CHAIRMAN DEMIENTIEFF: I'd like to call the meeting to order. And while not picking on anybody, but as we get to the agenda, Ralph, the Chair for Southcentral may not be here when we get to his proposals and we will delay accordingly, he's got a fishing opening, Copper River fish.

And before we get too serious about things, I seen Fred here, but he stepped out so I can tell on him a little bit. When he was working for the State as a biologist, he came down to Nenana getting set up, test fishwheel site and that kind of stuff, and he went by this one fish camp where they -- anyway, there were fish on the racks, nice bright looking red fish and Fred grabbed me before the meeting, we were also having a meeting and he pulled me aside and he said, Mitch, he says, when did the fish get here, it was this time of year, and I told him, oh, we've been getting them for about a week now and then, of course, they were Copper River fish that had come in a lot earlier and there were no fish anywhere else on the river but we had them in Nenana.

As we get ready to start we want to have a little discussion about the discussions we're going to have. Basically this process began last August when we published a proposed rule and a call to change Federal Subsistence regulations for the 2004/2005 hunting season. We had received 85 proposals as a result of the call. These proposals have been evaluated by Staff from OSM and then presented to the 10 Regional Advisory Councils. The Councils, in turn, have worked on these proposals and have developed recommendations on each proposal during their public meetings in February and March. The Interagency Staff Committee has also reviewed these proposals and has worked directly with the Council Chairs in formulating recommendations to the Board. The Department has been involved in reviewing these proposals and providing comments, attending RAC meetings and meeting with Staff Committee.

The Board book has basically a record of all the work that has gone on leading up to this meeting, and as a result of the work completed to date, we've identified about 60 proposals where there is mutual agreement on the recommendations. These will move on to
our consent agenda, although that's always a moving work in progress, people can add or delete as we begin our deliberations. We'll have about 25 proposals that will need deliberating on.

Actually, Tom wrote this part and it says, I want to commend the Office of Subsistence Management.....

MR. BOYD: Here. Here.

(Laughter)

CHAIRMAN DEMIENTIEFF: .....the Interagency Staff Committee, they put in on that part.....

(Laughter)

CHAIRMAN DEMIENTIEFF: .....the RACs, well, they do their work, and the Department, for their efforts to date.

We will be having public testimony on the proposed rule setting a guideline for Council membership at 70 percent of the Council members to represent subsistence interests and 30 percent to represent commercial and sports interests. The Board will not deliberate on the proposed rule at this time, but only hear testimony from the public. This item is scheduled to occur tomorrow at 1:30 p.m.

Toward the end of the meeting, the Board will take action on the Predator Management Policy and hear a report on the Central Kuskokwim Moose Management Planning effort.

And finally we will have open discussion with our Council Chairs on several topics of concern to them.

With that, we will, at this time, have our introductions. I probably should have introduced myself before but my name is Mitch Demientieff. I'm tired because I drove in late last night from Nenana and that's where I'm from, I Chair the Federal Subsistence Board.

Tom.
MR. BOYD: Tom Boyd, Assistant Regional Director for subsistence management with the U.S. Fish and Wildlife Service.

MR. GOLTZ: Keith Goltz, Solicitor's Office.

MR. BSCHOR: Denny Bschor, U.S. Forest Service.


MR. SAM: Ron Sam, Western Interior.

MR. O'HARA: Dan O'Hara, Chair of Bristol Bay.

MR. FLEENER: Craig Fleener. (In Native) From Fort Yukon, Alaska, Chairman of the Eastern Interior Regional Advisory Committee.

MR. HAYNES: Terry Haynes, Department of Fish and Game.

MR. REGLIN: Wayne Reglin, Department of Fish and Game.

MR. LITTLEFIELD: Good morning. Chair of Southeast RAC.

MR. WILDE: Harry Wilde, Yukon/Kuskokwim Chair.

MS. CROSS: Grace Cross, Chair, Seward Peninsula.

MR. BISSON: Good morning. I'm Henri Bisson with the Bureau of Land Management.

MR. TONY: Paul Tony, Bureau of Indian Affairs.

MS. GOTTLIEB: Judy Gottlieb, National Park Service.

CHAIRMAN DEMIENTIEFF: Are there any other corrections or additions to the agenda that we need to go into right now?
MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: We would like to withdraw our Proposal 67 and I would like to, at the time that it would have been heard, just make a few short remarks.

Thank you.

CHAIRMAN DEMIENTIEFF: Okay. Anybody else, Harry.

REPORTER: Harry, your microphone, please.

MR. WILDE: Mr. Chairman, I was asked to pull out Proposal 51 by Village of Marshall for discussion purposes.

CHAIRMAN DEMIENTIEFF: Anybody -- do you have comment when we get to that?

MR. WILDE: I think Alex Nick will.

CHAIRMAN DEMIENTIEFF: Okay, yeah, we will just have comment then, the same thing as what we're doing for Judy so everybody understands what's going on here.

Anything else.

(No comments)

CHAIRMAN DEMIENTIEFF: Okay. With that, we'll go ahead.

(Pause)

CHAIRMAN DEMIENTIEFF: I'm sorry, it always takes us a little while to get going as there are always last minute changes to the agenda. The city of Kaktovik which had proposed 86(a) has contacted us and they also want to withdraw 86(a) and we'll just go ahead and note that for the record at this time.

We have the testimony request forms at the table outside here. And I think most of them are pretty specific to proposals that we have received so far, right?
MR. BOYD: Yes.

CHAIRMAN DEMIENTIEFF: Okay. We will have the opportunity, I think there's a request to move one item off the consent agenda so maybe we'll just go ahead and move into consent agenda, do you want to do that Tom.

MR. BOYD: Okay. There's been a number of proposals that appear to have mutual agreement from a number of parties that we have recommended to the Board to be placed on the consent agenda. These proposals, there's unanimous agreement the Federal Subsistence Regional Advisory Councils, the Federal Interagency Staff Committee, and the Alaska Department of Fish and Game concerning recommendations for Board action.

And anyone disputing the recommended action on a proposal may request that the Board remove the proposal from the consent agenda and place it on the regular agenda and the Board retains the final authority for removal of proposals from the consent agenda. The Board will take final action on the consent agenda after deliberation and decisions on all the proposals.

I'll now read the list of consent agenda items and I'll only read them by their number, I will not describe them.

The following are proposals from the Southeast Region, Region 1. WP04-02. And then I'll dispense from reading the WP04 because that applies to all of them. Then we go to 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19 and 20.

From the Southcentral Region, Region 2, WP04-23(a) and (b), 24, 25, 26, 29, 30, 34, 35, 36, 39, 87.

From the Kodiak/Aleutians Region, Region 3, WP04-40.

From the Bristol Bay Region, Region 4, WP04-44, 45, 47, 48.

From the Yukon/Kuskokwim Delta Region, Region 5, WP04-51 and 52.

From Western Interior, Region 6, WP04-53, 54, 56, 58, 59, 60, 63, 64, 66, 68, and 83.
From the Seward Peninsula Region, Region 7, WP04-69, 70 and 71.

From the Northwest Arctic Region, Region 8, WP04-72, 73, 74, 75.

From the Eastern Interior Region, Region 9, WP04-77, 79, 80, 81.

From the North Slope Region, Region 10, WP04-84, 85, and 86(a).

CHAIRMAN DEMIENTIEFF: Yeah, Terry, just one minute. Harry, I got a little note that maybe you wanted an item pulled off the consent agenda, is that correct?

MR. WILDE: Yes, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Which one?

MR. WILDE: It's that 51.

CHAIRMAN DEMIENTIEFF: Okay, No. 51 has been pulled off the consent agenda.

Terry.

MR. HAYNES: Mr. Chairman, thank you.

The Department would request that Proposal 43 be put on the consent agenda. We've revised our comments and in looking at all of the comments on that proposal we don't see any substantial differences now.

CHAIRMAN DEMIENTIEFF: We will do that after we hear public testimony. We do have to -- we do have a couple of requests on a couple of proposals so we're going to allow that now and then it will take a Board action for us to pull items off and to add items on to the agenda, but I appreciate everybody's work.

With that we'll go ahead. We have a couple of requests with regard to consent agenda items. Jack Hession from Anchorage here, Sierra Club is he -- yes, go ahead.

MR. O'HARA: Excuse me, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Go ahead.
MR. O'HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes, Dan, go ahead.

MR. O'HARA: Are you done with addressing the consent agenda items?

CHAIRMAN DEMIENTIEFF: Yeah, right after public testimony. We haven't voted on any consent agenda items yet.

MR. O'HARA: So all Mr. Boyd did was just make an announcement of what was going to be happening; is that right?

CHAIRMAN DEMIENTIEFF: Pardon? I'm sorry.

MR. O'HARA: All Tom did was make an announcement of what the numbers of the consent agenda items are going to be?

MR. BOYD: (Nods affirmatively)

MR. O'HARA: Okay. Because we don't necessarily support and we want some discussion on No. 43, because the State has changed their minds mid-stream there, so when we get to that we'll take care of it.

Thank you.

CHAIRMAN DEMIENTIEFF: Okay. Go ahead, Terry.

MR. HESSION: My name is Jack Hession. I'm here this morning on behalf of the Alaska Chapter of the Sierra Club, and my request is that Item 48 -- Proposal 48 be put on the regular agenda. It is in conflict with existing National Park Service regulations that prohibit hunting of beavers with guns.

Those regulations were the subject of public comment, nationwide, and it seems to me that if this Proposal 48 is adopted, it would have the effect of nullifying the prohibition against hunting beavers with guns. And it seems to me that from a procedural point of view only that the public should have the opportunity to comment on this departure from traditional National Park Service policy, and that would entail, I assume, new
proposed regulations from the National Park Service,
including full public comment.

I won't go into the substantive issues
here, Mr. Chairman. It seems to me, though, that there
is a major procedural problem with this approach, as is
by the way, 49, which is on the regular consent agenda.
When those two items -- or when at least 49 comes up, I'd
be happy to comment on substantive aspects of this idea.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. If we
got a request from a RAC member or a Board member we will
deliberate whether or not we're going to pull it off.

Donna Pennington.

MS. PENNINGTON: Thank you, Mr. Chair.
Members of the Subsistence Board. I'm Donna Pennington
from the Ahtna Region.

