned that not all the communities and areas in Unit 13(C) have demonstrated to have a customary and traditional use of moose in the area in question.

Mr. Chairman, that's a summary of all the comments.

Thank you.
CHAIRMAN DEMIENTIEFF: We have one additional request for public testimony at this time.

Donna Pennington.

MS. PENNINGTON: Thank you, Mr. Chairman. Esteemed members of the Federal Subsistence Board. My name is Donna Pennington. I currently reside in Tok, it's a recent move, but I've lived in Mentasta almost all of my life.

I want to back up in history just a little bit. When the ANCSA land selections were made we based a lot of our selections primarily on subsistence patterns. The general intent of ANCSA and ANILCA was to protect the traditional subsistence use by Alaska Natives. Subsistence is under constant legal attack by the State of Alaska. This Board faces litigiousness with each decision it makes such as, and the excuses can be used, the insufficiency of information or based on sound science rhetoric used by many non-Native interests. Each proposal proposes threats to the protection of traditional subsistence users based on our history and our custom.

ANILCA's intent to protect subsistence use erodes with every lawsuit. It costs the Native community too much time, energy, money and just everything to come here to all of these meetings and to defend our traditional rights.

Customary and traditional determinations should not be automatic. Regulations should be culturally sensitive, and reflect culturally historical use. The historic cultures of Mentasta and Chistochina are ingrained in the place names, the rivers, the towns, those are our original trails since time immemorial. Not every homesteader or community should be able to piggyback off of our history. Many of these places under this proposal will not have to prove their preparation, handling, sharing, potlatching. Slana predominately is successful in the hunt, it's predominately non-Native and our lands are being utilized on these.

On Proposal 58. I support AHTNA's and Mentasta's comments. I'm concerned about the InterAgency Staff Committee recommendations that C&T in Unit 12(B) and (C), where they state, where there is some support for pattern of use, some support for pattern of use is insufficient to prove C&T.
The Wrangell-St. Elias National Park Subsistence Resource Committee's comments have well documented ties, that concerns me, too. Having well documented ties does not prove customary or traditional use.

I must oppose this since all residents of Units 13(C) have not proven C&T as the residents of Mentasta and Chistochina have to do. And I personally don't think they should be able to piggyback off of our Native history and cultural use.

Slana did not exist 30 years ago. It has not proven C&T and it should go through the process. Also it competes with the actual original traditional users.

I support Proposal 59 to eliminate the confusion. Support 60 as more and more we're finding restrictions to subsistence users and this has less.

I oppose 61.

In general, I support predator control.

The reason there are even resources to manage and I've stated previously, you know, the traditional AHTNA have taken care of our resources for many, many, many years. And each time we come here we have to defend what we consider traditional use.

I'm concerned about the eight factors. They need to be revised, where, if we're going to use like the pattern of use and handing down knowledge, you know, everyone can use that excuse but the pattern of use for shared or distributed within a definable community of persons, such as our potlatches, that hasn't been adhered to.

90 percent of us in Mentasta use, even though we only catch 30 percent of the harvest, we do share with elders, with people who aren't part of the permit system in our potlatches. I don't see those same tests being applied to communities who have not even applied for C&T so I oppose giving them automatically.

And with that, if there's any questions.

CHAIRMAN DEMIENTIEFF: Any questions.
CHAIRMAN DEMIENTIEFF: Thank you, very much. Appreciate your -- Sue.

MS. PENNINGTON: Thank you.

CHAIRMAN DEMIENTIEFF: Sue, go ahead, sure you may.

MS. ENTSMINGER: Thank you, Mr. Chair. Donna, I watched you grow up down there.

MS. PENNINGTON: Yes.

MS. ENTSMINGER: And as time goes on and ANILCA has non-Native people included in rural, do you see a time where we can be joining hands as rural people, the Native and non-Native?

MS. PENNINGTON: Thank you, Sue, for the question. It is already occurring. We have for years been working hand in hand, I felt with the people that are up there. What we're facing is increasing pressure, an increasing number of people who actually aren't working with the communities that have existed up there. I would like to see a good management plan that allows for protection of subsistence rights without being overrun by others, in my case, that don't qualify under the current regulations that exist.

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. ENTSMINGER: Do you have a suggestion on how we could work together, how we could start this joining of hands?

MS. PENNINGTON: Well, we've had many meetings in response to agencies and other people who submit proposals without reaching out to the Native communities. This is where our fighting arena has become. But what should happen is the agencies Federal and State and other communities could reach out to our Councils, it would eliminate a lot of argument that we have before these Boards. I have testified before many boards on many regulations and it would have been so much easier to be contacted before the proposals were submitted.

That's one suggestion.
MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. EDWARDS: Maybe as a follow up question and I guess I would direct this more to Dr. Wheeler, but based upon the testimony we just heard and kind of looking at the eight factors and all, would you feel that there is a clear-cut delineation here with regards to C&T or is there validity in some of the issues that were raised?

DR. WHEELER: Mr. Chair. Members of the Board. I think that this is a tough issue. I think we heard some of the same testimony a year ago. I guess I'll remind you that this proposal was submitted by the Eastern Interior Council -- Eastern Interior Subsistence Regional Advisory Council, that Council's viewpoint is that customary and traditional use determinations should be as comprehensive as possible. They discussed this proposal at their fall -- spring 2005 meeting and fall 2005 meeting and then when it was before them at their spring 2006 meeting and they were very clear on the record that they felt that residents of 13(C) had a demonstrated pattern of use in this area.

I based my analysis on a review of the existing data, which, granted is somewhat old, I based it on harvest data, and in my view, as I said in the analysis, I think there is a demonstrated pattern of use. There's always going to be more use, less use, more people, more people, but, again, a read of the regulations, is there a demonstrated pattern of use.

I guess I would also say that patterns of use change and I think, you know, you sometimes have a -- someone's view of a demonstrated pattern of use may not equal another person's view of a demonstrated pattern of use. In the Eastern Interior Council's view, the analysis, you know, addressed the eight criteria in their estimation and that is, I guess, for your decision to make today.

Has the evidence presented, I've heard this evidence before, I also heard Wilson Justin speak at the Southcentral Regional Advisory Council and he was adamant that people in 13(C) should be included in the customary and traditional use determination for moose in Unit 12 because he felt quite strongly that people do have a demonstrated pattern of use.
I don't know if I answered your question, Member Edwards.

MR. EDWARDS: A follow up. Was that a unanimous vote within the Council?

DR. WHEELER: I believe it was. It was. I'm getting assurances from my colleagues on either side of me that, yes, it was a unanimous vote on the part of the Council.

Mr. Chair. Mr. Edwards.

CHAIRMAN DEMIENTIEFF: Thank you. Any other questions right now or we ready to move on.

(No comments)

CHAIRMAN DEMIENTIEFF: Regional Council recommendation.

MS. ENTSMINGER: Thank you, Mr. Chair. First, I'll just kind of reiterate what you see before you. Eastern Interior recognizes that moose are clearly an important subsistence resource for the residents of 13(C) and there is evidence that these communities use moose in the portion of Unit 12. The Council needs to protect similar situated users. The Council has always tried to be inclusive when addressing customary and traditional use determinations, people that live along the road as well.

I wanted to give just a little bit of history also here. In 1978 the Antiquities Act passed and then in '80 the final ANILCA was passed and during those two years there were meetings and meetings and meetings and meetings in the area that brought in both the two Federal areas in this region that we're talking about, the Park, which is 48 percent of Unit 12, and then the Refuge, the Tetlin Wildlife Refuge. And originally, some of the communities were not included and the meetings and meetings and meetings that people go to, it was unfortunately between Native and non-Native communities, that Native communities were included and non-Native were not. Tok, Slana and Glennallen wanted to be included and then when the final thing passed they were included. And for me, as a mother, and hopefully grandchildren some day, I would like to see these communities join hands, I mean we have a future here that we're looking at. And people that live there, similarly
use the resource as the people that have been there a
long time, and a lot of the non-Natives have been there a
long time. It is a sensitive issue.

And, I, for one, want to see us be able
to work together in the future, I don't want to see us,
you know, having these differences and I appreciate
Donna coming forth because I think what we need to do is
talk to each other first before things come out in the
meeting so people feel respected in that light.
Sometimes we're overtaxed with these meetings that we're
going to and we don't end up doing as much work prior to
a meeting.

So I just wanted to add that to your
things to think about.

Thank you.

MS. PENNINGTON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: You -- go ahead.

MS. PENNINGTON: If I just may, what I
oppose is the blanket customary and traditional
determinations given to everyone without proving
themselves under the current regulations.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

We're done with public testimony so if you have other
issues that you want to bring up, I suggest -- what other
people do is work through their RAC representative,
which, in your case is, Sue, and it sounds like you guys
know each other a little bit, well, and, of course, Sue,
you'll have other opportunity during Board discussion and
what not, too.

So I thank you very much, Donna.

MS. PENNINGTON: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Okay.

Southcentral.

MR. BLOSSOM: Mr. Chairman. This area is
in our district but the animals are going to gather in
the eastern district so we deferred this. We had members
like Gloria Stickwan who was opposed to this because
they're into her area where she hunts and everything, so
we had to defer it because we didn't feel we had the
CHAIRMAN DEMIENTIEFF: And I just note for the two of you, we've been dancing this dance with regard to the two areas for quite a few years, this is not the first go around that we've had on this. And so we, you know, we've been -- just because they're so closely connected. So we're kind of used to it.

So it's not, like I said, the first time.

Staff Committee recommendation.

MR. PROBASCO: Thank you, Mr. Chair. The Staff Committee recommendation is to support the proposal as recommended by the Eastern Interior Regional Advisory Council.

Moose are clearly an important subsistence resource for residents of Unit 13(C) and there is evidence for these communities using moose in portions of Unit 12, primarily 12(A) for which they are currently included in the positive C&T use determination and 12(B) and 12(C) for which there is some support for a pattern of use.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department.

MR. HAYNES: Thank you, Mr. Chairman.

The Department recommends deferral of action on this proposal and other customary and traditional use determination proposals that would result in a change to the existing finding until the Federal Board has adopted procedures including standards and criteria for making such determinations.

Thank you.

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

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.
MS. GOTTLIEB: Thank you. And I agree, this is difficult with the two units adjacent and the road system and so we've been talking about this area for many years and I'm sure we'll continue to have discussions.

I think one of the important aspects is the effects of this proposal. We're only talking really about relatively few people and the expectations that there would not be a significant impact on current users. And so I think the analysis that was done was quite complete and I would feel comfortable making a motion then in support of the Eastern Interior Regional Advisory Council to adopt this new C&T.

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

MR. OVIATT: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion.

(No comments)

CHAIRMAN DEMIENTIEFF: Again, I intend to support the motion for the reasons that I outlined a few minutes ago that Southcentral and Eastern have worked very hard through the years on working these issues out. And I just, again, congratulate them and let you know exactly where I'm coming from. Because we needed your guidance in the past and we'll probably continue to need it in the future so that's the reason why I intend to support.

Gary, you had something.

MR. EDWARDS: Mr. Chairman. I'm going to vote against the motion. I guess I'm not convinced. I'm not sure what it would take to convince me, but at least at this point I'm not convinced that that's the proper action to take.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none, all those in favor of the motion please signify by saying aye.
IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed.

MR. EDWARDS: Aye.

CHAIRMAN DEMIENTIEFF: Motion carries.

Proposal 59. Staff analysis.