I recognize the Board is trying to
delegate authority to the Office of Subsistence
Management on the lynx on Proposal 36, but I'm concerned
about the new procedure for public input. I'm also
concerned this sets precedence for other animals without
public input. According to the web site, the Office of
Subsistence Management only provides primary Staff
support to this Board, which sets all the requirements
for subsistence hunting.

The Regional Director reports to the
director of Fish and Wildlife Service in D.C., who
reports to the Secretary of Interior. My concern is
we've lost the public input that was provided under
ANILCA for priority.

I don't feel that this authority can be
delegated at this time. I'm not sure of the
qualifications of the Regional Director and the Deputy
Regional Director to set policy without public input.

The main concern is if this sets
precedence for lynx, who is to determine it's not going
to set precedence for marten and mink and other animals.
My objection is to the delegation of the authority itself
in regards to public input and if that can be clarified,
maybe the Staff can answer some of my questions.
But the cycle of lynx, also, I don't think is understood. It's a very cyclical predator that operates within the rabbit cycle. And I really am concerned that it's not understood enough at that level without our input.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Did you want that off the consent agenda?

MS. PENNINGTON: Yes, that was my request to pull 36.

CHAIRMAN DEMIENTIEFF: Okay, well, we'll take that up in a moment.

Okay, that concludes the people that wanted to testify on the consent agenda. At this time I think we have one proposal to add, 43, and the State has basically made the request. They were the ones that were holding out on adding it to the consent agenda as Terry Haynes has indicated earlier. So at this time the Chair will entertain a motion to add that No. 43 to the consent agenda.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I'll certainly make that motion.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. BISSON: I'll second it.

CHAIRMAN DEMIENTIEFF: Okay. Discussion on the motion.

(No comments)

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

MR. BISSON: Excuse me, I thought Mr. O'Hara wanted to have some discussion about No. 43.

MR. O'HARA: Yeah, first of all, who can make a motion on this? Can the Advisory Council members
make a motion or is this up to the Board?

CHAIRMAN DEMIENTIEFF: It's a Board action but you can certainly request -- if you're going to request that it be taken off consent agenda then, you know, we can deliberate that then in the next motion.

MR. O'HARA: Yeah, I don't think that 43 should be on the consent agenda item because there are several sections of 43, for instance, Unit 9 takes in the Northern Peninsula Caribou Herd and, of course, we don't want same day's airborne hunting on that, but on Unit 9(B) where you have the Mulchatna Herd coming in with 200 plus thousand animals, you want the same day airborne hunting between January and March. And our Council did not support this, but I think we ought to take a look at it if State of Alaska changed their position on this and this is why I want to take a peak at it and just a slight discussion when this item comes up will be fine.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Gary.

MR. EDWARDS: My understanding is now the State is also opposed to it so everybody is opposed to it, right, or am I missing something?

CHAIRMAN DEMIENTIEFF: Go ahead, Tom.

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

MR. EDWARDS: I mean I think everybody's in agreement with your Council, so my understanding, the way it works it will get voted on and it will be opposed.

MR. O'HARA: Yeah, well, that's why Suddam Hussain is not in power, I guess, anymore. Okay, if that -- if our Council is opposed to it, State of Alaska is opposed to it and the Staff has recommended that, then that's pretty much just leave it like it is, so just disregard that.

CHAIRMAN DEMIENTIEFF: Okay. We have a request from the RAC to oppose the motion and certainly....

MR. BOYD: No, he.....

(Pause)
CHAIRMAN DEMIENTIEFF: Okay, now we're getting started here. We do have a motion to add Proposal 43 to the consent agenda, is there any further discussion.

(No comments)

MR. EDWARDS: I'm ready for a vote.

Question.

CHAIRMAN DEMIENTIEFF: We're ready for a vote, there's a call for the question. 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. 43 has been added to the consent agenda item.

Let's see, Tom, now, if we can go to the removals, it would be Proposal 36.

(Pause)

CHAIRMAN DEMIENTIEFF: I'm sorry, Gloria, did you want to testify, I just seen your -- is she here?

MR. BOYD: Yes.

CHAIRMAN DEMIENTIEFF: We're going to hang on, I know I seen Gloria here just a minute ago.

(Pause)

MS. STICKWAN: My name is Gloria Stickwan, I represent AHTNA, Inc. I just wanted to say that we wanted to pull Proposal 36 and give public this morning on that.

CHAIRMAN DEMIENTIEFF: Paul.

MR. TONY: Yeah, Mr. Chair, I'd request that you pull WP04-36 from the consent agenda, please.

CHAIRMAN DEMIENTIEFF: Okay, so, Tom,
now, if we could summarize the proposals that Board and RAC members have requested be taken off the consent agenda.

MR. BISSON: Mr. Chairman, is there a second for that?

CHAIRMAN DEMIENTIEFF: Pardon?

MR. BISSON: Do we need a second for that?

CHAIRMAN DEMIENTIEFF: No, we got to get the motion down first, we're going to take them all up at once, we don't need to have -- that's just a request from a Board member so it will be -- we're going to summarize all the requests that we have and then we'll take a motion to remove those from consent agenda and move on.

MS. GOTTlieb: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTlieb: I'll also add No. 48, please.

CHAIRMAN DEMIENTIEFF: No. 48, Tom.

MR. BOYD: Mr. Chair. You have three requests to remove items from the consent agenda, this would be for WP04-36 dealing with Southcentral lynx; and Proposal 48 dealing with Unit 9(B) beaver, and Proposal 51 dealing with Unit 18 moose.

MR. BISSON: Mr. Chair, I thought I heard the Park Service request 67 be withdrawn as well.

MS. GOTTlieb: Excuse me, Henri, that was withdrawn from discussion today.

MR. BISSON: Okay, withdrawn from discussion.

MR. WILDE: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. WILDE: That 51, they would like to discuss it, that's the purpose of pull it out.
CHAIRMAN DEMIENTIEFF: Yeah, that's one of the items that will be considered. So we will, at this time, take a motion to remove those items from the consent agenda, and the motion would be to remove 36, 48 and 51.

MR. TONY: So moved.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. BISSON: I'll second it.

CHAIRMAN DEMIENTIEFF: Discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none, all those in favor of the motion.....

MS. GOTTLIEB: Dan.

CHAIRMAN DEMIENTIEFF: Oh, I'm sorry, Dan.

MR. O'HARA: 48 is not on a consent agenda item anyway, is it, in your agenda 48 under Bristol Bay, is that what you're talking about Judy?

MS. GOTTLIEB: Uh-huh.

MR. O'HARA: That isn't on the consent agenda item anyway.

MR. FLEENER: Yes, it is.

MR. O'HARA: Is it?

MR. BOYD: Yes.

CHAIRMAN DEMIENTIEFF: 48 is on the consent agenda.

MR. O'HARA: All right, okay.

CHAIRMAN DEMIENTIEFF: So basically, Dan, let me see, what's your action with regard to 48, is there a request that you have?

MR. O'HARA: No.
CHAIRMAN DEMIENTIEFF: Okay. Is there any 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: Motion carries.

At any time during the meeting, of course, before we get to consent agenda if somebody wants to make a request we can deliberate any additions or deletions prior to adoption of the consent agenda items.

Okay.

Yes.

MR. SAM: Yeah, Mr. Chair, where do we stand on 67, is it going to come up for some deliberation or just for informational?

MS. GOTTLIEB: Mr. Chair.

MR. SAM: Just for information.

MS. GOTTLIEB: I can clarify that.

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. GOTTLIEB: Mr. Chair, if I might. What we'd like to do is withdraw it as a proposal but after we've discussed 65 I'd just like to make a couple statements as to the reasoning why we're withdrawing it and the plans that we have for the next regulatory cycle.

MR. SAM: Thank you, Judy. Mr. Chair, that would be my recommendation, too, my request.

Thank you.

CHAIRMAN DEMIENTIEFF: Also if you have comments that you wish to make at that time, yeah, you
know, you can add to the discussion.

There has been a request to remove WP04-01 to later in the agenda; is that right, when do you want it?

MS. GOTTLIEB: 79, along with 79.

CHAIRMAN DEMIENTIEFF: Oh, yeah.

MS. GOTTLIEB: They kind of go together.

CHAIRMAN DEMIENTIEFF: And we'll deliberate No. 1 with Proposal 79.....

MS. GOTTLIEB: Yes, or 78.

CHAIRMAN DEMIENTIEFF: .....or 78.

MS. GOTTLIEB: Thank you.

CHAIRMAN DEMIENTIEFF: So we will add that there.

Okay, we will now move into Southeast, Region 1. We have Proposal 18. First we'll go to the analysis, who's going to do that.

MR. SCHROEDER: Mr. Chairman, I'll be going through the analysis.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. SCHROEDER: Mr. Chairman, I'm Bob Schroeder, Southeast Regional Advisory coordinator and also the anthropologist on the Southeast Team. The proposal analysis for Proposal WP04-18 begins on Page 84 of your Board Book.

Proposal WP04-18 was submitted by Louie Wagner of Metlakatla. It requests a positive customary and traditional use determination be made for moose for Unit 1(A), for all rural residents of Unit 1(A). This would change the current designation which is the default designation in which all rural residents of Alaska are eligible to hunt under subsistence regulations in this unit to one that would restrict participation to rural residents of Unit 1(A).

So far Map 1 in your book delineates this
area, the Unuk has been before the Federal Subsistence Board in the last two regulatory cycles, I think Board members are familiar with this. This is an area near Ketchikan, Alaska.

Moose are thought to have entered Unit 1(A) from interior British Columbia via the Unuk River drainage, with a resident population established in the unit sometime in the early 1900s. Some moose in the Unuk River may seasonally migrate across the international border, the Canadian side of the Unuk River drainage has high quality moose habitat. The Department of Fish and Game did some transplants of moose in this unit to the Chikamin River in '63, this transplant was not successful and didn't result in a huntable population of moose there. So what we're basically talking about are moose in the Unuk River.

The Department of Fish and Game estimates the moose population at 35 to 50 moose and has a post-hunt population objective of 35 moose. The population could support a harvest of five to 10 bulls per year.

We have a companion analysis in WP04-19 that has more biological information.

Over the past 13 years hunters have taken from zero to five moose per year in this unit, all hunting has taken place in the Unuk River area. This area is reported to be a difficult place to hunt, depending on which route is taken the hunt area is 65 to 100 water miles from Ketchikan/Saxman and Metlakatla, the main communities that make use of this area. However you get to the mouth of the Unuk hunters need use of a river boat, preferably with a jet drive to hunt effectively there. The Southeast weather, the lack of local infrastructure, changing river conditions, brushy riverine habitat make this a pretty challenging hunt and definitely a local knowledge hunt.

The regulatory history for this area is presented in Table 1, 1959 to present.

The State of Alaska season has been consistently September 15th through October 15th.

The Federal season was changed last year, the Federal Subsistence Board decided to open the Federal subsistence season on September 5 giving subsistence hunters a jump on the season over the general hunting
season. This hunt requires a registration permit and it's never been closed by emergency order.

Three communities that are closest to the moose hunting areas in Unit 1(A) and have a strong history of use of Unit 1(A) resources, those places would be Ketchikan, Metlakatla and Saxman. Excluding Saxman, the Ketchikan Borough has a population of slightly more than 13,000, most of these borough residents live in a non-rural area and are not eligible for subsistence. There is a portion of the Ketchikan Borough which is in a non-rural standing. Metlakatla had a 2000 population of 1,431. Saxman's population was 394. The small communities of Meyers Chuck 21 and Hyder population 97 are also located within this unit. We consider the use of moose in Unit 1(A) by all of these communities.

We also note that there may be a small number of other rural residents living outside named places at homesteads, allotments or other locations in Unit 1(A), some of these people may hunt Unuk River moose.

Most of the land in Unit 1(A) is managed by Forest Service as part of the Tongass National Forest and all the known moose hunting takes place within the Misty Fjords National Monument portion of this unit. Occasionally moose may be cited at other locations as well. Forest Service, Ketchikan, Misty Fjords Ranger District located in Ketchikan administers the Federal land in the unit.

In looking through the eight factors that we need to consider, a primary factor is looking at a long-term consistent pattern of use excluding interruptions beyond the control of the community. According to our historical data, the Burroughs Bay and Unuk River drainage as well as the Chikamin River drainage were part of the traditional territory of the Saxman, Cape Fox Teikweidi Clan, that's the Tlingit Teikweidi Clan. Other portions of what is now Unit 1(A) where moose may be found were also part of traditional Saxman, Cape Fox traditional territory. Tlingit Port was located at the north shore of the Burroughs Bay and the Unuk River drainage had active hunting camps and smokehouses in the historic period. The small community of Saxman continues to maintain its cultural ties with this traditional territory.

Household surveys conducted in Saxman
covering 1987 shows some harvest and use of moose by that community. Households were also surveyed in 2000 covering, the 1999 harvest year reported some use of moose and attempt to harvest moose but no moose taken in '99. Household surveys conducted in Hyder and Meyers Chuck covering '87 documented moose harvest and use by residents of those communities for the study year. Metlakatla developed a pattern of subsistence use in Behm Canal and Unuk River drainage. Main subsistence harvest include eulachon and moose. Household surveys conducted in Metlakatla covering '87 harvest season shows some use of moose by that community but no harvest in that year by survey respondents.

Here, I'm reporting the survey data rather than the harvest ticket data. Table 2 gets into the harvest ticket data, that's found on Page 89 in your book. Note that we don't have data for '93. Over this time period from zero to 13 rural residents mean 6.2 hunted in this unit, they took from zero to three moose per year with a mean of .5 moose. The non-rural hunters range from zero to 41 with a mean of about 28, they took zero to five moose per year a mean 22. The number of rural and non-rural hunters as well as hunting success has varied over time, however, there aren't really clear trends in these data so participation is not demonstratively going up or down significantly and harvest hasn't been changing.

The preponderance of hunters from rural communities over this time period came from Metlakatla and Saxman. I've outlined the other occasional hunters who have hunted at some time in that time period. We do have a problem in the way the hunts are coded, are by zip code, and we don't have any way of segregating out the hunters who may come from Meyers Chuck or, again, the hunters who would be using a Ketchikan zip code, but who live in the part of the Ketchikan Borough which is non-rural. Would note that almost all the known non-rural hunters are residents of the Federally designated non-subsistence part of the Ketchikan Gateway Borough, namely Ketchikan. These non-subsistence hunters would also include members of the Tongass Tlingit Tribe which is located in Ketchikan. The Tongass Tribe also has traditional ties to the Unuk River and members of the tribe may regularly hunt or undertake other harvesting activities in that area. Under current regulations, of course, because the members of the Tongass tribe reside primarily in Ketchikan, they wouldn't be eligible for
Looking at the pattern of use, as far as we know all the moose hunting that has taken place in recent times has been within the established moose hunting season. This season coincides with the rut when bulls are active and respond to the call.

Criteria three are methods and means. These are basically the common ones used by moose hunters in Southeast Alaska. Access to the hunt areas is either by larger boat or plane. Hunters use skiffs or jet boats to navigate the Unuk River in search of moose. It's basically a riverine type hunt. There aren't too many places in the drainage that have large open areas where stand hunting or stalking can be effective. The area is remote, difficult to hunt and only moderately productive for moose. Nevertheless, it's been consistently hunted by rural residents in Metlakatla and Saxman and other rural residents of the Ketchikan Gateway Borough. A number of the persons who regularly hunt this area have cabins or hunting camps in the upper Burroughs Bay or lower Unuk River.

The methods and means that people use for handling moose are typical of those found throughout Southeast Alaska. We did find that some people are able to bring moose back whole to fishing vessels and will part up a moose on board to keep things cleaner.

In looking at pattern of use and transmission of knowledge. The intergenerational transmission follows common features throughout Southeast Alaska. In the Native community these would include the importance of clan and family ties for being important vehicles for transmission of knowledge. Traditionally, the new generation learns subsistence ways from key matrilineal kinsmen. In Native society the knowledge of subsistence is closely related to knowledge of place as well as clan and tribal history. Important learning about subsistence takes place at potlatches and other traditional celebrations where subsistence foods figure importantly.

Non-Natives in the affected communities sometimes participate in Native subsistence practices and Native learning through friendships, attendance at Native celebrations or through traditional adoption. More typically non-Natives learn the hunting skills, values and lore from relatives and friends as they participate
in harvesting activities.

Looking at the pattern of use of sharing, distributing subsistence foods, I presented detail in Tables 3, 4, 5, 6 and 7, which summarize the harvest data from Division of Subsistence Household surveys. In all communities a large portion of respondents said they received and gave subsistence foods in the previous year. We will note that survey data don't show harvest of moose by residents of Metlakatla for '87 or Saxman in '99. This is basically a sampling questioning because household surveys only talk to a sample of households in a community and they may have missed the ones who took moose. The survey data do show harvest of moose in '87 by residents of Hyder and Meyers Chuck and Saxman, however, these household survey data don't say where the moose were taken. The Saxman and Meyers Chuck residents who reported moose then may have hunted and harvested moose from the Unuk River. Because of their great distance from the Unuk, Hyder residents are unlikely to have ever hunted or taken moose there.

Looking at reliance on a wide variety of resources, the tables I just mentioned show some of the detail of subsistence harvest. Figure 1 presents overall per capita harvest for communities in Southeast with the communities in Unit 1(A) highlighted. The overall subsistence harvest varies quite a bit across these communities for the years where we have data. We found Hyder had a composite harvest level of 345 pounds per capita in '87. Metlakatla's harvest in that year, the only year for which we had data was 70 pounds per capita. Meyers Chuck had a harvest of 414 pounds per capita. Saxman's we have two data points of 90 pounds of subsistence foods per capita in '87 and 217 in '99. We don't have a clear explanation for why these amounts differ for Saxman, these may just be an artifact of the survey procedures used.

Looking at the effects of these proposals, the regulations currently in effect allow all rural Alaska residents to participate in subsistence hunting for moose in Unit 1(A). The proposed customary and traditional use determination would limit subsistence moose hunting in this unit to residents of the communities of Hyder, Metlakatla, Meyers Chuck, Saxman and other rural residents. Residents of other rural communities in Southeast Alaska and elsewhere in the state of Alaska would no longer be able to subsistence hunt for moose under Federal subsistence regulations in...
this unit. Specifically hunters without recognized
customary and traditional use of moose in this unit would
be unable to hunt during the September 5 to 15 season
when this unit is open to Federal subsistence hunting but
closed to hunting under State regulations.

I have one note that I didn't get that
didn't make it in the Staff analysis here. I did contact
someone from Meyers Chuck after -- I was able to contact
them over the last month and got some updated information
on Meyers Chuck. Meyers Chuck has a really small
population at this time. There were just six or eight
people there when I called. The overwintering population
is something like 12 or 15 folks. These are people who
hunt and fish, who have boats to get around. The person
I spoke to had personally hunted in the Unuk River,
however, he couldn't identify anyone who had recently
hunted moose up there.

Mr. Chairman, that concludes my review of
the Staff analysis and I'd entertain any questions at
this time.

CHAIRMAN DEMIENTIEFF: Yeah, that, of
course, is an ongoing process, you know, as we go into
deliberations.

Summary of written public comments.

MR. SCHROEDER: Mr. Chairman, we didn't
receive written public comments on this proposal.

CHAIRMAN DEMIENTIEFF: Okay. At this
time I'll open to public testimony. We have John
Morrison.

MR. BOYD: He doesn't want to do this
one.

CHAIRMAN DEMIENTIEFF: Well, which one
does he want?

MR. BOYD: He doesn't want to do this
one, he wants to do No. 1.

CHAIRMAN DEMIENTIEFF: Oh, No. 1, we're
on 18, okay, I'm sorry, I apologize. We have no request
for public testimony at this time.

Regional Council recommendation.
MR. LITTLEFIELD: Thank you, Mr. Chair.
The Regional Advisory Council, although recognizing the C&T work that was done on this proposal still opposed the proposal and that's our recommendation.

We recommend maintaining the current customary and traditional use determination in which all rural Alaskans are eligible to hunt under Federal subsistence regulations in Unit 1(A). Hunting for moose in this unit takes place primarily in the Unuk River drainage. Few moose are taken annually. The area is remote, difficult to hunt and not particularly productive.

Although, almost all hunters who have taken moose in this unit are Unit 1(A) residents, some residents of other communities have also hunted in this unit. The Council stated that the proposed customary and traditional use determinations would unnecessarily eliminate the possibility of some rural residents to hunt moose in Unit 1(A).

The Council stated there was no need to make a restrictive customary and traditional use determination at this time, and I have some other comments that I would like to make after the State has had their presentation.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Sure, okay. Thank you. Staff Committee.