MR. LAPLANT: Mr. Chairman, for the record Dan LaPlant with OSM. Proposal 59, the analysis for that is in your book on Page 476.

This proposal was submitted by the Eastern Interior Regional Advisory Council. It requests that Unit 12 moose regulations be changed to make them easier to understand. The proponent states that they're not asking for any substantive changes to the harvest seasons or to the customary and traditional use determinations however they would like to make some adjustments to reduce the confusion that exists with these regulations.

They say the confusion exists because the unit is divided one way for the purpose of describing customary and traditional use determinations and it's broken up and described another way for the harvest limits and seasons. In each of these two descriptions uses the term, remainder and the remainder is not in the same place for each of these ways of dividing up the area.

Now, we've got C&T areas described differently than hunt areas in other portions of the Federal Subsistence Regulations in other parts of the state and it is confusing to users. And this one, in particular, is probably the most confusing one we have in the regulation book.

To help describe the situation here, we use a visual aides here with the maps. If you look on Map 1 on Page 478, it shows the C&T areas that currently exist, and we're using the same A, B, C that the previous proposal used to illustrate where these areas are. Now, the area C on your map, that includes the Tetlin National Wildlife Refuge, that's the area that's described in regulation as being the remainder. Again, this is for C&T determinations.

If you look on the opposing page, Page
479, that's a map that displays how the hunt areas are described in current regulations. And we used 1, 2, 3 to describe those just for the purposes of discussion here.

In area 3 on this map is what is used -- is where the term remainder is used and describes that area, three.

So you can see the problem that exists when hunters talk about hunting in the remainder area, it depends on whether they're talking about the C&T determination or the hunt area description.

If you turn the page to Page 480 and look on that map, this is what the proponent proposed regulations look like to reduce that confusion. Actually redescribing the C&T areas to match the hunt areas, the 1, 2, and 3, having an A, B, and C, and actually adding a fourth one, D, and that way the hunt areas and the C&T areas would be described the same in regulation.

To accomplish that, of course, would require some minor changes in the regulatory language. There's two areas that we need to look at to understand where those changes would occur. As we looked at that, if you look back on Page 478, that first map that we looked at, there is a small area in the Tetlin National Wildlife Refuge that's below the Pickerel Lake trail where the trail comes up into the Refuge and it goes back down into the Preserve, you see there's arrows pointing in that area from both directions. Well, we discovered in our regulations, in our hunt regulations, that that area is actually described in both of those areas, so that's an error in regulations and we've probably been carrying that in our regulations for quite some time.

But we can change that as we write the descriptions and print the new regulations for the next regulatory year. So that will clean up some of that confusion.

The other area that needs to be looked at is that cross-hatched area on the northern piece of Area A on the map on Page 478.

In order to accomplish what the proponent is asking for, we would have to change the C&T for that small area. Specifically the C&T that would have to change, we'd have to add to the C&T for that area,
residents of Unit 11, those north of the 62nd parallel, and you've have to add all residents of Unit 13(A), 13(B), 13(C) and 13(D) in addition to Chistochina and Mentasta Lake in 13(D) who currently have C&T for that area, and would also include residents of Chickaloon. So they would have to be added to that cross-hatched area in what -- what that's essentially doing is moving that straight line up to the northern boundary of the Preserve. So all those communities that I just named currently have C&T in area A but as a result of this change they would have it in that area to the north of that straight line also.

That straight line, never have been able to find out the total origin of that, but that's something that was adopted from State regulations.

Our concern when we first looked at this is that that area, particularly the portion of it that's along the Nabesna River is easily accessible for people traveling up and down the Nabiesna River, and it may be a traditional use area and by adding this many people to the C&T for that area, it may be objectionable to the communities that use that area. So we went to the Council with that concern, and coming out of the Council meeting we were of a mind that that is probably is inconsequential.

The testimony we heard at the Council meeting was that the changes to the regulatory language necessary to accomplish the request is of no concern and otherwise not objectionable to the subsistence users that use that area now.

So to accomplish what the proponent wants the C&T for that cross-hatched area would need to be changed as I just described, and if that's done, we can actually simplify the regulations even farther.

If you notice on Page 480 on that map, Area D and 4 there are no Federal lands in that portion of it at all, so that piece can actually be described along with the area to the south and called the remainder, and by doing that we would have the hunt areas and the C&T areas described the same. And, again, to accomplish that, it would involve making the C&T determinations, adding those communities to that small strip in the northern part of that area north of Nabesna.

Mr. Chairman, thank you.
Written public comments.

MR. MATHEWS: Yes, Mr. Chairman, there were four submitted, all in support.

The AHTNA Subsistence Committee recognized that this was going to change the customary and traditional use determination, however, they support this proposal to revise that. And the reasoning for support is the more descriptive and clearer and accurate the regulations are it will be easier for them in the field.

The Mentasta Traditional Council also supported this proposal.

The Wrangell-St. Elias Subsistence Resource Commission supported it unanimously. The proposed C&T determination change is inconsequential and no one at the meeting testified that the small C&T change necessary to accomplish this proposal is concerned or otherwise objectionable. Without a geographic boundary -- a clear geographic boundary, our people are supposed to find out where they are.

In addition, making the proposed changes would be a more effective way to deal with the confusion caused by the existing regulation than the alternatives proposed in the Staff analysis.

Mr. Chairman, the last written public comment came from the Tetlin National Wildlife Refuge. They support the proposal. They believe that the proposed alternate of clearer regulatory language and maps may alleviate some of the confusion.

The Refuge's main concern is to have regulatory boundaries that are identifiable and more easily interpreted by the affected users. Presently, there's a great source of confusion by
local users with the existing regulations
as evident by the numerous questions the
Refuge receives each year. Aligning the
C&T determination and the hunt boundaries
would alleviate much confusion.

The Refuge acknowledges the proposal
would affect the current C&T
determination, but the amount of area
affected is small and located in a fairly
remote area.

Mr. Chairman, that's the summary of all
the public comments. Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. We do
not have any additional requests for public testimony at
this time.

Regional Council recommendations. Go
ahead.

MR. BLOSSOM: Mr. Chairman.

Southcentral, again, deferred this to the Eastern
District. We had public testimony during our meeting
that people were in favor of getting this clarified, they
said it was confusing and a problem. There, again,
because we feel it's their home region we shouldn't be
interfering in their decision.

CHAIRMAN DEMIENTIEFF: Thank you.

Eastern.

MS. ENTSMINGER: Thank you. We support
our own proposal for all of the reasons given.

And I might also add that I went to the
Upper Tanana Fortymile Advisory Committee and they also
supported it.

I'm kind of wondering why it isn't in
here. But I think that's all I have. I had something
else but I forgot.

CHAIRMAN DEMIENTIEFF: Well, again,
you'll have opportunity to come back if you had more to
add, we'll certainly accommodate you.

Staff Committee.
MR. PROBASCO: Thank you, Mr. Chair. The InterAgency Staff Committee supports the proposal as submitted by the Eastern Interior Regional Advisory Council.

However, the Staff Committee did some administrative clarification to simplify the language. We feel what we provided does make it a little bit clearer on the intent of the proposal.

Public comments received on this proposal from local subsistence users have all indicated that the proposed customary and traditional use determination change is inconsequential and that the changes in regulatory language necessary to accomplish this request is of no concern or otherwise objectionable by subsistence users.

Pretty clean-cut, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department, again, recommends that action on customary and traditional use determination proposals be deferred until the Federal Board has adopted procedures including standards and criteria for making these determinations.

However, the Department supports in concept the objectives of this proposal as hunt area descriptions that differ from customary and traditional use area descriptions in Unit 12 are confusing to the public and what's being proposed would resolve that problem.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Thank you. I want to thank Barbara Cellarius from our Staff who's helped to
work to make this clear and I think the Board ought to
jump at the opportunity to make a clearer regulation any
time we can. So we really appreciate all the cooperation
by the Councils and individual communities and tribal
organizations that went into working through this.

So I will make a motion consistent with
the Eastern Interior Regional Advisory Council's intent
to adopt the language as put forward by the InterAgency
Staff Committee as shown on 474.

CHAIRMAN DEMIENTIEFF: We have a motion,
is there a second.

MR. CESAR: There's a second here.

CHAIRMAN DEMIENTIEFF: Discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: I just wanted to
point out again and I double checked with our legal
Staff, using the existing means that we have to make C&T
determinations, our record is still unblemished, so even
though we're trying to fine-tune that process, our legal
record is still unblemished as far as being, you know, we
are in a defensible position.

So, anyway, I just offer that. I know
I've said it before, I can't remember, I think it was a
fisheries proposal or something but, you know, I just
wanted to point that out again just for the record.

Okay, further discussion.

MS. ENTSMINGER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Sue.

MS. ENTSMINGER: Yes, I just wanted to
also reiterate, Barbara Cellarius did a lot of work. We
times come up with the ideas, what would make
something simpler for the user and we don't have the time
develop what it takes and I know she did put in a time
for that proposal so I'm really thankful for that.

CHAIRMAN DEMIENTIEFF: Thank you. Any
other discussion.

(No comments)
CHAIRMAN DEMIENTIEFF: 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. Now, let me tell you how we're going to deal with this because Gideon James is on his way from Arctic, so we're going to go and move on with 63 and 64 and then we'll proceed on if he still hasn't got here. We're going to give him every opportunity is what I'm saying, to get here, but we can complete the work on the rest of our agenda and take that up, having giving him every opportunity to get here. So that's what my goal is.

Proposal 63.

Go ahead.

MR. KRON: Mr. Chairman. Members of the Federal Subsistence Board. Council Chairs. My name is Tom Kron with OSM. The analysis for Proposal 63 starts on Page 505 of your Board books.

WP06-63 was submitted by the Eastern Interior Alaska Subsistence Regional Advisory Council and seeks to provide additional opportunity for subsistence hunters to harvest wolves in the Eastern Interior region. This proposal affects wolf hunting regulations for Units 12, 20 and 25. It affects three National Wildlife Refuges, three National Parks and Preserves and BLM lands spread across these three large units.

In developing this analysis I worked with Staff from each of these Federal land management areas, four ADF&G Wildlife Conservation Division area managers, and the Fairbanks Wildlife Conservation Regional Staff.

Wolves occur throughout the Eastern Interior region and the populations are healthy. Wolf populations can support the additional harvest that would result if baiting were allowed during the hunting season. While wolves are usually an incidental take during moose, caribou and sheep hunts, it's expected that some hunters
would use baiting to target wolves during the hunting season.

A parallel State proposal, Proposal 121 was submitted to the Alaska Board of Game to allow wolf baiting in these same three Interior Alaska units. The State proposal was considered at the Alaska Board of Game's meeting in Fairbanks. Based on Proposal 121, again, it's the State's proposal, the Alaska Board of Game allowed this practice not only in the Interior Alaska -- Eastern Interior region but extended it statewide. They struck a prohibition against intentional feeding of, not only wolves, but also fox, coyote, and wolverine from 5 AAC 92.230, the feeding of game provision in State regs.

Federal regulations do not contain the feeding of game provision. Given that WP06-63, the Federal proposal and the public notice on the Federal side applies only to wolves, and that it is limited to the Interior Alaska region, Eastern Interior Alaska region, Staff do not believe it is appropriate for the Federal Subsistence Program to extend this allowance statewide or to include three additional species, fox, coyote and wolverine as the Alaska Board of Game did.

There are special provisions for safety and resource conservation in both State and Federal regulations concerning black bear baiting. For example, these provisions require that black bear baiting sites be a certain distance from a road or a dwelling and that the baiting sites be cleaned up when the hunt is complete.