MR. KESSLER: Mr. Chairman. Members of the Board. I'm Steve Kessler, Interagency Staff Committee member representing the Forest Service. My comments represent the Interagency Staff Committee views on this.

The Committee recommends supporting the proposal with modification which would provide a customary and traditional determination for residents of Unit 1(A) except for the residents of Hyder. This proposal meets all eight customary and traditional criteria for making a determination for residents of Unit 1(A) except for Hyder. Residents of Hyder have a subsistence orientation and documented use of moose, however, they are distant from the Unuk River hunt area and there's no evidence showing their use of this moose population.
No other rural residents of Southeast Alaska are known to have a pattern of subsistence use of moose in this unit.

The Southeast Regional Advisory Council recommended to the Board to oppose this proposal, but it would not unnecessarily eliminate the possibility -- because it would unnecessarily eliminate the possibility for some rural residents to hunt moose in Unit 1(A) and the prefer the no determination status allowing all rural residents to hunt.

The Interagency Staff Committee did not agree with this position because the Board should be responsive to proposals set before them on their merits applying the process established for making customary and traditional use determinations. This proposal analysis demonstrates that there's substantial evidence for a customary and traditional use determination.

I'd like to note that one member of the Interagency Staff Committee supported the Regional Advisory Council's recommendation to oppose because restricting the customary and traditional use determination could hinder family or friends from other areas hunting with local residents.

I'd also like to add that this is a special knowledge local hunt area. No rural resident outside Unit 1(A) is likely to hunt without a knowledgeable local hunter, therefore, whether you adopt or reject, there will likely be no real difference in who will actually be harvesting moose in the area.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. HAYNES: Mr. Chairman, the Department supports this proposal with modification. Information presented in the eight factor analysis supports a finding that some residents of Unit 1(A) have a customary and traditional use of moose in that subunit. The evidence is sufficient to make a positive finding for Metlakatla, Saxman and rural residents living outside of but near the Ketchikan Borough.

However, evidence is not presented which demonstrates that residents of Meyers Chuck have a
The Department supports a positive C&T finding in Unit 1(A) being made only for those communities for which sufficient information is available on the eight factors to fully evaluate their uses of moose harvested in Unit 1(A), and to conclude that a customary and traditional pattern of use has been established.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Board and Council discussion. John, you had a request.

MR. LITTLEFIELD: Mr. Chair. I think this is the appropriate time to show the difference between what the Interagency Staff Committee and the State are proposing as opposed to the Regional Council's recommendation. Our recommendation was to oppose, while the Interagency Staff Committee, as well as the State, both said that the eight criteria were met. They disputed some areas, Metlakatla, Saxman and Meyers Chuck, they weren't in agreement on that. But that doesn't get to the process.

The Council said that it was not necessary to do this and we want to find out where we sit in this process. We're telling you as a Council it's not needed. And we're not disputing the fact that the criteria have been met for many of those communities, we're just saying it's not needed so if you take the Council's view, which I think you should, or at least you should explain to us how this process works, because if we recommend that there's no C&T we believe that that has merit. And I just wanted to show the differences are more than we don't agree with -- we don't disagree with them on how they came to their conclusion, but we disagree with the fact that -- I guess I'm not explaining this very well, Mr. Chair, but the Regional Advisory Council says it's unnecessary to do a C&T even though the C&T meets the eight criteria.

CHAIRMAN DEMIENTIEFF: Thank you.

Additional discussion. Yes, Gary.

MR. EDWARDS: I just had a question for Mr. Littlefield. I notice that the proposal came from a resident of Metlakatla, do you think that represents the
MR. LITTLEFIELD: I can't speak for Mr. Wagner or the community of Metlakatla.

MR. BISSON: Mr. Chairman, I have a question for our attorney sitting at the table. It seems to me that the reason the Staff Committee came forward and recommended that we deal with it, the premise was that we have to deal with it because it's presented to us. I mean it gets at the heart of the difference between what I think John is talking about versus the Staff recommendation that we deal with it.

Do you have any reaction, Keith? I mean the RAC is not disputing the fact that these people are eligible, they're just saying we don't recommend it because it's not necessary and it seems like the reason we're dealing with it is because the Staff has said we have to deal with it or we need to take this forward. I'm just trying to sort out the legal requirement here.

MR. GOLTZ: Well, I think it's an interesting question. You've got the Southeast Council saying let's keep this an open system and the Staff Committee trying to close it down. I think that the Staff Committee does have an obligation to assess, but it's the Board's function to make a judgment.

We've used the word substantial evidence here and I'm not sure that .805(c) applies to a C&T recommendation, .805(c) applies to taking, and it's never been clear to me that a C&T recommendation is in fact a taking recommendation.

But I think that the Board's custom is to defer and to take very seriously the comments of the Council.

MR. BSCHOR: Mr. Chairman, I want to add on to that. I personally am concerned that if we don't have a problem, there's no appreciable difference in what's happening on the ground why would we want to put more regulation on the area. And I agree that I personally will take the Council's -- the Southeast Council's recommendation very seriously and if they feel there is not a problem that we need to fix here and we need to keep it as open as possible, it eliminates any other concerns about people not being able to hunt that
area.

So where I'm leaning is towards supporting the Council.

MR. EDWARDS: Well, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: I look at it maybe a little differently. I mean I don't look at it as the Staff Committee trying to shut it down, I look at it as an individual came forward to this Board with a request and that request basically said that they felt that there should be C&T and that request was looked at and the evidence predominately said, yes, you are correct. And if that being the case it doesn't seem to me how we cannot support the individual who requested it because the findings were that he was right.

CHAIRMAN DEMIENTIEFF: Additional discussion. Craig.

MR. FLEENER: Thank you, Mr. Chairman. I think we went through this discussion countless times in the past and part of what we talked about was when you decide to give a C&T determination, if you give a too narrow determination then you exclude a lot of people that could potentially hunt or that potentially are hunting there already. And we've already heard some discussion that there are some people that hunt in this area who would be excluded. And so it sounds like Mr. Littlefield is saying we don't want to be exclusionary, and so while you do want to recognize customary and traditional uses, I think people often confuse a customary and traditional use determination with recognizing their traditional practices on the land, and that's not what the customary and traditional use determination is meant to do. That determination is meant to limit the amount of access to those resources when you need to protect that resource.

And so I think that if you don't need to protect the resource because it's running low then why would you want to be restrictive. And I think Mr. Littlefield is saying we don't want to be as restrictive and what you're going to do is be more restrictive and prevent people from using the resource who could be using it otherwise.
Thank you.

CHAIRMAN DEMIENTIEFF: So in reading the Southeast RAC recommendation, and I haven't seen your minutes from your meeting or anything, does the RAC consider this proposal to be a work in progress in terms of making sure people are included or just total opposition?

MR. LITTLEFIELD: Mr. Chair, I'm not certain I understand that but we didn't see it was a problem because as was mentioned by Staff, in the Interagency Staff Committee this is a local knowledge hunt, no one from another rural area is going to go down there and hunt because they can't hunt that correctly and it's dangerous and it's only local people with local knowledge hunt that and those are very limited amount of people and we saw no need to restrict those people to just those communities.

And I guess a similar case, maybe like Mr. Fleener talked about was last year when you were discussing Unit 20(E) and you were talking about the communities and start going down the road, the Steese, you know, to Circle, and all these communities and I'm sitting here saying I hunt in Unit 20(E), you know, and I'm from Southeast. So when you do C&T's they're restricting people's access so you want to be as inclusive as possible, you want to get everybody. But there's -- we feel that there's just no need to go that step. It's a self-limiting hunt that takes care of itself as it is and maybe only a couple of people will be eliminated by this but we don't think it's fair to those people.

CHAIRMAN DEMIENTIEFF: Thank you.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: Well, I think the Staff analysis was time well spent it just may not be the time to implement what the proposer originally asked for. And with the Forest Service being the major land manager in the area I would lean towards supporting what the Forest Service and the RAC has said.

CHAIRMAN DEMIENTIEFF: Go ahead.
MR. BSCHOR: I'd like to make a motion,
Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BSCHOR: I'd like to move to adopt
the Regional Council's recommendation to oppose the
proposal.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. TONY: Second.

CHAIRMAN DEMIENTIEFF: Yeah, well, as far
as my comments and what I'm able to gather, I think since
the access is already limiting as we've heard the RAC
recommendation say, people are not going to be able to go
down there and hunt and while sometimes regulation is
necessary when we have more accessible points, you know,
I intend to support the motion to go with the RAC
recommendation based on their local knowledge. If it
were other areas where access could be detrimental to the
population I could understand it at that time, but as far
as my intent I intend to support the motion based on that
fact.

Anybody else.

Are we ready for a vote.

MR. BSCHOR: Question.

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, I think at this time we're going to go ahead and
take just a brief break.

(Off record)

(On record)
CHAIRMAN DEMIENTIEFF: We're ready to begin again. At this time we will go to Staff analysis on Proposal 22, who's going to do that. Chuck.

MR. PARSLEY: Good morning. My name is Chuck Parsley. I'm a biologist with the Forest Service Hoonah Ranger District in Southeast Alaska. WP04-22 deals with marten trapping on Chichagof Island in Unit 4.

WP04-22 is deferral proposal WP03-11 from the 2002/2003 proposal cycle and WP03-11 is a deferral WP02-15 from the 2001/2002 proposal cycle concerning trapping regulations in Unit 4. There's quite the history here and I'm trying to summarize.

The Hoonah Indian Association submitted WP03-11 from the 2002/2003 proposal cycle and requested a current regulatory band on the use of motorized vehicles for the taking of marten, mink and weasel on Chichagof Island be lifted to allow the use of any motorized land vehicle. The Board deferred the proposal to allow Federal and State managers, the Council and local trappers to collect additional information and to provide better planning for marten on Chichagof Island. This information would also help determine appropriate harvest levels and determine if other in-season management restrictions would be needed. The Federal Subsistence Board directed the U.S. Forest Service to work closely with the HIA, trappers and the Alaska Department of Fish and Game to find a solution.

The Southeast Regional Advisory Council discussed Proposal WP02-15 during their spring 2002 Juneau meeting. The Southeast Regional Advisory Council’s recommendation was to defer the proposal. At the suggestion of an ADF&G manager, the Council requested Federal Staff meet with trappers and ADF&G biologists in Hoonah to see if a consensus solution to questions concerning trapping, trapping seasons, and the use of motorized land vehicles could be reached. The Federal Subsistence Board concurred with the Southeast Regional Advisory Council and deferred this proposal.

On October 11th, 2002, Jack Whitman, ADF&G area biologist, Dave Johnson, Tongass National Forest subsistence coordinator, myself, Chuck Parsley, Dave Belton from HIA and several local trappers attended a meeting in Hoonah to discuss issues associated with marten trapping in the Hoonah area. A compromise was agreed upon that would maintain the current Federal
season and allow the use of motorized land vehicles on Chichagof Island. ADF&G and Tongass National Forest biologists had proposed to monitor the harvest in an endeavor to prevent overharvest and to provide resource conservation measures. Trappers would be encouraged to submit their skin marten carcasses to local Forest Service, the management goal is to maintain the percent of total males harvested above 55 percent, more importantly it is critical not to allow the ratio of total young of the year to adult females greater than 2.5 years to fall 3 to 1 ratio. Harvesting more than three juveniles to one adult greater than 2.5 years represents an acceptable harvest, Strickland and Douglas '87. Jack Whitman personal communication recommended the use of a more conservative ratio of four to one, total young of the year to adult female. Additionally, Whitman reports that managing marten populations for over 11 years in the Western Interior Alaska when seeing a three to one ratio, marten population seem to maintain themselves. With a more conservative four to one greater, or greater, marten populations going into the following winter would be at increased densities and higher probability of survival and recruitment.

To ensure overharvest does not occur, biologists will monitor and harvest and determine sex and age ratio in the harvested population.

Following the ADF&G, Unit 4, area biologists changing jobs, the ADF&G had differing opinions on how to best manage marten. The ADF&G changed their position citing new available information and did not support the previous agreement. This new position was first made public at the February 2003 Council meeting. As a result of additional information provided by ADF&G, the Board deferred WP03-11. This was done to enable Federal and State managers as well as Council and local trappers to review the additional information about marten populations and to determine if some modification of the access restriction in-season monitoring is appropriate.

As a result U.S. Forest Service has met with ADF&G and Hoonah Indian Association on several dates this winter to discuss marten management on Chichagof Island. The Forest Service, State biologists managers agree, there is a need for conservation of the species, and further agree there is not a conservation concern regarding marten on Chichagof Island.
The Forest Service is extremely grateful to Jack Whitman, Alaska Department of Fish and Game and his supervisors for allowing Jack to share his years of experience and research involving marten with others at a recent workshop in Hoonah.

ADF&G and Forest Service biologists examined marten carcasses and the data will be used to determine sex and age ratios. This endeavor is possible only because of the cooperative efforts and desire of the hoonah Indian Association, local trappers, ADF&G and the Forest Service to better manage marten on Chichagof Island.

Effect of the proposal. Currently Federal regulation is more restrictive than the State regulation regarding access to trapping sites on Chichagof Island. Under the existing Federal regulations a large portion of the area is inaccessible to subsistence users because of the vehicle restriction. Removing the restriction would allow the use of motorized vehicles resulting in increased access. The change would allow equal access for the trapper under both Federal and State regulations. Subsistence trappers would be able to trap for two and a half months and use motorized land vehicles while trappers operating under State regulations would be limited to a one month season.

The Forest Service still plans to monitor marten in cooperation with the local trappers and Hoonah Indian Association and the State of Alaska and that information hopefully will be used to determine some trends and set some baselines.

And to speak more about that I'd like to defer to Steve Fadden, the Forest biologist.

Thank you.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. FADDEN: Mr. Chairman. Members of the Board. My name is Steve Fadden. I am the Forest wildlife biologist on the Tongass National Forest in Ketchikan, Alaska. And I'm here to present information related to to this proposal.

The marten population on northeast Chichagof was addressed through necropsy data that was assimilated from local trappers. And the mechanisms that
we used to determine the fitness of the population were physical data that was the result of opening up the marten carcasses and taking body length measurements, tail length measurements, determinations of the reproductive internal reproductive anatomy. What we attempted to do was determine what the age and sex ratio of the marten that were given to us actually was and what we are hoping to determine in the future through more research in this area is a collective trend analysis over time as to what the survival of recruitment of marten are related to harvest.

We are trying to keep the harvest within the interest of the population as opposed to the principle, if I can use that analogy. The necropsy data provides biological information that gives us this ability to analyze what's happened related to harvest. This is the accepted standard for determining population fitness in marten using necropsy data and it's been exhibited through Strickland and Douglas, 1987, and the ratios that we used to determine what the population fitness was empirically based on Strickland and Douglas research. And we proposed a more conservative measure than what has been empirically established as acceptable from three to one to four to one as a more protective measure of the population in the future.

We used skull morphology reproductive anatomy to determine what the age of the marten harvested were and what the jaundice of the marten were and then we collected additional information on fitness related to parasites in the stomach. We extracted muscle tissue for forwarding through Jack Whitman to the University New Mexico for genetic analysis and we collected a lot of additional information in the process.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. SCHROEDER: Mr. Chairman, we haven't received written public comments for this proposal.

CHAIRMAN DEMIENTIEFF: At this time we have no additional requests for public testimony.

Regional Council recommendation.

MR. LITTLEFIELD: Thank you, Mr. Chair.

The Regional Council supports this proposal.
The Council supported the proposal as originally submitted by the Hoonah Indian Association some years ago as was brought out in the record, we've been working with this for a couple years. So the Council appreciated the excellent work done by the tribe and by the State and the Forest Service biologists who examined population characteristics of the Chichagof Island marten. Area trappers cooperated fully with study efforts in 2003 to bring the carcasses of virtually all marten trapped for examination by Forest Service biologists. The necropsies showed that the age and sex ratio of the marten taken during the 2003 trapping seasons were well within the guideline levels for this species. This information added significantly to the Council's biological knowledge of marten. This work also gave the Council confidence that there were no conservation concerns with this proposal.

The proposal did not raise conservation concerns and would also be beneficial to subsistence users. We had sufficient data to support our recommendation and non-Federally-qualified trappers will not be adversely affected by adoption of this proposal.

The Council did not accept the preliminary Staff conclusion to put sex and age ratios into the regulations at this time. This management approach should receive public review before receiving a positive Council recommendation. The Council understands that the age and sex ratios will be monitored by the Forest Service biologists in the coming trapping season. If the age or sex ratio of martens harvested falls outside of accepted management parameters, the Council would consider supporting a closure of the trapping season by special action.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. KESSLER: Mr. Chair. Members of the Board. I'm Steve Kessler with the Forest Service. The Interagency Staff Committee supports this proposal consistent with the recommendation of the Southeast Regional Advisory Council. The Forest Service and the Alaska Department of Fish and Game agree that there's currently no conservation concern for marten on Chichagof Island.
Use of motorized vehicles for the taking of marten, mink or weasel is allowed under State regulation during the State trapping season of December 1st through the 31st. Most trapping is thought to occur during this period because of less snow than during the January 1st to February 15th period, when the Federal season only is open. This is unlikely to change as a result of this regulation change which would additionally allow trapping with the motorized vehicles from January 1st to February 15th.

At all times during open seasons access by skiff is readily available to large areas of the island and this would not change with implementation of this revised regulation.

During the 2003/2004 trapping season marten carcasses were collected and later analyzed and determined population was healthy using sex and age ratios, preliminary analysis of these data indicate there is no conservation concern. To ensure overharvest does not occur in the future threatening marten conservation, Forest Service and Department biologists, with the cooperation of the local trappers will continue the sex and age ratio monitoring and the season may be closed by special action if potential overharvest is detected.

There is some concern that areas of refugia must be maintained as you'll no doubt be hearing in the State comments to provide the long-term conservation of marten populations. Although much of Chichagof Island is accessible by roads or water, the island does have a network of old growth reserves, congressionally designated conservation areas and other areas with limited development established by the Tongass Land Management Plan in which all result in reduced trapping effectiveness. Although these areas are not closed to marten trapping, they do act as partial refugia for the marten.

Again, marten harvest monitoring described previously will ensure a long-term conservation of the marten populations.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department.

MR. HAYNES: Mr. Chairman, the Department
1 does not support this proposal. We and the Forest
2 Service Staff agree that biological refugia should exist
3 for marten in areas such as northeast Chichagof Island
4 for substantial habitat operations have occurred as a
5 consequence of logging and associated road construction.
6 Refugia serve as protective areas for wildlife including
7 marten in this case, and as a source of animals to
8 replenish surrounding areas where seasons are liberal and
9 access is less restricted.

10 Because we know from previous experience
11 that access can directly affect marten harvest in this
12 area, the season was closed by emergency order in 1990,
13 for example, we recommend that some form of refugia be
14 maintained. After considering a number of ways to
15 provide refugia, Department Staff believe the existing
16 Federal road access restriction, in combination with a
17 similarly applied restriction at the State level through
18 the Alaska Board of Game is the most efficient and
19 practical means to accomplish this. In addition to
20 maintaining refugia for marten this approach would
21 provide a more level playing field for all trappers
22 operating under either State or Federal subsistence
23 regulations.

24 If there is interest in pursuing refugia
25 through road access restrictions, the Department is
26 prepared to submit a proposal to the Board of Game for
27 consideration at its November 2004 meeting in Juneau
28 requesting that the same access restrictions be
29 incorporated into State regulations as currently exist in
30 Federal regulation.

31 The Department will also cooperate with
32 future efforts of the Forest Service on northeast
33 Chichagof Island to collect marten carcasses from
34 trappers and annually assess sex and age composition.

35 The Department recognizes that whether or
36 not this proposal is adopted, the trapping season closure
37 will remain February 15th under Federal regulations and
38 December 31 under State regulations.

39 Thank you.

40 CHAIRMAN DEMIENTIEFF: Thank you. Board
41 discussion. Gary.

42 MR. EDWARDS: Mr. Chairman, I have a
43 question for Staff. Don't we have to be a little careful
before we assume that by increasing -- by allowing it
open to vehicles for another 46 days might -- could have
an impact because we really don't have any data really to
know what it will or will not do; is that right?

MR. PARSLEY: Through the Chair. Mr.
Edwards, you're right, we don't know what the effect will
be. The majority of the harvest traditionally has been
in the first month of the harvest, December 31st.
Typically the snow conditions on Chichagof Island
prohibit any sort of access after that date. It's deep
snow, it's soft snow and you have to be out and back in a
couple hours otherwise you sink in. So it's pretty much
a self-limiting system, I think, and therefore it's
expected that the access would not significantly
increase. There's a few trappers who trap and most of
them get their critters every year, at least the past
18 years, within a certain timeframe.