However, at the March 2006 meeting, the Alaska Board of Game did not apply those safety and resource conservation provisions to the use of bait for wolves, fox, coyote and wolverine. Application of wolf baiting by hunters is expected to be limited. As such, special provisions may not be needed for wolves at this time. We can expect that a number of wolves will be taken incidentally by hunters that are baiting black bear.

It has been legal for trappers to shoot free-ranging wolves over bait during the trapping season on BLM and Fish and Wildlife Service lands in the past, however, it has not been legal for trappers to shoot free-ranging wolves over bait during the trapping season on National Park Service lands in the past.
Thank you, Mr. Chairman. I'd be happy to
answer any questions that you may have.

CHAIRMAN DEMIENTIEFF: Thank you.
Written public comments.

MR. MATHEWS: Yes, Mr. Chairman, they're
found on Page 504 in your book.

There's five of them, two in support, two
oppose, and one defer.

The AHTNA Subsistence Committee supports
the proposal. The populations of wolves
is over abundant and allowing baiting
would increase the chance of harvesting
more wolves.

The other one in support was from the
Wrangell-St. Elias National Park and
Preserve Subsistence Resource Commission.
They supported it because the proposal
would provide additional opportunity to
hunt wolves. We are losing moose and
caribou to predators and this proposal
would help manage these important
resources.

The Denali Subsistence Resource
Commission, who you do have the vice chair here if
there's any questions on theirs, that would be Ray
Collins.

They deferred on this proposal. Baiting
of wolves is not a traditional
subsistence activity in the Denali
National Park area and, therefore, this
proposal would have little affect on
subsistence users.

The two in opposition, one is the
National Park Conservation Association, and it's a little
bit lengthy, but basically they're point is that if there
was a parallel proposal submitted to the Board of Game to
provide this similar hunting opportunity, as this
proposal suggests:

I becomes questionable whether the true
intent of this proposal can be considered
subsistence. The NPCA's concern, the use
of bait to increase the wolf kill in this area, which includes Wrangell-St. Elias and Denali National Park and Preserve, and all of Yukon-Charley, by providing additional opportunity for its hunters is nothing more than predator control in disguise and should not be considered.

NPCA does not feel the intent is to provide for subsistence opportunity but, rather, is to make killing of wolves easier. The opportunity to kill wolves exists under current regulations. Killing wolves for the sake of reducing the population is not consistent with the Congressional intent, that units of the National Park Service should provide for natural and healthy populations.

This proposal should not be adopted.

We do have a full copy of their letter in your packet.

The other in opposition was the Alaska Defender's of Wildlife.

They oppose it.

1. Liberal seasons and no bag limits in three units at present allow sufficient opportunity for subsistence uses of wolves. Baiting is not justified.

2. Even if justification was offered for baiting, the proposal offers no system to administrate or limit baiting practices such as provided in State regulations.

3. There's a serious question about whether baiting as it is commonly practiced is customary and traditional subsistence activity under Section .803 of ANILCA.

4. Again, this type of proposal is primarily a predator control measure for which there is no authorization in Federal subsistence law except that it's a responsibility as the individual land
managing agencies.

Mr. Chairman, that's a summary of all the public comments.

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

Regional Council recommendation.

Eastern.

MS. ENTSINGER: Well, I can keep it simple, we support our own proposal.

CHAIRMAN DEMIENTIEFF: Western.

MR. COLLINS: Yeah, Western had opposed that because it wasn't a traditional practice in our area, but I'm also on the Denali and we deferred to the region that was more directly affected.

CHAIRMAN DEMIENTIEFF: Thank you.

Southcentral.

MR. BLOSSOM: Yeah, Mr. Chair, we again deferred it to the Eastern Council as they're the ones that brought it up and we figured we need to let them decide.

CHAIRMAN DEMIENTIEFF: Staff Committee.

MR. PROBASCO: Thank you, Mr. Chair. The InterAgency Staff Committee supports this proposal with modification as recommended by the Eastern Interior with additional modification to allow the use of bait to hunt wolves only on Fish and Wildlife Service and BLM lands in Units 12, 20 and 25.

As far as it applies to National Park Service lands, there are special provisions for safety and resource conservation in both the State and Federal regulations concerning black bear baiting. However, at the Board of Game's March 10th to 20th, 2006 meeting, the Board of Game did not apply similar provisions for the use of bait for wolf hunting, therefore, for safety reasons, the InterAgency Staff Committee recommends not providing for wolf baiting on National Park Service lands and restricting the regulation to Bureau of Land Management and Fish and Wildlife Service managed lands.
And, Mr. Chairman, Mr. Collins already captured the Western Interior's intent.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department.

MR. HAYNES: Mr. Chairman. The Department is neutral on this proposal.

If baiting of wolves is authorized under the Federal Subsistence hunting regulations on Federal public lands in Units 12, 20 and 25, we doubt that it will result in much increased harvest and it's not expected to create any conservation concerns.

The Eastern Interior Regional Council submitted a companion proposal to the Board of Game that was addressed at its March 2006 meeting. The Board concluded that no action was necessary on that proposal, as the State hunting regulations already allow the baiting of wolves and there was some revisions of the language in the State regulations to make that clarification.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

MR. EDWARDS: Mr. Chairman.

MR. KRON: Mr. Chairman. Mr. Edwards.

Bait is allowed during the trapping season with a trapping license on Federal lands.

There is a slight difference there. If
the wolf is not caught in a trap, if you're on Fish and
Wildlife Service and BLM lands and you have a trapping
license and you're trapping, you can shoot it because the
definition of a trap includes rifle in that case.
However, on Park Service lands, again, with a trapping
license, during the trapping season, you cannot shoot it.

But what this proposal is about is the
hunting season, the hunting portion of the regulations.
And the Eastern Interior Council was seeking to allow
basically the use of bait during the hunting season and,
again, there are some differences between the hunting and
trapping season.

Thank you, Mr. Chair.

MR. EDWARDS: I'm not still sure you
answered my question. So you're saying that currently on
National Wildlife Refuges it's illegal during hunting
season to hunt wolves over bait, and I'm not aware that
that's the case, so if you can show me where it is I'd
appreciate it.

MR. KRON: Mr. Chairman. That is
correct. If you happen to possess both a hunting and
trapping license, like a lot of people do, you could
basically shoot the wolf, but you would be doing it under
the trapping portions of the regulations.

CHAIRMAN DEMIENTIEFF: Further
discussion.

MR. EDWARDS: Mr. Chairman. I guess
before I'm -- I'd like to see that in writing. I'm not
aware that that's the case, so if somebody can show it to
me in writing then I'd be much more inclined to vote on
this.

MR. HAYNES: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. HAYNES: I notice that that language
is on Page 17 of the Federal regulations.

MR. EDWARDS: Under subsistence regs or
under......

MR. HAYNES: Under general provisions of
the Federal Subsistence Regulations there's reference to
what is and is not allowed.

MR. EDWARDS: So then the prohibition would only apply to -- on Refuge lands only apply to subsistence hunters and not to sporthunters?

MR. HAYNES: What I read on Page 17, under subsistence restrictions:

When taking wildlife for subsistence purposes, you may not, and it says, use bait for taking an ungulate, bear, wolf or wolverine except for black bears when authorized in unit specific hunting regulations and under a hunting license.

You may use bait to take wolves and wolverines if you have a trapping license.

That's the reference in the handy-dandy regulations to the question you're raising.

MR. EDWARDS: Not to belabor this, but if it's okay to do it under sporthunting and you need a license anyway, why wouldn't you just do it?

CHAIRMAN DEMIENTIEFF: Tom.

MR. KRON: Mr. Chairman. Mr. Greg Boss helped to clarify the question for me and, you know, basically Mr. Edwards is correct, essentially with a State hunting license, under State regs, that individual would be able to do this on Federal public lands.

MS. ENSTMINGER: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Sue.

MS. ENSTMINGER: Thank you, Mr. Chairman. Again, this comes down to it's subsistence, and it's more restrictive than the State and our Council doesn't like to see regulations in place that makes it more restrictive and we just put in for our Eastern Interior, we could have put in statewide but we just put it in for Eastern Interior.

And, you know, through this discussion it brings up questions to me, I mean, we like to see also a law that says that you can or can't do something, and
CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Seeing none, is somebody prepared to offer a motion.

(Pause)

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: I will move on Proposal 63 that we support the Eastern Interior RAC's recommendation, however, I will add the exemption for National Park Service lands as recommended by the InterAgency Staff Committee.

CHAIRMAN DEMIENTIEFF: Thank you. Two part motion but I think we can deal with it all at once.

Is there a second to the motion.

MR. EDWARDS: I second.

CHAIRMAN DEMIENTIEFF: Discussion.

MR. EDWARDS: Mr. Chairman. One of the things I'm going to follow up on, it does seem to me, at least in if what we're saying is correct with regards to the use of hunting of wolves by non-subsistence hunters, if that's good across all of our Refuges, it seems to me at some point you would want to expand this to -- I don't see why we would have differences between the non-subsistence and the subsistence hunters harvesting the same resource. So that might be something worth consideration.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion on the motion.

(No comments)

CHAIRMAN DEMIENTIEFF: Seeing none, I guess we're prepare to 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.

Okay, I see our guest from Arctic has arrived, but what I'm going to do is allow him time to get prepared for his testimony so we'll go ahead and complete our work on 64 and then we'll go back to 57.

So Staff analysis on 64.

MR. DEMATTEO: Mr. Chair. Proposal 64 was submitted by the Eastern Interior Regional Council and they request that the closing dates of the wolf hunting seasons in Units 12, 20 and 25 be changed from April 30 to the closing date of May 31st.

The proposed regulatory change would provide an additional 31 days of opportunity for Federally qualified users to harvest wolves in the affected areas. The proponent of this proposal would like to see additional opportunity for qualified residents to harvest wolves in the Eastern Interior region.

A parallel proposal was submitted to the Alaska Board of Game to allow wolf hunting in Units 12, 20 and 25 during the proposed 31 day extension. That proposal was adopted by the Alaska Board of Game at its March 2006 meeting.

Because wolves are generally harvested by incidental take during the hunting seasons, the affected wolf populations can support an additional harvest that may occur during the proposed season extension in Proposal 64. But if this proposal is adopted by the Board, adoption of the proposed season extension could cause the inadvertent harvest of adult wolves with pups resulting in the abandonment of young at the den site and subsequent additional mortality.

Although the harvest of wolves by firearm generally is through incidental take, the proposal would allow for taking wolves during a period when wolf pup survival could be impacted from the harvest of the respective parent wolves and other members of the pack.
that provide protection for the pups at the den site.

Also wolf hides during the month of May are considered to be of less monetary value due to their subprime condition do to shedding.

Harvest of wolves during the proposed season extension would not provide Federally qualified users with additional opportunity to harvest wolves with prime pelts for the making of clothing and handicrafts.

And that's all I have, thank you, Mr. Chair.

MR. PROBASCO: Written public comments.

MR. MATHEWS: Yes, Mr. Chairman, they're found on Page 514 of your book. There were five written comments. Two in support and three in opposition.

The AHTNA Subsistence Committee supported this proposal to extend the season in the area in question. The wolf population is abundant and can sustain a longer hunting season.

The Wrangell-St. Elias Subsistence Resource Commission also supported it. The proposed change will provide additional opportunity to hunt wolves. Additional opportunity will help address the problems with predation on the ungulates which we depend on for subsistence needs. Pelt quality in May is not significantly different from when in August when the season opens and subsistence users make use of the pelts.

The two in opposition.

The Alaska Defenders of Wildlife oppose this proposal.

1. The harvest of wolves in May constitutes a wasteful taking under Section .802 and .804 of ANILCA. At this time the pelt is of poor quality.

2. The taking of wolves in May during the critical denning time is inconsistent
with sound management principles and is a threat to the conservation of healthy populations of wildlife and, therefore, is prohibited under Section .802.

3. This is primarily a predator control measure for which there is no specific authorization in subsistence law. Such activity is the responsibility of the individual agency.

4. In State regulations all Interior Game Management Units are closed to the taking of wolves on April 30th. To add another month in these three units in Federal regulations would create serious enforcement problems.

The Alaska Regional Office for The National Parks and Conservation Association also opposes it. Their concern is that the pelts lose most of their useful value as the winter turns into summer, as such, an extension of the season cannot be considered to benefit subsistence purpose and is another ill-conceived attempt to kill more wolves to benefit wolves in caribou populations.

NPCA does not feel the intent is to provide for a subsistence opportunity but rather it is just making killing of wolves easier. The opportunity to kill wolves exists under current regulations. Killing wolves for the sake of reducing wolf population is not consistent with Congressional intent.

The Denali National Park Subsistence Resource Commission also opposed it. Wolf hides during the month of May are considered to be of low economic value because of their subprime condition due to shedding. The Commission does not support of harvest of wolves during a time when they may have pups.

Mr. Chairman, that's a summary of all the public comments.
CHAIRMAN DEMIENTIEFF: Thank you. We don't have any additional requests for public testimony at this time.

Regional Council recommendations.

Eastern.

MS. ENTSMINGER: Thank you, Mr. Chairman. The Eastern Interior supports the proposal. The Alaska Board of Game passed the parallel proposal submitted by the Council. Passage of this proposal would align with the actions of the Board of Game. The Board of Game adopted the proposal as a predator control measure but the Council does not have any control over discussion and actions of the Board of Game.

The Council submitted both the State and Federal proposals to provide additional subsistence opportunity for hunters to hunt wolves when hunting bears. The wolf populations are abundant. Passage of this proposal would not have a significant impact on the wolf populations.

Skin sewers can and do make good use of hides of wolves harvested during the month of May. The wolf populations are healthy and can support additional harvest if the proposal was passed.

I wanted to add that I am a skin sewer, I've been sewing fur for 29 years and I've seen bears that are taken in that month and the difference is the length of hair is there, the undermat is usually gone, so I guess I would disagree about the quality of the hide, it's just a lesser thickness in my experience.

CHAIRMAN DEMIENTIEFF: Thank you.

Eastern -- no, Western, I'm sorry.

MR. COLLINS: Yeah, Mr. Chair, as noted in there, we opposed it because we felt in our area there that subsistence hunters didn't seek wolves at that time and it might jeopardize our other subsistence activities. In other words, we'd be defending or asking for something that we didn't have a strong subsistence reason for in our area at least when they were of poorer quality.

CHAIRMAN DEMIENTIEFF: Thank you.

Southcentral.

MR. BLOSSOM: Mr. Chair. Southcentral
MR. PROBASCO: Thank you, Mr. Chair. Staff Committee's comments are on Page 513 and 514.

Briefly, we oppose the proposal and as contrary to the recommendation of the Eastern Interior Subsistence Regional Advisory Council.

The main factor is that this proposal is contrary to sound principles of wildlife management and will not contribute to the satisfaction of subsistence needs. You'll note in the next paragraph that the concerns of harvesting wolves during the month of May is against sound principles of wildlife management, has an affect on the alpha's pairs offsprings, being able to teach the pups. Also the hides of wolves taken in May are not prime and are not suitable for the making of clothing and handicrafts, although some handicrafts are made from non-prime hides with short hides, those hides are taken in autumn. And passage of this proposal will constitute wasteful take and not contribute to the needs of subsistence users.

Mr. Chair.

MR. HAYNES: Mr. Chairman. The Department is neutral on this proposal.

As has been discussed the Alaska Board of Game adopted a companion proposal submitted by the Eastern Interior Regional Advisory Council at its March 2006 meeting.

Extending the closing date of wolf hunting seasons on Federal public lands in Units 12, 20 and 25 from April 30th to May 31st is not likely to result in much increase in harvest and is not expected to create conservation concerns.

Pelt quality may be an issue with wolves harvested late in the season.
Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

MR. EDWARDS: Mr. Chairman. To some extent it seems that our actions, at least, on Fish and Wildlife Service lands and BLM lands, they're somewhat moot given what the actions that the Board of Game did because folks can go out then and hunt during that period, they just can't do it under subsistence regs. So one could argue that it really doesn't matter what we do because it's not ultimately going to affect what people do -- maybe I should say can do.

CHAIRMAN DEMIENTIEFF: Further discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I would, however, think we ought to address this proposal. And, again, knowing what Sue said before, that people do want to fish or fish or trap under Federal regulations, but in this case I can't support what Eastern Interior is recommending.

And would make a motion then to support what Western Interior said, which would be to oppose the proposal, because we see it as a wasteful use of resources and not necessarily contributing to the needs of subsistence users.

CHAIRMAN DEMIENTIEFF: Thank you. We have a motion, is there a second.

MR. BREWSTER: I'll second.

CHAIRMAN DEMIENTIEFF: Moved and seconded. Further discussion on the motion or any discussion. Gary.

MR. EDWARDS: Yeah, Mr. Chairman, I wasn't suggesting that we don't act upon it. I think that the motion is the proper one to do.

Certainly, you know, this is a period when pups are heavily dependent upon the adults and it doesn't seem to me that it's a good precedent for us to
take, you know, to permit that. My only point was is
that whether -- they'll still get taken if people in
those units want to take them, they'll just do it under
other regulations.

CHAIRMAN DEMIENTIEFF: Further
discussion.

MR. PROBASCO: Who did the second?

CHAIRMAN DEMIENTIEFF: Let me see who did
it?

MR. PROBASCO: Who did the second, Paul.

CHAIRMAN DEMIENTIEFF: Yeah.

(No comments)

CHAIRMAN DEMIENTIEFF: No further
discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: All those in favor
of the motion, please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed,
same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay, we're going to go ahead and go on to Proposal 57
and you'll let me know when it's 3:00 o'clock and we'll
take a break then, but we'll get as far into it as we can
at this time.

So Staff analysis.

MR. DEMATTEO: Mr. Chair. The analysis
of Proposal 75 [sic] begins -- I'm sorry, 57 begins on
Page 455 of your book.

Proposal 57 was submitted by the Alaska
Department of Fish and Game and this proposal would
eliminate the Federal regulatory closure restriction for
sheep hunting in the Arctic Village Sheep Management Area
in Unit 25(A) during the August 10 through April 30 season.

And, Mr. Chair, in the analysis on Page 456 there's a fairly decent map indicating the sheep management area.

The proponent feels that without evidence of any significant use of the closure area by local resident hunters, maintaining the closure to continue subsistence use of sheep in the area cannot be used to justify maintaining the closure.

The Federal closure regulations for the management area have been in existence since the 1991/1992 regulatory year. The management area was expanded in 1995 to include the Cane Creek and Red Sheep drainages, which you can see at the top of the map indicated within the sheep management area.

The residents of Arctic Village, Chalkyitsik, Fort Yukon, Kaktovik and Venetie have a positive C&T use determination for sheep in Unit 25(A). Sheep population surveys have not been conducted within the management area since 1991 and consequently estimates of sheep abundance is not available at this time. Also information concerning the sheep populations of the Eastern Brooks Range is limited. Some surveys have been conducted in adjacent areas. Sheep populations in the Eastern Brooks Range have somewhat recovered from the declines seen in the early 1990s and remain below numbers observed in the 1980s. These populations are currently considered to be relatively stable. Also little harvest information is available for sheep in the management area. Federal permits have been available since the 1995/1996 year. The Office of Subsistence Management harvest records indicate that from the year 2000 to present six hunters obtained permits for Federal hunt S596, however no harvest reports have been returned during that period.

Mr. Chair, if Proposal 57 is adopted it would eliminate the Federal closure regulations for the sheep management area. Federal subsistence hunters would be able to harvest two rams of any size August 10 through April 30th and an additional sheep October 1st through April 30th under the State regulations for a combined total of up to three sheep.

Non-subsistence hunters would be able to
1 harvest one full-curl ram August 10 to September 20th
2 season and an additional one sheep October 1st through
3 April 30th season for a combined total of up to three
4 sheep.
5
6 All hunters taking sheep under State
7 regulations during the October 1 through April 30 would
8 be prohibited from using aircraft to hunt sheep. Areas
9 adjacent to the management area are lightly to moderately
10 utilized by non-Federally qualified users who hunt sheep
11 under the State regulations.
12
13 Mr. Chair. Once again, here's another
14 proposal that was not easy to analyze because the
15 biological analysis only leads us to take a look at the
16 current conditions of the sheep population and the
17 numbers of sheep taken by the local residents.
18 Unfortunately we don't have a good handle on that
19 information at this time.
20
21 Because of this the analysis steers us to
22 the conclusion that the closure is no longer necessary
23 based on the available information of the biological
24 information, also harvest. But because Staff did not
25 have much to go on we are left hanging with the question
26 of what is the status of the sheep population and how
27 many sheep are taken by affected communities within the
28 management area.
29
30 And with that, Mr. Chair, I'll stop there
31 and answer any questions.
32
33 CHAIRMAN DEMIENTIEFF: Thank you.
34
35 Written public comments.
36
37 MR. MATHEWS: Yes, Mr. Chairman, since
38 the publication of the book in front of you we've
39 received quite a few public comments on Proposal 57.
40 I'll try to summarize them. I don't know if the Arctic
41 Village Council representatives will speak from them so
42 hopefully I will get it as accurate as I possibly can.
43
44 The Arctic Village Council submitted a
45 resolution dated April 27th opposing this
46 proposal. The Council believes there is
47 no baseline data to justify the opening
48 of sheep hunting to non-Federally
49 qualified users with the entire Arctic
50 Village Sheep Management Area and
51 therefore the impacts of opening on rural
residents and users cannot be accurately estimated.

The rural residents and traditional subsistence users of wildlife resources in this area rely on these resources for their primary livelihood and food source, which includes sheep, caribou, moose, bears and small game.

The Gwich'in Tribal Council submitted a resolution in opposition. They oppose it due to the lack of sufficient population data and the environmental impact on the local traditional harvest and also the lack of documentation of the sacred traditional cultural sites and caribou fences.

Lifting the closure will increase air and guiding activities to this sensitive area.

The Gwich'in Tribal government also submitted a letter in opposition. The local residents and traditional Natives have and still been relying on wildlife resources for thousands of years for their primary way of life and food source. By opening the Arctic Village Sheep Management Area will invite increased hunting pressure, airplane traffic and guiding activities, which presently are problems with local residents in the Arctic National Wildlife Refuge.

The Yukon Flats Advisory Committee, who represents Arctic Village and Unit 25 residents has not been informed of this proposal.

We received a letter in opposition from the Council of Athabascan Tribal Governments, the Natural Resources Department, on April 27th. The current closure has been in place since 1991 and the Arctic National Wildlife Refuge has supported the closure and provided data related to the high air traffic and
guiding activities that disturb the sheep populations. Rural residents and traditional users of the area have been relying on these resources for thousands of years for their livelihood and for food sources. Opening the closure will have a negative impact on the resource impair the ability of traditional users to meet their subsistence needs.