Additionally, to ensure, we do plan, the
Forest Service does plan, with the cooperation of local
trappers, HI and the State to continue to monitor sex and
age ratios so that we can maintain a positive acceptable
ratio so we should be able to catch any sort of
overharvest before it happens, or not before it happens
but while it's occurring.

CHAIRMAN DEMIENTIEFF: Any other
discussion.

MR. BISSON: Mr. Chairman, I'm going to
support the recommendation for the following reasons. I
don't believe that this Board should be making
regulations about accessing vehicle use on Federal lands.
I really think that's the responsibility of the Federal
land manager, and if there's a need to create refugia or
if there's a need to manage access for any use on the
National Forest, I think the Forest Service should be
doing it. I don't think this Board should be doing it
through these regulations.

I think our purview ought to be set
seasons, to close it, open it, that sort of thing, but I
think the actual access that occurs on those lands ought
to be managed by the Forest Service. And it's my
understanding that, you know, if there are resource
concerns, if there are issues on the ground, the Forest
Service has the ability to close roads or close areas,
they certainly through their Forest Plan have the ability
to identify refugia and limit access into them.
So I just think that however this came into play, I don't think this particular regulation ought to exist and I will support changing it.

CHAIRMAN DEMIENTIEFF: Thank you. Any other discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: If not, I think we're prepared for a motion.

MR. BSCHOR: I'm prepared to provide that motion in light of what we heard relative to the fact that there's recent data that supports viable age to sex ratios at four to one, this doesn't violate any of the recognized wildlife principles of conservation and as you've heard, we have the ability to manage locally and we are monitoring very closely with the help of the Alaska Department of Fish and Game. And that until or if there is any change in the State regulation, I think we need to make sure that the subsistence user has a similar ability to access the land.

So with all that said, I propose to adopt the Southeast Council's recommendation to adopt this proposal.

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

MR. BISSON: I'll second it.

CHAIRMAN DEMIENTIEFF: Further discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Go ahead, Judy.

MS. GOTTLIEB: This sounds like this really was a good cooperative effort from the start and I know it was a difficult issue last year so thank you everybody for your efforts towards this.

CHAIRMAN DEMIENTIEFF: Yeah, I think I will support the motion as well based on testimony by Staff that it's a self-limiting area to access and there is no conservation issue.
So I intend to support the Regional Council recommendation as well.

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.

That concludes our work in Southeast.

MR. LITTLEFIELD: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. LITTLEFIELD: I think we deserve a hand. We only had two proposals on the non-consent agenda.

(Laughter)

CHAIRMAN DEMIENTIEFF: I've been getting kudos all over on the break and earlier this morning for the same thing, that people are real happy.

(Laughter)

CHAIRMAN DEMIENTIEFF: With that, we're going to -- as I indicated earlier we're going to skip over Southcentral until the Chairman can get in here. And these guys almost beat you, we're going to go to Yukon/Kuskokwim Proposal No. 50. They did. It's Yukon/Kuskokwim Proposal No. 50. Now, originally they beat you John, they only had one on the non-consent agenda and then of course we got one pulled off to put you guys into a tie, so we'll have 50 and 51.

(Laughter)

CHAIRMAN DEMIENTIEFF: You're ready, okay, Staff analysis.
Good morning. Members of the Board. My name's Dave Fisher with the Office of Subsistence Management and I'll be presenting the Staff analysis for No. 50.

This proposal was submitted by the Yukon Delta Regional Advisory Council. And it would combine the north and south hunt areas in Unit 18 into one unit, just 18 for caribou hunting. It would extend the season to April 15th from March 31, therefore, lengthening the season by 15 days and it would also extend the meat on the bone requirement for the entire unit.

The proposed hunting season would be August 1 through April 15th, five caribou, all edible meat of the front and hindquarters must remain on the bone on caribou harvested prior to October 1. Current State regulations passed by the Board of Game in the fall of 2003 parallel these proposed new Federal regulations. They also have a unit wide meat on the bone salvage requirement.

The primary concern here is with the Mulchatna Caribou Herd. At one time there was another small caribou herd in this area, primarily around the Kilbuk Mountain area, known as the Kilbuk Caribou Herd and we did have separate regulations for that at one time, some of you may recall those. However, that herd did move sort of out of 18 at the same time that the Mulchatna Caribou Herd was increasing and pretty much inundated the Kilbuk Caribou Herd so we don't really have -- we don't worry about that herd much anymore.

Another herd called the Western Arctic Herd moved south to the north of the Yukon River during the winter of '97/98. At that time the Board passed specific caribou regulations for the northern part of Unit 18, five caribou per day, August 1 through March 31, this was specifically for the Western Arctic Herd, and that herd has not been present in Unit 18 since '97/98, however, the five caribou per day regs remained on the books so that's one of the -- another reason for submittal of this proposal is to change that.

This caribou herd, Mulchatna Caribou Herd covers approximately 60,000 square miles and it's found in Units 9(B), 9(C), Unit 17, Unit 18, Unit 19(A) and 19(B). And between 1981 and 1997 the herd increased at an annual rate of about 17 percent. The population was around 200,000 in 1996. Since then it has declined down
somewhat down to around 147,150,000. The bull/cow ratios began to decline in 2000 from 38 to 100 to 17 to 100 in some survey areas. These lower bull/cow ratios primarily turned up in Unit 17(B) and 17(C), however surveys done in Unit 18 indicated a somewhat higher bull/cow ratio. The bull/cow ratio over all for the 2002/2003 surveys for 26 to 100, and this is down somewhat from the 40 to 100 during the years of 1993 to 1999.

Surveys are conducted by the Togiak National Wildlife Refuge, Yukon Delta National Wildlife Refuge and also Department of Fish and Game offices out of Bethel and out of Dillingham. These people are aware of the little bit of discrepancy or a little bit of differences in the bull/cow ratios and they will be remodifying their survey techniques and method to come up with some possible better surveys so we have a little bit of a difference there between what was counted in 18 and what is currently counted in Unit 18, 17 and 18 and also 19. We'll be talking a little bit about this in Proposal 42, it is a crossover when we're dealing with Unit 18.

Caribou is a very important subsistence resource for residents of Unit 18. Harvest ticket data indicates its high success rate for just about every rural resident in Unit 18 and all communities in Unit 18 have reported harvesting caribou from 1983 to the year 2000 and beyond.

What this proposal would do is provide additional hunting opportunity for those subsistence users in Unit 18 by extending the season 15 days. The meat on the bone requirement would comply with local harvest and transport methods that refrain from deboning meat and it would combine Unit 18 into one unit, one management unit instead of the north and south part.

That's about all I have, Mr. Chairman.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. NICK: Mr. Chairman, for the record my name is Alex Nick, Regional Council coordinator for the Yukon/Kuskokwim Delta Council. We did not receive any written public comments.

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

MR. WILDE: Mr. Chairman, the Yukon/Kuskokwim Delta Subsistence Regional Advisory Council supports the proposal since it would align with the State regulation, would compare with the current harvest guideline and would provide additional harvest opportunity to harvest caribou in Unit 18. Adoption of this proposal would also prevent meat spoilage during the transport from the harvest site.


MR. O'HARA: Mr. Chairman, we have Proposal No. 42 on the books and our Council in Bristol Bay opposed this recommendation, as you can see in your books. And we felt that with the reduction of bulls, the taking of bulls would probably have a more reasonable effect on the conservation of the herd, and that's the reason that we opposed that proposal, Mr. Chairman.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Ron.

MR. SAM: Thank you, Mr. Chairman. There are times when our meeting processes flip-flop, so according to the book we deferred to home region, and that was simply because we met before YK-Delta. And with that, I wanted you to know that with our deferral we were in support of YK-Delta's action or request.

That's just for the record, thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Grace.

MS. CROSS: Thank you, Mr. Chair. Seward Peninsula supported this proposal. We have two communities that are affected by this proposal. We felt the same way as Yukon/Kuskokwim, that it would align Federal and State regulations making it easier for subsistence users to follow local game laws. A unit-wide bone requirement would also comply with local harvest and transport methods that refrain from deboning harvested meat.

Thank you.
CHAIRMAN DEMIENTIEFF: Thank you. Any other Regional Council comment. Staff Committee.

MR. JACK: Thank you, Mr. Chairman. For the record my name is Carl Jack. The Interagency Staff Committee supports the proposal consistent with the recommendations of the Seward Peninsula, Western Interior and Yukon/Kuskokwim Delta Regional Advisory Councils.

Adoption of the proposal would provide additional opportunity to harvest caribou during the longer days of spring, simplify the Unit 18 regulations and comply with current harvest guidelines. Adoption of the proposed regulation would extend to all of Unit 18. The regulation requiring that meat be left on the bone to reduce meat spoilage during transport from the harvest site. The unit-wide meat on the bone requirement would promote local harvest and transport methods that avoid deboning harvest meat. Because of this, adoption of the proposed regulation would not adversely affect the caribou population or Federally-qualified subsistence users. The proposed regulation would affect users who would otherwise choose to debone the meat of the caribou taken in Unit 18.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department supports this proposal as was noted in the Staff analysis at its fall 2003 meeting, the Alaska Board of Game extended the caribou season by two weeks in Unit 18 and instituted a unit-wide meat on bone salvage requirement. And you can see the current State regulation -- or the new State regulation on Page 400 of your meeting book.

Adoption of this proposal will better align the State and Federal caribou hunting regulations in Unit 18 but will not completely align them. You'll note that the State regulation provides that no more than one bull may be taken from August 1 through November 30. Because the harvest of bulls is a very small portion of the harvest in Unit 18, we do not have a concern about that limitation being included in the Federal regulations. So we support the proposal as written.

Thank you.
CHAIRMAN DEMIENTIEFF: Thank you.

Discussion. Gary.

MR. EDWARDS: Mr. Chairman, I have a question for the Bristol Bay Council. Dan, do you feel that the Council opposed the proposal on its merits or simply because you felt that your actions on Proposal 42 made this action unnecessary and further, I guess, if this is passed, what impact does it have on your Proposal 42?

CHAIRMAN DEMIENTIEFF: Thank you.