Alaska Department of Fish and Game submitted this proposal with no sheep population or harvest data for over 10 years. Past proposals to open closures were rejected by the Board due to the lack of data and the lack of dialogue between Alaska Department of Fish and Game, the Fish and Wildlife Service and the affected tribes.

CATG Natural Resources also suggests that before such a proposal is considered in the future, Alaska Department of Fish and Game present the appropriate population and user data and further consults with local residents utilizing the resources.

The Venetie Village Council submitted a resolution dated May 12th. They oppose the lifting of the closure because of the lack of sufficient data. The environmental impact it will have on local traditional harvest and also the lack of documentation of the scared traditional cultural sites and caribou fences.

The protection of the sacred traditional sites and caribou fences in the proposed area is paramount to local people. There is more than enough area to hunt sheep outside the Arctic Village Sheep Management Area.

This morning we received by fax from Edward Sam of Arctic Village, it's -- I'll try to just get the highlights of it because he covers the history of the Arctic Village Sheep Management Area. He explains in here how his mother
explained to him about the plenty of sheep around the Wind River and now there are so few and he goes on to say that some would call them extinct. It takes 12 years cycle to develop a full-curl ram. Overharvest is the factor for not seeing full-curl rams. He has been hunting sheep for the last 26 years. He is going on his 27th year in and around the Red Sheep Creek area. He has seen over 40 to 50 sheep a year but no full-curl. There are some rams but most are three-quarter or smaller with no adult rams to breed. There are smaller sheep breeding and that's like -- well, I think I'll leave it at that.

And then he goes on, we have -- it's hard to read some of this -- we put food on the table, the cost of living in the small community is very, very high. For instance, one gallon of gas cost $6 with a quart, $4 and he lists different other items bought from the store that are extremely expensive.

He wanted to share with the Board a brief history about the Red Creek Sheep area as far back as his great-great-grandmother is buried on the north side of the Red Sheep Creek. The first drainage my -- his other great-aunt is buried at the mouth of -- and we are not sure if this is Winter Creek or Water Creek, it's hard to make out, but it's one of the creeks along the Yunit (ph) River. This is the history of our hunting area, which is being disturbed by hunting guides and hunters.

To the Board members he requests, please take this consideration and leave the Arctic Village Sheep Management Area as is.

Mr. Chairman, that concludes that and I will be providing a copy for the administrative record of his complete fax.

Thank you.
CHAIRMAN DEMIENTIEFF: Thank you. We have one additional request for testimony, Gideon James.
And I'll just let the Board know that we're going to complete testimony and then we'll take a short break right after this. So Gideon.

MR. JAMES: You got to bear with me, I got a cold and my voice is not very good.

But, Mr. Chairman, and the Board I want to briefly review what was read on that proposal there and some of the things that are missing is some of our elders that are over 70 years old and there are just very few of them left in our area. And they testified that, you know, that any lost -- a large quantity of sheep (ph) in that area, they know, and -- and I also recall when I was a little boy, my dad and -- and some of the parents and the men in the village, they go out to a certain area to hunt sheep in certain time of the year during the winter time, and I remember, even that time, but we haven't seen that much ram or the full-curl sheep. So what -- that's really the one that's missing in that written statement, and that's why we recommend a survey and do the study. And I don't know how many times that we bring that up and it hasn't happened yet.

And one thing, too, in a rural area of Alaska, there's many of them, that we live out there, we depend on our animals and depend on the land and the fish and we don't waste those resources like that and we only have selected hunters that goes out to hunt for food. We do this because some of our people are working or doing something else but there are many -- there are some people that are really expert in hunting, you know, that's their knowledge about their land and the animals, so this is why we only have selected hunters that go out and that's been the practice for many years. And we don't -- not every household goes out and hunts.

Another thing, too, that we all know, in the last several years that fuel price has gone up, so every time we go out we have to do a fuel plan and go out and do hunting. And sometimes we don't get nothing, so we have to do -- we have to make another plan and do things like that.

And so people think that we're just running up and down the river, we don't do that.

And our people have been up in that area
for 10,000, many years of generations. And this is why we make this point about, you know, about the resource management. I think the State of Alaska or whoever proposing to open that up to sportshunting, I think it's wrong. State of Alaska needs to concentrate on something else that would benefit our kids through education and other needs that we do have, that we need today.

And our history, in this state, we never did manage our resource wisely, we know that today. Look at Prudhoe Bay, you know, even -- they said that 30 years ago that we would have a better outlook on life in 30 years and that didn't happen, so many times the State resources are being ripped off by rich people or big corporation. We need to really clearly understand that fact, that whatever little exists near these communities, we need to leave it alone.

Let that community manage it and use it. We have generations out there. We have many generations but you come in and we just don't like to be ripped off by some rich people.

Now, that's a lot to say. I don't have a written testimony but I just want to remind you that these little small patches of resources that we have today, the State is trying to use it and it's going to be gone if we don't, you know, if we don't put a restriction on it.

Mr. Chairman, thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Is there any questions.

Gary.

MR. EDWARDS: Mr. Chairman. Thank you very much for your testimony. Maybe you could tell us, if you do know, what's your.....

MR. JAMES: Could you speak up a little louder?

MR. EDWARDS: Yeah, I'm trying to understand what the village is currently -- what would you estimate their annual harvest of sheep out of the Red Sheep Creek and the Cane Creek drainage, how many sheep are they taking out of their annually now?
MR. JAMES: The question -- I mean the elder -- returning to that, I just mentioned earlier about, you know, depletion of these resources. And I know that, you know, in the last several years we got -- we don't even get that mu -- we don't hunt that many -- that much sheep because there is caribou around all the time then we were able to get some other animals.

But I'm telling you, I told you about the selected hunters, those people that go out every year to hunt sheep and they do get sheeps, but I don't think, you know, anybody got any rams, or any, you know, I don't think so.

MR. EDWARDS: Of those selected hunters, how many of them would you estimate would annually take animals from the Red Sheep Creek or Cane Creek drainages?

MR. JAMES: The thing that I wanted to bring out, too, is that ever since, you know, this management area been closed there's some other animals that came and used that area like moose and sometimes in the wintertime you have caribous that goes into that area so I think a lot of disturbance has a lot of things to do with it.

MR. EDWARDS: Thank you, very much.

CHAIRMAN DEMIENTIEFF: Any other questions.

CHAIRMAN DEMIENTIEFF: Thank you, Gideon for taking the time.....

MR. JAMES: Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: .....to come down here. At this time we're going to break and we'll take up with the Regional Council recommendations and so on and complete our work on 57.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: If everyone would make their way to their seat we'll get -- we'll zoom.
CHAIRMAN DEMIENTIEFF: Okay, we'll go ahead and call the meeting back to order. Regional Council recommendations. Eastern and North Slope is what I have down.

Go ahead.

MS. ENSTMINGER: Thank you, Mr. Chairman. At the Eastern Interior meeting we opposed this proposal. The Council needs sheep population surveys before considering reopening the closure to non-Federally qualified hunters. The people of Arctic Village are totally dependent upon the land for the food and their nutritional and cultural needs. The managers cannot only depend on harvest tickets for harvest information.

There is a problem with transporters throughout the region. Transporters bring people up to this area and they do not clean up after themselves. The Council heard testimony from Arctic Village residents during the meeting that sheep have been harvested but not reported by subsistence users in the area.

There is a need for a meeting with the people of Arctic Village, a need for more work on this issue before this area is open to non-Federally qualified sheep hunters.

There is no biological reason given to support the proposal.

Here is an opportunity for people in our area to work with the non-subsistence users before submitting a proposal.

I just wanted to add that we were on a teleconference call with six people from Arctic Village at that time and it just came out to some of the Council members, that when you start asking for more information about harvest and population dynamics, they felt like they needed more information regarding what's out there and what's going on, than what we were given at that time.

I did want to mention that I had asked one of the people, I don't remember which one it was, I have a copy of the people that spoke there, there were six of them, if in the future there was a population of
sheep that could be sustained, would they still be
opposed to having it opened, and that one person had said
on the teleconference that, no, they would not. They
said that they would prefer people talk to them, to the
village people, and some consideration be given for meat
coming back to the village.

And I just wanted to add that because it
wasn't in our minutes.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. North
Slope.

MR. PROBASCO: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. PROBASCO: I'll do the North Slope.

CHAIRMAN DEMIENTIEFF: Okay.

MR. PROBASCO: The North Slope recommends
to defer action. The North Slope Subsistence Regional
Advisory Council voted to defer a decision on this
proposal to get more information on sheep population and
more harvest information.

The Council would feel very uncomfortable
making a decision that might be detrimental when there's
a lack of information.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee.

MR. PROBASCO: Thank you, Mr. Chair. The
InterAgency Staff Committee recommends to support with
modification. This is contrary to the recommendations of
the Eastern Interior and North Slope Regional Advisory
Councils to allow non-Federally qualified users to hunt
sheep in the drainages of Red Sheep Creek and Cane Creek
and to defer action on the proposal with the respect to
the remainder of the Arctic Village Sheep Management
Area.

Justification for this recommendation,
Section .815, Subsection (3) authorizes
restrictions on the taking of fish and wildlife for non-subsistence on the public lands only if necessary for the conservation of healthy populations of fish and wildlife to continue subsistence uses of such populations, for reasons of public safety or administration or pursuant to other applicable law.

No information has been brought forward to indicate that maintaining a closure to non-subsistence hunting of sheep in the Red Sheep Creek and Cane Creek drainages is necessary for conservation of a healthy sheep population, nor that allowing non-subsistence use of sheep in these drainages would prevent continued subsistence use of sheep.

Allowing hunting by non-Federally qualified hunters in Red Sheep and Cane Creek drainages would not significantly reduce harvest opportunities to Arctic Village residents, although some Arctic Village residents have testified that they are uncomfortable hunting in the area where non-subsistence hunters have been hunting. The non-subsistence hunters usually waste meat and leave garbage in the field. And that the use of aircraft associated with non-subsistence hunting disturbs sheep and other wildlife.

The sheep population of these drainages can support harvest by both subsistence and non-subsistence hunters.

There's very little hunting effort by Arctic Village residents in these drainages and very few sheep have been reported to be harvested.

Deferral of the proposal with respect to the remaining and much larger closure area of the original Arctic Village Sheep Management Area is recommended for conservation reasons because there's a greater uncertainty regarding the status of the sheep population and potentially
greater impacts of a liberalized winter season and harvest limit in the more accessible portions of the management area.

Deferral for up to two years is recommended to enable the need for a sheep surveys and harvest assessments to be completed.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you, very much. Department comments.

MR. HAYNES: Mr. Chairman. This Department proposal requests that the closure to sheep hunting by non-Federally qualified subsistence users in the Arctic Village Sheep Management Area be removed as no substantive biological or other evidence has been presented to warrant its continuation.

Our position is consistent with the Office of Subsistence Management recommendation in its Federal Wildlife Closure Review of the Arctic Village Sheep Management Area, to quote:

Initiate a proposal to modify or eliminate the closure because without evidence of any significant use by local subsistence hunters, the justification to continue subsistence use of such populations cannot be used for maintaining a closure.

Mr. Chairman, we acknowledge the public testimony and written comments provided by residents of Arctic Village concerning their sheep hunting activities in Unit 25(A) and support additional sheep harvest and use data being recorded for this area. If this closure is removed, the Department also recognizes that the existing sheep hunting regulations, the State sheep hunting regulations in Unit 25(A) will need to be evaluated to determine if changes may be needed to ensure conservation of sheep in this area.

I know Mr. Regelin had a number of questions he wanted to ask regarding biological data that the Federal agencies might have to warrant continuation of a closure of all or part of this area. But he and I
discussed the Staff Committee recommendation and that is
to reopen Red Sheep and Cane Creek drainages and defer
actions on the remainder of the Arctic Village Sheep
Management Area for two years. And we're comfortable
with supporting the Staff Committee recommendation at
this time.

However, we would like some assurance
that this two year deferral will -- at the end of this
two year deferral there will be additional biological and
harvest data to evaluate to determine if closure of the
remainder of the area is warranted or if other regulatory
or management action may be needed.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board
discussion.

MR. EDWARDS: Mr. Chairman. I guess I do
have one question for the Regional Advisory Council. In
your deliberation on this proposal and kind of looking at
the .815 criteria with regards to closure, how did that
discussion go?

MS. ENTSMINGER: Well, we probably did
not talk about exactly the .815 as, you know, as it's
written. We ended up, you know, it was read out to us
and then we got into the public testimony and then we
discussed, like the whole unit, not, you know, separating
out those two drainages up north, we ended up talking to
the whole thing. And we kind of, actually some of the
Council members were really hung up on the fact that on
the data, the lack of hard data saying how the population
was doing at that time, since it was so long since the
data, you know, any surveys were done.

MS. GOTTLIEB: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Judy.

MS. GOTTLIEB: And I guess I had two
questions relating to the data. One either for the
Department or for Fish and Wildlife Service, when do we
expect to get more data in this area?

MR. HAYNES: Mr. Chairman. It sounds to
me as though the Federal agencies, or someone is making a
commitment, if there's a two year deferral being
proposed, it's our assumption that the Fish and Wildlife
Service may be planning to do some additional data collection.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: Mr. Chairman, the Refuge has made a, particularly as it applies to the deferral, has made a commitment to increase surveys this summer and I've told them that I plan to hold them accountable to doing that.

CHAIRMAN DEMIENTIEFF: Thank you.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: And then my other question was, Terry, on the last sentence of your comments, if this closure is removed, the Department also recognizes that the existing regs will need to be evaluated to determine if changes may be needed, so can you say what kinds of changes you might take a look at?

MR. HAYNES: Mr. Chairman. Judy. That statement applied to reopening of the entire Arctic Village Sheep Management Area and we recognize that if the area outside of Red Sheep and Cane Creek drainages was reopened, that given the existing harvest limits in that area, we would need to take a close look and see if reopening that area would be likely to result in increased harvest pressure and if so, in the absence of good biological data to tell us what the population is doing, we would have to consider submitting a proposal to the Board of Game to maybe impose some type of reduction in harvest limit or shorter season or something like that.

But, again, that was a comment that applied to the remainder of the Arctic Village Sheep Management Area, and if that is not opened at this time then we would just wait and see what type of information results from the Fish and Wildlife Service work this summer and in the future.

CHAIRMAN DEMIENTIEFF: Sue.

MS. ENTSINGER: Yeah, Mr. Chairman, I would also like to add in the Council discussion there was talk of guides being a problem in the past and then
the discussion involved that it really wasn't the guides
and even the people in Arctic Village reiterated that,
that it was more of the transporter issue. And we ended
up bringing in the Refuge Manager to talk about how the
Refuge deals with guides and transporters. And guides
are limited and transporters are not. And I think that
our Council felt that some of the problem might -- that
it might be a perception problem, that it's not really
the non-resident guided stuff, it's more a transporter
problem in that area in the past.

So I felt that this was more information
that we discussed and I believe everybody agreed.

CHAIRMAN DEMIENTIEFF: Thank you. I
think I recall when we first did this, too, that we had
the same problem and basically we made the decision that
we made to err on the side of conservation of the
resource and that's how we originally made the original
decision. So, you know, I'm glad that we're going to get
some work done finally because we were in a vacuum then
and we're apparently still in the same vacuum but if
we're getting some good information then it certainly
will give us a well founded reason to make our decision.

I don't know where the Board is going to
move on this but anyway those are my thoughts and I just
wanted to point that out historically why we are where we
are.

MR. EDWARDS: Mr. Chairman. If I may ask
the State another question, and that is if these two
drainages were open, what do you anticipate or would you
project would be the level of use, both during the fall
hunt as well as during the winter hunt?

MR. HAYNES: Mr. Chairman. Gary. That
area has been closed for a number of years to non-
Federally qualified hunters so it would be hard for me to
estimate if the use levels would resemble what they were
prior to the closure. It is a remote area. It is an
accessible area by aircraft at the same time. I don't
anticipate that initially there would be a large movement
of sheep hunters into that area. It might take some time
for people to become area of it being open.

But I would hate to speculate at this
point.

MR. EDWARDS: It's my understanding,
though, that during the winter hunt, use of aircraft would not be permitted; is that correct?

MR. HAYNES: Under the State regulations?

MR. EDWARDS: Yes.

MR. HAYNES: I would have to look and refresh my memory.

(Pause)

MR. HAYNES: You are correct, the use of aircraft for access to hunt sheep and to transport harvested sheep is prohibited in the Unit 25(A) sheep hunt except into and out of Arctic Village and the Kaktovik airports.

CHAIRMAN DEMIENTIEFF: Yes.

MR. CESAR: As I recall and you were mentioning the last time we did this a number of years ago and the reason we initially closed it was because there was a lot of concern by the local folks that, in fact, what Sue is characterizing as transport problems was more characterized as guided hunts going on there and there was a lot of information about folks being impacted in their own hunting activities out there and a lot of concern about that. And I can't help but assume that it was a reasonably popular place because it is accessible to planes and folks would, again, take up guiding there. I guess I do not -- I'm not sure either, but my assumption is it's going to -- once it's known, will begin to pick up.

MR. HAYNES: Mr. Chairman. Niles. If I remember correctly there were only one or two guides operating in that area and out of the outstrips up in that area prior to the closure. How many clients they were bringing in each year, I don't recall, but certainly, you know, it's a finite number of guides that could operate out of that area.

MR. EDWARDS: But I believe we don't allow any guides -- permit any guides to guide hunters into that area so it's a non-guided area, right, and if necessary certainly we can -- all the transporters have to be permitted and so there's certainly mechanisms to control that.
CHAIRMAN DEMIENTIEFF: Sue.

MS. ENTSMINGER: Yeah, and I'd also add that the State requires they have to have a guide. So if the Federal people are not issuing a guide use area, there will be no guiding, it will just be the residents of Alaska that can hunt.

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

MR. BREWSTER: I guess as I read through all of this I still find myself confused as to whether there is any better data for these two drainages than there is for the rest of the unit. Is the recommendation of the Staff Committee based on just judgment or what they see as comparing to other drainages in the Brooks Range or is there actually some better data for those two drainages then there is for the area south?

MR. PROBASCO: Mr. Chair. Mr. Brewster. No, you captured it correctly. For Red Sheep Creek and Cane Creek, they're looking at similar drainages in the area that are adjacent to this area to make that recommendation and the recommendation is based on healthy sheep populations for those other areas but no specific surveys that would say that a Red Sheep Creek or a Cane Creek survey.

Mr. Chair.

MR. EDWARDS: Maybe just to elaborate on that, you know, based upon our Refuge's understanding of what they view is currently limited hunting there now as well as harvest by Federally recognized subsistence hunters and comparing it to other drainages, they have no reason to believe that there is any problems with the populations in there and that it would be what you would expect to find in similar drainages.

CHAIRMAN DEMIENTIEFF: Further discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Is somebody prepared with a motion.

MR. EDWARDS: I'll start one to get the discussion going.
Mr. Chairman, I move to adopt with modification Proposal 57, this is contrary to the recommendations of the Eastern Interior and the North Slope Regional Advisory Council, and the modification would remove the closure to non-subsistence sheep hunters in the Red Sheep Creek and Cane Creek drainages of the Arctic Village Sheep Management Area and would defer actions on the proposal with respect to the remainder of that management area.

Over the last several weeks I've had several discussions with our Refuge folks on this issue to sort of get their understanding of it. In talking to our Refuge -- sheep biologist for the Refuge, she feels that by hunting by non-subsistence hunters for a full-curl ram would probably pose no conservation concerns in the drainage.

If you look now, certainly the Federally recognized subsistence users do have a meaningful preference. They're currently allowed to take two rams of any size. And it's my understanding that in the winter they could take additional sheep under the State regulations.

As we discussed the opening to non-Federally recognized users would be limited to one sheep being full-curl, and as was pointed out, that would occur during the fall hunt and recognizing that the limits are broader in the winter. The fact that you can't use aircraft to get into the area or you cannot -- and my understanding is also you cannot use snowmachine to go from the highway, then the only way you could get into that area would be to fly directly into Arctic Village and then it's a pretty -- my understanding, but never being there, it's a pretty good hike to even get into sheep country and considering during the winter, I think the expectation would be that there would be very limited take occurring in the winter and if any would occur it would be during the fall with a one sheep limit, full-curl ram.

CHAIRMAN DEMIENTIEFF: Thank you. We do have a motion, is there a second.

MR. OVIATT: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion.
CHAIRMAN DEMIENTIEFF: Well, I'm going to vote against the motion based on the recommendations of the RACs and plus given the fact that the State is also willing to wait for additional biological data, which is forthcoming, before we make a move with regard to it.

So I just want to state my reasons for why I'm going to vote against.

Further discussion on the motion.

MR. EDWARDS: Mr. Chairman. Another thing I want to add and it was kind of news to me, what was sort of just said and I would like to follow it up. But, if, in fact, we don't have any guides in there and non-residents cannot hunt sheep without guides, then essentially what we would be doing is only opening this area to resident non-Federally subsistence hunters. I don't want to say that's totally true because I haven't seen it but it appears that it probably is.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Certainly at the RAC meeting there was a great deal of discussion, especially when the Arctic Village residents were on the phone about increased communication and, I guess, I'll say education, but really increased exchange of information between the agencies and this program and the people in the village, so I hope we can commit to doing that especially if we're going to make a change like this. So I hope we have the Board's backing on that as well.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion on the motion. Sue.

MS. ENTSMINGER: Yeah, I may have spoke out of turn because I based what I said on what you had said earlier, that the Refuge people handle in each Refuge who guides in that area and if -- and I thought you said that they didn't have that one open.

MR. EDWARDS: That's my understanding.

MS. ENTSMINGER: Okay.
MR. EDWARDS: So if my understanding's correct, and what you said is correct then it would be.....

MS. ENTSMINGER: And what I said is correct, you must have a.....

MR. EDWARDS: Right. So then it would be restricted to resident hunters only.

MS. ENTSMINGER: And this did not come up at our meeting either.

MR. EDWARDS: I'm just going on what I've heard, I haven't seen that in writing so that's, at least, my understanding.

MS. ENTSMINGER: Okay.

CHAIRMAN DEMIENTIEFF: Okay. Further discussion on the motion.

MR. PROBASCO: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Pete.

MR. PROBASCO: Mr. Chairman, I was going to look over at Terry for correction, but I believe that non-residents can still hunt in the area if it's first of kin. In other words, I could take my father if he was a non-resident in there for hunting.

Mr. Chair. Is that correct, Terry?