MR. EDENSHAW: Thank you, Mr. Chair and Board members. Mr. Edwards, when the Bristol Bay Council met in February they rejected Proposal 50 based on Proposal 42 which had been submitted by the Council. And the initial proposal, when we met in Naknek, I believe Jim Woolington came to the Council and asked that they -- if you look at Proposal 42, which was to reduce the bull harvest and there was concerns in Units 9 and 17, which are Federal public lands which are affected, and so when the Council met recently, they just went ahead to reject Proposal 50 based on actions they had taken on Proposal 42 which was to reduce the bull harvest.

So they felt that they were addressing the conservation concern of wanton waste in the bull harvest, in the reduction of the bull harvest.

MR. EDWARDS: So if we pass 50, then does it make 42 moot or do we still need 42 or a combination thereof or.....

MR. O'HARA: Well, Mr. Chair.....

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. O'HARA: Our concern, as Cliff has mentioned to you is the reduction of taking of bulls. We feel like -- of course, the non-subsistence hunter is targeting at that bull season during the rut, they want the horns and they get them. And then your subsistence user, he wants to get all the meat that he can get so he gets the bulls, you know, you want to take back as much as you can. And you got same day airborne hunting on that herd so they can be targeted pretty easily. And our concern is -- and I don't know what's going to happen with 50 or 42, we just have to reduce the taking of bulls to make sure that we can keep that herd healthy, and
We feel that the conversation need is met by a reduction in the bull, and that's our main concern.

MR. EDWARDS: And 42 does include other units, too, right?

MR. O'HARA: Yes, it does.

MR. EDWARDS: 9 and 17.

MR. EDENSHAW: Yes, it does.

CHAIRMAN DEMIENTIEFF: Yes, go ahead, you have other information?

MR. EDENSHAW: (Shakes head negatively)

CHAIRMAN DEMIENTIEFF: Anybody else.

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none, is there a motion.

MR. EDWARDS: Mr. Chairman, I would move that we adopt the recommendations of the Seward Penn, the Western Interior and the Yukon/Kuskokwim Delta Regional Advisory Council.

As was pointed out, I think the adoption of this proposal would provide additional opportunity to harvest caribou. It would certainly simplify the Unit 18 regulations and extend throughout all Unit 18 the regulations requiring that meat be left on the bone.

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

MR. BISSON: I'll second it.

CHAIRMAN DEMIENTIEFF: Discussion.

MR. TONY: I'm sorry, could you restate the motion again?

CHAIRMAN DEMIENTIEFF: To support the recommendation of.....
MR. EDWARDS: To support the recommendation of the three Councils. Western Interior, the way I read it deferred to the other Councils so I'm assuming that they support it so....

CHAIRMAN DEMIENTIEFF: Seward Penn and YK. 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, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

That brings us to 51. Before we begin 51 here, let me just say one thing, we are getting requests for people to testify in different regions on pulling consent agenda items off. And then I have to make a correction also, I'm going to allow, as we enter those regions, I'm going to allow testimony by the people who are requesting that items be removed off of consent. But we voted on pulling items off earlier which is not consistent with our process. We have always, in the past, sometime when we got a little bored, cobwebs, going in, you know, we start doing things and then we had a discussion on the break about our process normally. And any Board member, Board members, can request something be pulled off at any time, and that's not something that has to be voted on. So just so we understand our process. So I had to make that correction, and that's how I intend to accommodate it, people have a say that may not have had the opportunity to, you know, testify at the discussion, so I'll open it up by region as we change regions.

With that Staff analysis on 51, please.

MR. LAPLANT: Good morning, Mr. Chairman. Members of the Board. My name is Dan LaPlant, and I'll be pinch-hitting for Pete DeMatteo here this morning who is unable to be here, but 51 has come off the consent agenda and the analysis for that is found on Page 410 of your Board Book. So we'll be switching from a discussion
on caribou over to moose.

Proposal 51 was submitted by the Yukon/Kuskokwim Delta Regional Advisory Council. It would establish a five year moratorium on moose hunting in the Kuskokwim River drainage of Unit 18 and the areas easterly of Dall Lake and Takslesluk Lake, and that portion of the Kuskokwim River drainage and this is to encourage establishment of a moose population capable of supporting annual harvest. And on the following page, on Page 411 is a map of Unit 18 with that proposed closure area outlined so it's basically the lower Kuskokwim River drainage.

The moose habitat along the Kuskokwim River drainage is capable of supporting considerably more moose than currently reside there. The harvest of moose out of season, particularly cows is the primary reason that a moose population has never become established at a significant level. The Lower Kuskokwim Advisory Committee has worked for several years with the Department and Fish and Wildlife Service, the Refuge Staff, and area villages to consider approaches to this problem.

The preferred solution is modeled after successful efforts that have been implemented on the Lower Yukon River below Mountain Village, and that's to close the season for five years to create this moratorium until a moose population recovers to a level of 1,000 moose and then to allow moose harvest to be established for bulls only -- to establish a bulls only season.

The proposed change to the current regulations for the Yukon River drainage in Unit 18 part of this proposal would extend the moose hunting season in that area of the Lower Yukon River below Mountain Village. The moose population in that area has grown, it no longer requires a separate management from the rest of the Yukon River -- excuse me, from the rest of Unit 18, and this change would simplify regulations, it would provide additional subsistence hunting opportunity and avoid confusion for hunters with no adverse impacts to the Yukon River moose population.

So, again, this proposal would create this moratorium on the Lower Kuskokwim and it would extend the season in the Lower Yukon by including that area in what would be labeled as the remainder of Unit 18.
The draft of the Lower Kuskokwim Moose Management Strategy that's outlined on Page 414 of the analysis was presented to the affected villages to obtain their support for this effort and to get this grassroots support. The strategy calls for a moose hunting moratorium of five years, again, or until the population reaches 1,000 moose in the Lower Kuskokwim area. And there was general support from the villages that this was presented to.

Some current biological information, the Lower Kuskokwim River drainage moose population has been existing at extremely low levels. The density estimates that were calculated in the last few years, in 2002 back to the year 2000 were at .129 moose per square mile for 2002 and then back in 2000 it was .093, so extremely low levels of moose in the area. The area does have outstanding moose habitat, though, but still the populations have been low. Estimated population over all in year 2000 was just 84 moose for this area and in 2002 the population was estimated to be 94 moose. And the management goal, again, is 2,000 moose for the area, so again significantly low management objectives.

Habitat is outstanding in the Lower Yukon River and Lower Kuskokwim River drainages in Unit 18. Recent brow surveys revealed large amounts of high quality unused forage.

The effects of this proposal, again, the five year moratorium on moose hunting in the Lower Kuskokwim River drainage would allow for the establishment of the moose population capable of supporting an annual harvest. There's about 10,000 residents in the Lower Kuskokwim drainage that would benefit from a moose population capable of supporting harvest. Currently most of those residents hunt moose up river in Unit 19 and you'll hear about the Middle Kuskokwim Moose Management Plan later in the meeting, about the conditions there, but moose populations in that area are declining as well.

So after a moose population is established through this moratorium, those Unit 18 residents that are hunting currently up in Unit 19 would have that opportunity back in Unit 18 so there would be benefits to Unit 19 subsistence users as well reducing the competition.

Moose population along the Yukon River
below Mountain Village, as I said earlier has grown and can now support additional hunting opportunity and this would be provided by this change in regulation, would actually provide 10 additional days, again, incorporating it into what's described as the remainder of Unit 18. Hunting pressure on the upriver moose population in the Yukon River would likely decrease as more opportunity is created below Mountain Village. In other proposals you'll hear about the hunting pressure in the upriver areas along the Yukon, so in the longterm benefit, this change would benefit that situation.

The Board of Game passed a similar moose moratorium in the Lower Kuskokwim at their November meeting so passage of this regulation would be consistent with actions taken by the Board of Game making State and Federal regulations similar.

Mr. Chairman, that concludes my presentation.

CHAIRMAN DEMIENTIEFF: Written public comments.

MR. NICK: Mr. Chairman, we received 12 written public comments. And with your permission, Mr. Chairman, I would like to go to the comments from Marshall.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. NICK: Mr. Chairman, Ray Oney, who is the Regional Council member with the Yukon/Kuskokwim Delta Regional Advisory Council working with Benjamin Francis of Marshall came up with concern on the proposed Kuskokwim moose moratorium boundary which the Regional Advisory Council, I believe, overlooked, during their meeting in St. Mary's last winter.

Marshall Traditional Council met with the local people there and requested that Proposal 51 be pulled for discussion purposes. Mr. Oney, who is a Regional Council member was also concerned about important moose hunting areas, the boundary came very close to along the Yukon drainages, a couple Yukon drainages between Marshall and Russian Mission. Oney and Francis are both concerned about moratorium boundary and two main drainages that drain out to Yukon River, the boundary came very close to it and if you look at the topo zone maps, the drainage -- the Kuskokwim drainage
comes as close as one half to quarter mile in some areas.

And Mr. Oney and Mr. Francis are also concerned about potential moose hunting pressure that will be in the area. I believe Mr. Oney -- rather Mr. Francis told me that Mr. Oney sent messages from Alakanuk all the way up to Russian Mission regarding the issue of the boundary.

For your information, Mr. Chairman, and the Board members, Mr. Don Rivard and I, we spoke with Mr. Mike Rearden who is the Refuge manager for Yukon Delta, he agreed that there would be some map of boundaries, I believe, on the Yukon River side that would simplify or clarify some confusion that's being caused, I think, by the boundary.

Mr. Chairman, those are those the summary -- that's the summary of what I gathered from Mr. Benjamin Francis of Marshall.

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

MR. WILDE: Mr. Chairman, Yukon/Kuskokwim Delta Advisory Council recommendation supporting the moose moratorium within the area of the Kuskokwim River should allow for any increase in the moose population. The Council expressed concern and allow a winter moose season below Mountain Village in the Lower Yukon portion of this proposal or because of the cow moose can be mistake for the bull moose during last winter hunting.

The Lower Yukon and the coastal area moose hunters are really concerned expressing economy hardship but due to declining of salmon for commercial fishing, this makes it more difficult for hunters to make any extensive trips during moose hunting season, however, the results in a few years will be hopefully more moose that will be available to subsistence use in this area.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

Western, you had comments.

MR. SAM: Thank you, Mr. Chairman.