MR. HAYNES: Mr. Chairman. The State regulations provide that non-residents who hunt dall sheep must be accompanied in the field by an Alaska licensed guide or be accompanied in the field by an Alaska resident 19 years or older who is within the second degree of kindred. So there could be some non-resident guided hunting occur under that provision without use of a guide. However, I suspect that would be fairly limited.

CHAIRMAN DEMIENTIEFF: Further discussion on the motion.

MR. BREWSTER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.
MR. BREWSTER: I think I will also join you in voting against this. It seems that with what I've heard about how little use this area gets that waiting until, and in light of what the Council has said, waiting until there is this better data available that we can deal with this at one time.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion. Go ahead.

MR. CESAR: Mr. Chairman. I will also vote against the motion. I think that I see no urgency to solve this particular problem without first getting the benefit of a further look at this issue.

So I think it's been closed for awhile, I don't see where maintaining the status quo until we get further information -- in light of the fact that it gets very little pressure to begin with so I plan to vote against it.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion.

MR. EDWARDS: I guess, Mr. Chairman, my only comment, you know, based upon the recommendation we've gotten from our biologist who's on the ground out there, you know feels that we would not have a conservation issue with regards to opening it up to a full-curl ram. It just seems to me that we shouldn't be restricting other users.

CHAIRMAN DEMIENTIEFF: Further discussion.

(No comments)

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

MR. OVIATT: Aye.

MR. EDWARDS: Aye.

MS. GOTTLIEB: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.
MR. CESAR: Aye.

MR. BREWSTER: Aye.

CHAIRMAN DEMIENTIEFF: Aye. So it's three, motion dies for a lack of a majority and the regulation stands as it is.

At this time we're going to move on to the consensus agenda. I'm going to have Tom read the numbers. I know of no requests for withdrawal so we're going to read the numbers off and then at that time the Chair will entertain a motion to adopt the consensus agenda, and I suggest whoever the maker of the motion is ask for a unanimous consent in the making of the motion. So Tom, if you'd go through the list, please.

MR. BOYD: Mr. Chair. The consensus agenda and I'll read the number, the consensus agenda includes:

WP06-06, 10, 11a, 11b, 12, 03, 04, 05, 13, 14, 15, 18, 21, 22, 23, 24, 25, 26, 28, 33, 35, 36, 49, 50, 51, 52, 54, 55, 56, 61, 62, 65, 66, 67a and 67b.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. At this time the Chair will entertain a motion to adopt the consensus agenda.

MR. CESAR: I so move, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Is there a second.

(No comments)

MS. GOTTLIEB: I'll second it.

CHAIRMAN DEMIENTIEFF: Okay, it's been moved and seconded. Discussion on the motion.

(No comments)

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

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

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

That completes our regulatory work. We do have some other business. That guy is slippery, where did that Marty Myers go anyway, is that him outside the door, he keeps slipping in here, we just have a couple different acknowledgements.

The guy with the phone in his ear, Mary Myers is retiring from enforcement after 34 years of service to us and it's special for us to, on the record, acknowledge your significant achievements to your job and let you know how much we appreciate it. So Marty, we appreciate that.

(Applause)

MR. MYERS: Working up here has been the highlight -- I have to put it on the record.....

(Laughter)

MR. MYERS: Thank you, Mr. Chair and Board and guests here. This is, nine years in Alaska coming from the Lower 48 but working with the Subsistence Program up here in Alaska has been the highlight of my career up here and I am pleased and glad to be able to be a part of it and I got a lot out of it and I hope to see you continue to succeed and provide necessary means for people to get what they need for rural residents.

So thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you again. Also I wanted to recognize Dr. Dolly Garza who is retiring after 23 years of working at the University and is moving away so will also be ending her tenure with the Regional Council, so Dolly we also very much thank you for your years of service to the University as well as to our program. So I just wanted to acknowledge these on the record.

(Applause)

CHAIRMAN DEMIENTIEFF: And I wanted to do these today because we don't know how many people are
going to be here tomorrow because we're completed with
our regulatory so I'm just interrupting to do this.

We also have one more acknowledged
person, so I asked Judy to read this because at the end
of the meetings I'm pretty well wore out.

Go ahead, Judy.

MS. GOTTLIEB: Thank you, Mr. Chairman.

As Mitch has said, when he's handed something that's
prepared for him, he really doesn't like to read it, but
this one was really something that the Board had no
trouble coming to unanimous and very quick consent on.

So we have resolution of the Federal
Subsistence Board honoring Mr. Thomas H. Boyd on the
occasion of his retirement;

Whereas; Mr. Thomas H. Boyd has honorably
and capably served the Federal
Subsistence Program since its inception
in 1989, first as the Bureau of Land
Management's representative, then as
Deputy Assistant Regional Director for
the Fish and Wildlife Service, and
finally as Assistant Regional Director
for the U.S. Fish and Wildlife Service;

Whereas, Tom's unwavering commitment to
excellence, unparalleled managerial
abilities and strong and inspirational
leadership has enabled coordination and
consistency in program implementation
across the five participating Federal
agencies;

Whereas, Tom's collegial approach to
problem-solving has led to innovative
resolution of many difficult issues
facing this program;

Whereas, Tom's compassion and ability to
listen and relate to people has endeared
him to his colleagues in the Office of
Subsistence Management, the five
participating Federal agencies, the
Federal Subsistence Board, Regional
Advisory Councils, I'll add the
Solicitor's office as well;
Whereas, Tom is officially retiring from Federal service after May 27th, 2006;

Be it resolved that the Federal Subsistence Board praises and commends Mr. Thomas Boyd to the fullest in achieving the highest standards of excellence in public service;

Be it further resolved on this date, May 17th, 2006, that the Federal Subsistence Board wishes Mr. Boyd a long and blessed retirement as he begins this new phase in his life.

(Applause)

MR. BOYD: Well, like Marty and others before me it's been a real opportunity for me to have the role that I've had the last several years and it's been an honor and a pleasure to serve with the people that I've worked with in OSM and to all of us to have the privilege and honor to serve the people of the State of Alaska, the rural residents. Our role is to support the Council and also to serve the Board. And it's been a challenge, it's been a really stretching experience for me and I know a lot of other folks. I hope we've lived up to the fine words that you've put on this piece of paper, and I guess I can't back away now I've got to go ahead and retire.

(Laughter)

MR. BOYD: But I intend to do that. They say you're not supposed to look back, but I'm definitely going to be looking back and I'm going to be remembering all the people that I've met and the places I've been and the things that we've done together because I think those are very good memories.

You know, this 11 years that I've served at the Fish and Wildlife Service sitting at this table I've sat right by this guy the whole time and it's really been a pleasure, Mitch, you've been a joy to work with, we've had a lot of fun together and we've done a lot of good work.

Anyways, just thank you very much, my heart's just filled with gratitude.
CHAIRMAN DEMIENTIEFF: Yeah, just a final little thought on that, you know, Tom and I have worked real hard together during that whole tenure but we've always tried to take a little time to have fun, if nothing else, stress relief, share a little joke or something so we could relax and we can't be all frowning around all the time so we've tried to have fun, so I agree with that Tom.

Thank you.

Okay. And we did all that with no tears.

(Laughter)

CHAIRMAN DEMIENTIEFF: Okay, we're going to go ahead and move on with the management plan reports and try to get those in today. How long do we have?

(Pause)

CHAIRMAN DEMIENTIEFF: We're going to go to 4:30 and maybe a little sooner if we get done with these management plan reports, we might even break up a little bit earlier because that's a high traffic time to be trying to get out to Kincaid Park, and we'll probably -- by the time we get through with these we'll probably have our meeting with the Council Chairs in the morning and give us all a chance to relax and then pick that up in the morning.

So with that, we'll call on Randy for the Yukon Innoko Moose Management Plan. Go ahead.

MR. ROGERS: Thank you, Mr. Chairman. Members of the Board. My name is Randy Rogers and I'm a wildlife planner for the Department of Fish and Game in Interior. I appreciate this opportunity to present this plan to you, and it's going to be a little tough act to follow with the celebration there. Congratulations Mr. Boyd.

I've tried to make these presentations as straight and short to the point as I possibly could, but I'm more than happy to answer any questions you may have and go into more detail if you'd like.

Okay, I'm going to start with the Yukon
The Innoko Moose Management Plan, which covers game management subunits 21(A) and 21(E).

This is a map of the planning area.

Initially we started off to focus on just Game Management Unit 21(E). The working group requested that we expand the effort to 21(A), the portion of the 21(A) in the Innoko drainage because it has an important influence on moose populations and hunting in 21(E).

Before I go too far also, I'd like to point out that the plan that you have in your books is marked draft at the top, it was simply put as draft until it was considered by both the State and Federal Boards. The State Board has acted on it and once you folks have had a chance to review it there's no regulatory proposals, but then we will turn it into a final plan for distribution to the participants and others interested.

Next slide please.

Just briefly this shows the -- it's kind of cutting off a little bit of it, but the participants in the Yukon Innoko Moose Management Working Group and it's composed of folks involved in the local Fish and Game Advisory Committee. We had representatives of two Regional Councils, Bob Aloysius represented the Y-K Delta Regional Council and Robert Walker from Anvik represented the Western Interior Council. We also had a representative of the lower Yukon Advisory Committee. Non-local hunters from Bethel and Wasilla, and two transporters.

Some of the key Staff involved was Beth Leonard who is the acting McGrath area biologist; Roy Nowlin, management coordinator; Caroline Brown, subsistence resource specialists; Steve Kovach, wildlife biologist for Innoko Refuge; Polly Wheeler, anthropologist for Office of Subsistence Management; and Jeff Denton, wildlife biologist for the Bureau of Land Management.

I'd like to point out that we do have a new McGrath area biologist now, is Roger Seavoy moved from Bethel so he's pretty experienced in some of the issues in this region.

For a quick summary of the planning process we condensed this one down fairly tightly. We had four working group meetings conducted between January
and November 2005, one in each of the villages in Unit 21(E). The draft recommendations were sent out for public review and comment in the Yukon Innoko Moose Planning News Fall 2005. The draft plan was reviewed and endorsed by the GASH Fish and Game Advisory Committee in February 2006 and then endorsed by the Western Interior Council in March 2006. I don't believe that the Y-K Delta Council made any official action on the plan.

Just a little bit of background information to set the context of this. First of all during the planning process we had some very important new information available.

First off, the Division of Subsistence conducted household surveys of harvest of big game species in Unit 21(E) for the years 2002 to 2003 through 2004/2005. This was funded by a grant from the Office of Subsistence Management and this was really important information to set a better understanding of what the local harvest in the area was.

Second, as we started the planning effort off, we were using moose population data from the year 2000. Folks basically felt that they were going to be unable to make good recommendations without having a better idea of the moose population status. Department of Fish and Game didn't have funding alone to do another survey, however, through a suggestion originally from Mike Smith with Tanana Chiefs Conference, we were able to pool efforts with Department of Fish and Game, the Innoko Refuge, BLM and the Tanana Chiefs Conference also chipped in and also a little support from AVCP in Bethel and we accomplished a survey, which really helped this planning process.

Going into the planning process and for several years before we started this up, local residents had reported the moose populations had declined and their concerns about possible increase in hunting pressure. We seen restrictions in many of the areas around Unit 21(E) and as you know there's a moose moratorium in Unit 18, there's been increasing restrictions in Unit 19(A) and there's a special action request before you to even further tighten harvest in 19(A). There's concern that these actions in the area will force more use into 21(E).

The current estimation of the moose population size is 7,000 to 9,000 moose. The two surveys that we have between the year 2000 and this one we
completed in 2005 didn't show a statistically different result so it appears the moose population is fairly stable, although, you know, it's likely that it declined in the '90s before that and there may be some changes in moose distribution that explain the concerns of the local residents.

Twinning rates in the area between 2000 and 2004 have ranged 20 percent to 38 percent and this suggests that the moose are in good condition and habitat's pretty good.

Let's go a couple more slides, please, yeah, to this one.

This is just a quick slide to show the moose harvest pattern there. And the black bars that you see standing up high are harvest from Unit 18 residents, and you can see that that's declined in recent years and this coincides somewhat with the increase in moose in the lower Yukon down in Unit 18, it may also be influenced by the closure of the State winter season.

At this point we haven't seen a major increase in hunting in the area, although we want to be proactive in this plan and prepare for it.

The bars to the right, the extended red bars show the data that has come in from the household survey and give a much more accurate reflection of what the total local harvest is than what we had based on harvest tickets alone before this.

So the current situation with the harvestable surplus of moose in Unit 21(E), the population estimate of 7,000 to 9,000 moose and using a harvest rate of four percent, the estimated harvestable surplus is 280 to 360 moose. The average estimated harvest, looking at all different sources of harvest and using this household survey data is about 357 moose. So the key point here is that harvest right now is right near the upper end of what the harvestable surplus is.

During the working group we initially discussed using a harvest rate of five percent. Our working group members wanted to be very conservative in harvest and protect the moose population in this area, and not allow it to be driven down. So our biologist, Beth, worked with our research staff, did some modeling of the moose population and suggested that if we want to
be conservative with harvest it should be less than five
percent and we agreed to use four percent.

For a brief look at Unit 21(A), the
Department has no moose surveys in the area. The Innoko
National Wildlife Refuge surveys have indicated a decline
from '98 to 2002, we've extrapolated a moose population
estimate of 4,300 to 6,480 moose. Over the period of
years harvest success rates have been declining and that
suggests there's reason for concern about the moose
population in that area and we really need to have better
moose population data for 21(A).

One more please.

Just for a brief overview of what's in
the Yukon Innoko Moose Management Plan.

To start with, with this slide, that
shows one of our planning meetings in Grayling, I
believe, or perhaps this one is Shageluk. I wanted to
take a moment to thank the village councils and the
residents of these communities for their hospitality
during the planning process. By having the meetings in
these villages we had good participation from the elders
and folks in the communities, we had evening sessions.
We had the youth, each of the schools came in and
participated in the meetings. We took time to go visit
the classrooms. I think, overall, this was a really good
way to do it to get more people in the community
involved.

It was a lot of hard work but I think we
had some fun at it, we had some good community meals
together. Each of the tribal councils sponsored a
community meal and really helped people to get to know
each other better.

The mission of the plan is to maintain
healthy and abundant moose populations by proactively
managing moose, predation and habitat and keeping moose
harvest within sustained yield so that subsistence needs
for moose are met on an annual basis and there's
sufficient moose to provide for personal and family use
of Alaska residents and some non-resident hunting
opportunity for generations to come.

A couple of the key recommendations for
moose harvest management.
Limit growth in non-resident moose hunting in Unit 21(E) by reducing the season length and establishing a drawing permit system.

Limit harvest of antlerless moose in the winter to no more than 40 cows annually by keeping the State winter season closed. And this is consistent with action taken by GASH Advisory Committee in 2003.

Because we're so close to the maximum harvestable surplus, if the population declines it may be necessary to address restriction in resident hunting and that could be much more difficulty. Hopefully we could have a proactive program to prevent that.

An issue that has been of major concern to this Board over the years is the Federal customary and traditional determination for moose in Unit 21(E). This wasn't identified by the working group by the working group as a major issue to be addressed in the plan.

Recommendation 1.9 in the plan, however, states that if the Federal customary and traditional determination for Unit 21(E) is revised to make a large number of additional communities eligible, the Federal winter season should be closed. So that's something to keep in mind down the line.

Now, there's also a provision in the plan about how moose harvest management might change when conditions change. And first is Strategy 1C, implement a more restrictive harvest management program if needed to stay within the harvest rate of four percent and/or to provide for subsistence uses. But 1D on the other side states, we want to increase opportunities for moose harvest if the moose population is documented to have increased and productivity is high.

In terms of predation management. The group established a goal of managing the effects of predation on moose to maintain an abundant moose population that can provide for high levels of human consumptive uses, consistent with the intensive management population and harvest objectives. And initially the group started off strongly advocating wolf control program and then as we discussed the situation in Unit 21(E) relative to other areas of the state, some of
the political legal complications involved, the group
kind of backed off and focused more on what kinds of
things could we do through hunting and trapping seasons
to manage the level of predation. In the last meeting
when we took a look at close we are right on the edge of
the maximum harvestable surplus the group basically
insisted on a recommendation of advocating intensive
management for Unit 21(E).

An important outgrowth of the planning
effort was cooperative effort to identify survey plans.
So this slide, which hopefully you have the handouts in
front of you, we've laid out that we had an InterAgency
Staff meeting last fall in McGrath when the Western
Interior Council met there and so between the Department
of Fish and Game, Fish and Wildlife Service and BLM we
charted out what we think we could realistically expect
and we do hope to have a spring 2008 population survey in
Unit 21(A) and it may be 2010 before we can get another
one in 21(E). And I'd just point out that it's very
difficult right now to get the number of surveys really
needed to carefully monitor the moose population. But
the plan has really helped to coordinate the efforts.

Actions taken by the Alaska Board of Game
this March, they did adopt the proposal to reduce the
non-resident moose hunting season in Unit 21(E) and (A)
by five days.

They established a non-resident permit
system for Unit 21(E) which will begin in fall of 2007.

They passed proposals to liberalize the
seasons and bag limits for taking bears and wolves but
did not adopt a wolf predation control plan.

And the Board of Game endorsed the Yukon
Innoko Moose Management Plan.

Down the line we'll need to continue
working to develop an intensive management plan to
consider the options for 21(E), but I can't say for sure
when we'll be able to do that, the Department is
stretched pretty tight on resources for this right now.

In terms of a couple conclusions, the
Yukon Innoko Moose Management Plan is intended to
establish a proactive management program that will help
to maintain an abundant moose population to provide for
subsistence and other uses.
There are no Federal regulatory proposals related to the plan at this time.

The Yukon Innoko Moose Management Working Group would appreciate the endorsement and support of the Federal Subsistence Board for this cooperative management plan.

And I'd also like to express my thanks for the support provided by the Office of Subsistence Management for this planning effort. We may not have been able to do this plan at all without that support, and I really think there's been some great improvements over the last year, as both Innoko Refuge, BLM and our Department have really placed an effort to work closer with residents of these communities. I think we have much better communication and understanding now than we did four or five years ago, however, to maintain that benefit we all need to keep up the effort and keep working with the local folks and other users in that area.

That concludes my presentation.

Thank you.

CHAIRMAN DEMIENTIEFF: We have a resolution before you, what's the pleasure of the Board.

MR. EDWARDS: Mr. Chairman. I guess first I'd like to congratulate the working group, I mean I think this is just another great example of when we try to get all the affected players together and the agencies who have management responsibilities sort of in the same room, that they not only can come up with good plans, but apparently can have fun in the process, so I want to congratulate everybody for that and certainly give our thanks and I'm sure it represents the thanks of the entire Board for the time and effort that people put into this. My guess is, is that people worked beyond the call of duty in order to come up with these recommendations.

So with that I guess that we move post-haste to adopt and approve the resolution expressing our support for the Yukon Innoko Moose Management Plan.

CHAIRMAN DEMIENTIEFF: Is there a second to that motion.

MR. OVIATT: I'll second. I'd also like
to express my appreciation to the group for producing this plan and all of the hard work that was done.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Because of our Board's policy on predator control and intensive management, I am not minimizing the work of the group, I think they've done an excellent job, but I throw my caution in on this and because no Park Service lands are involved under this discussion, I will abstain.

CHAIRMAN DEMIENTIEFF: Thank you. Other discussion.

(No comments)

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Any abstentions.

MS. GOTTLIEB: Aye.

CHAIRMAN DEMIENTIEFF: Okay. The resolution has been adopted.

I think we'll go ahead and recess until the morning, I think we're all pretty well done. And we'll take up Fortymile before we have our meeting with the Council Chairs. I know of no other business -- oh, I'm sorry, Marianne.

MS. SEE: Mr. Chair, if I may, Deputy Commissioner Regelin had wanted to make this point of information for the Council and since there were a number of announcements about transition this seems an appropriate time to do so on his behalf.

As you know agencies reassign things from time to time and we have a lead liaison function at Fish and Game for subsistence coordination with the Federal
program as well as a core group of liaisons from each
division and I sort of wear two hats in that regard as
the subsistence division person and the lead Departmental
person. I will be handing off the hat off the
Departmental person very soon to Sara Gilbertson, who is
behind us, Sara, would you stand please. Sara is
currently with the Commissioner's office as a special
assistant and will be assuming some of the Federal
coordination duties associated with this program and
other issues and we really welcome her involvement in
this, she's a real asset to us. I will retain my role as
the subsistence division point person for Federal issues.

I just want to thank the Councils -- all
the Councils and the Board for all your help in educating
me and I will try to pass on the things I've learned to
Sara in regards to the broader array of issues.

So that concludes that announcement. And
I'm not going anywhere, by the way, I'm not retiring.
I'm also the assistant director of Subsistence Division
and it's really necessary for me to devote more time to
that function so that's really part of the shift.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. And
I'd also like to thank you, you've been a valuable help
to the program so, you know, we wish to also express our
appreciation. And while we're doing so, I moved way at
the end of the regulatory process and I forgot something
that we normally do, which is thank all of the hard work,
because it takes a lot of hard work by everybody
involved, from Boards, RACs, Staff and I am seriously
amiss in not thanking them so I want to do that on the
record, to make sure that we get all those people thanked
for all their hard work in helping us to get through the
regulatory process.

MR. BOYD: Thank you, Mitch. I wanted to
also add to what you said about Marianne. Marianne has,
for several years, worked very closely with the Office of
Subsistence Management and my Staff and team and coming
to countless meetings, Marianne is always prepared and
very professional and very courteous in her demeanor and
I think she's added a lot to the discourse, and the
collaborative work that we have to do because of the dual
management system, and she's done it with great dignity
and great competence and I just want to personally thank
you for the work that you've done with us Marianne.
I knew this was coming but I didn't know when it was going to be officially announced, so I just want to say thanks from OSM and I know Pete and I and everybody else that's worked with you, it's been a joy.

CHAIRMAN DEMIENTIEFF: Also I should note, we do have that Avian Flu report on the agenda but it's a written update on the work that has been done, and it's an FYI thing but I do feel the need to address it on the agenda. There's no action item, it's just an FYI.

Okay, so we'll pick up in the morning at 8:30 and Dolly's promised us six hours of Regional Council issues from Southeast. She may have to do them alone.

Let's make sure that we get out to Kincaid Park at 6:00 o'clock for Tom's party, and then I know people are out there setting up right now, but, anyway, that will be the real fun part of the retirement party so we're looking forward to that. Quite a number of things going on so make it.

Okay, with that, we'll recess for the day and we'll see you at 8:30 in the morning.

(Off record)

(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 146 through 297 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME II taken electronically by Nathan Hile on the 17th day of May 2006, beginning at the hour of 8:30 o'clock a.m. at the Marriott 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 29th day of May 2006.

__________________________
Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/2008