Again, we deferred this in more or less of support of YK-
Delta action. However, because of this moratorium we will -- we share some concern about displacing hunters and which way they go to go hunting, this is Unit 18, but where is Unit 19, which is in the Western Interior regional area so we have some concerns about this, but we will support what YK-Delta’s action is.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MS. GOTTLIEB: Bristol Bay.

CHAIRMAN DEMIENTIEFF: Dan.

MR. O'HARA: Could I ask the Staff a couple of questions here if I could.

CHAIRMAN DEMIENTIEFF: Yes.

MR. O'HARA: Who would know about the predator control or the number of predators in the area? That moose population is really low. Who would give an answer on if there’s predators in the area?

MR. LAPLANT: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. LAPLANT: Mr. O'Hara, predator control was discussed pretty extensively when the Board of Game took up this similar proposal. In fact, they also passed a predator control/predator management plan for this area under State regulations. The Refuge Staff will be monitoring that activity and -- well, I guess that's it, the Refuge Staff will be monitoring, they've been part of that discussion and they will be tracking the success of this moratorium.

MR. O'HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Dan.

MR. O'HARA: And I notice you have community support as far as the moratorium goes, which is good, we face the same situation in Bristol Bay where we had the animals down to about 90 to 100 and 105, and it was illegal take of the animals that just kept reducing because there are no, as far as I understand, even now, on that moose population, we don't have any predators. The bear or the wolves have not moved in on that moose
population and we went from 100 to probably close to 700 now. In fact, you can see it in one of our proposals, one of the -- but what did it was the support of the communities not going out and taking any illegal animals. And so I certainly wish you the best because we need that population to come up.

Thank you, Mr. Chair.

MS. CROSS: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Grace.

MS. CROSS: I have a quick explanation. In the proposals that Seward Penn does not make any comments, what we do with the proposals from Yukon/Kuskokwim was we sent them on to Stebbins and St. Michael and if they chose as not to address them then we don't address them so this is one of those.

CHAIRMAN DEMIENTIEFF: It seems like we're kind of jumping ahead of ourselves. I will call on our chart the Councils that have actually made recommendations but the rest of the RACs are certainly welcome to ask questions or make comments after we hear the Staff Committee and the Department reports, and so that's how we'll do it. We'll just call on the ones that actually made recommendations and then you guys will have your chance also to comment on any other issues.

Staff Committee.

MR. JACK: Thank you, Mr. Chairman. The Interagency Staff Committee supports the proposal with modification consistent with the recommendation of the Yukon/Kuskokwim Delta Regional Advisory Council. The modified Federal regulation is on Page 408, I'll just read the bolded one.

Unit 18, that portion easterly of a line from the mouth of Ishkowik River to the closest point of Dall Lake then to the easternmost point of Takslesluk Lake then along the Kuskokwim River drainage boundary to the Unit 18 border and north of and including the Eek River drainage.

No open season.

A five year moratorium on moose hunting
in the Kuskokwim River drainage should allow for the
establishment of a moose population capable of supporting
annual harvests. There are approximately 10,000
residents along the Kuskokwim River in Unit 18 who would
benefit from the moose population capable of supporting
harvest.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department
supports the proposal as modified by the Interagency
Staff Committee. The description that Mr. Jack read into
the record of the Unit 18 area that would be closed is,
in fact, what the Board of Game adopted in State
regulation. The original proposal described a slightly
different area, and we believe using the State
description will eliminate confusion and simplify the
regulations without having any substantive effect on the
area on Federal lands in the area being proposed for
closure.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Discussion. Gary.

MR. EDWARDS: Mr. Chairman, maybe
somebody could at least clarify for me kind of the
specific issue, which calls this to be taken off the
consent agreement, was it a boundary issue, is that what
it was?

CHAIRMAN DEMIENTIEFF: Staff.

MR. NICK: Mr. Chairman. Board members.
Yes, that was the purpose according to Mr. Ben Francis of
Marshall, because the boundary is very close to the Yukon
drainage where local people hunt in the fall and
wintertime. In one area when Mike Rearden and I, we
spoke about this, in one area of the drainage you could
just simply walk up on top of the bank where people hunt
from Yukon River and you're almost on the boundary,
you're just a couple of steps away from it.

CHAIRMAN DEMIENTIEFF: Further
discussion.
MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. GOTTLIEB: So I just wanted to double check with Harry, so you'll be working with Alex and the Refuge to have a map so everybody's clear and understanding of where they can and can't go?

MR. WILDE: Mr. Chairman, I think some of the people back home they would like to see the map, where the locations are because we didn't have any map at our meeting.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. EDWARDS: Mr. Chairman, I guess I understand now that there is concern about the boundary, but is there an alternative being proposed?

MR. NICK: Mr. Chairman. Members of the Board. I think only Mr. Oney and Mr. Francis would be able to answer that question. Their only concern is that this fall when people are hunting, if it becomes a regulation then, you know, some of the important local hunting areas will be affected.

CHAIRMAN DEMIENTIEFF: Further discussion.

MR. BISSON: Mr. Chairman, I guess the question I would have, I would think that if people are hunting from the river along the edge of this unit, you know, if they only have to walk a very short distance to be in the unit, to be in violation, I think there's a lot of potential to create problems for people who may have to conduct some enforcement activities out there.

Is there any idea what length of river we're talking about?

CHAIRMAN DEMIENTIEFF: Alex.

MR. NICK: There is a drainage below Russian Mission -- I'm from that area, I know what they are talking about. There is a drainage called Takslesluk River, it's spelled Takslesluk in the map, it comes out right below Russian Mission and goes all the way up to -- almost to the boundary. The boundary area is where some of the people from Marshall, Pilot Station and Russian
Mission hunts in fall time by boat. And also there's also another area where in the old village of Oughmuit (sp), if you look in the map, there's another drainage below it, it does not have a name on the map but in Yup'ik it's called (In Yup'ik), you also go up that river, if you're from down around Marshall or Pilot Station, even below, you go hunting in that area for moose.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. LAPLANT: Yeah, Mr. Chairman and members of the Board, as you can see on the map on Page 411, the boundary that is proposed in this proposal is the boundary, hydrologic boundary between the Kuskokwim and the Yukon River. Now, the topography in that area, of course, isn't real conducive to identifying the hydrologic boundaries on the ground so that will be difficult to identify. But it is the boundary between the Kuskokwim and the Yukon River so hunters won't be, you know, taking their boat into the closed area. And the Refuge has made a commitment to work with the community of Marshall and help get that boundary more precisely identified on better quality maps so that everybody knows exactly where it is.

Mr. Chairman.

MR. BISSON: Mr. Chairman, I can't tell anything from this map. I don't know what you're reading. I mean it's very difficult to discern exactly where it is near the river or where it isn't based on what we see in front of us.

You know, as an alternative, one possibility would be to not use the watershed boundary in this area and pick something like a mile from the centerline of the river, something that gives people some reasonable access along the river to avoid confusion.

MR. EDWARDS: You know, that might be a good suggestion but it seems to me isn't it problematic if the goal is to put a moratorium on harvest, you would seem like you would have to push the boundary further out as opposed to bringing it in because it's within the boundary, is where you want to provide the protection.

CHAIRMAN DEMIENTIEFF: Further discussion.
MR. TONY: I guess, Mr. Chairman, my concern is that maybe the process wasn't fully deliberated with knowledge of where the boundary was if the RAC didn't have, you know, maps clearly showing where the proposed boundary was, and I guess that would be a concern that I would have.

CHAIRMAN DEMIENTIEFF: Further discussion. Go ahead, Dan.

MR. LAPLANT: Mr. Chairman, again, as I mentioned earlier, I'm kind of pinch-hitting for Pete on this one, I wasn't directly involved in the complete process. But as you can see on Page 414 that process that the strategy -- members of that strategy brought forth to all the communities, they had, as I understand it, you know, detailed information available and those communities are listed on Page 409. those that provided the support. And the community of Marshall is not on that list because the community of Marshall is in the Yukon drainage, so all the communities in the Kuskokwim drainage were part of that process. So that may have been an oversight but, again, and I should probably apologize for the quality of map here, but the Board Book kind of limits the ability to provide, you know, bigger maps, but that, again, is the hydrologic boundary.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: I guess, you know, given that 12 villages are obviously involved -- heavily involved in this decision and certainly seem to support it, I guess I'm inclined to support the recommendation with the understanding that, you know, we'd take what steps necessary to try to get out information so people don't unwittingly end up hunting in the wrong units.

CHAIRMAN DEMIENTIEFF: Gary is that a motion to accept the RAC recommendation or I'm not sure, I didn't.....

MR. EDWARDS: Well, I guess if you'd like I could make a motion that I would support the proposal with modifications that's consistent with the recommendation of the Yukon/Kuskokwim Delta Regional Advisory Council.
CHAIRMAN DEMIENTIEFF: Is there a second to that motion.

MS. GOTTLIEB: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion. Yes, Terry.

MR. HAYNES: In the Yukon/Kuskokwim Delta Regional Advisory Council recommendation, there's no reference made to which description of the area, moratorium area they are supporting. And if a description other than the current State description is put on the table, I guess we would just, again, express concerns about the potential of having different areas covered by the moratorium in State and Federal regulation.

CHAIRMAN DEMIENTIEFF: Thank you. Let me see, Staff Committee, the modification, does that include lining up the boundaries with the State?

MR. JACK: Yeah, Mr. Chairman, that's correct. And also for your information, I was at the YK Regional Council meeting in St. Mary's and we worked out the same description that I read earlier.

Thank you.

CHAIRMAN DEMIENTIEFF: Okay. And Gary, my understanding of your motion is to adopt the RAC recommendation as modified by Staff Committee, I just want to get it clear. That's what I heard you say but I just want to make sure we understand.

MR. EDWARDS: That's correct, Mr. Chairman. I guess in response to the State, my understanding is that the description is exactly what the State's description is.

CHAIRMAN DEMIENTIEFF: Yeah, that would be the modification. Terry.

MR. HAYNES: We just want to clearly understand that because the Regional Council's comments on Page 407 don't specify an area so we just wanted to be clear on that and if you're using the State's description then we're fully supportive of that action.

CHAIRMAN DEMIENTIEFF: Yeah, that's the
motion that Gary made, and I guess is that the understanding that you have, Judy, you seconded it, right?

MS. GOTTLIEB: Yes.

CHAIRMAN DEMIENTIEFF: Yeah, because we're really concerned about that, we don't need any more confusion than we're already dealing with here at the table.

(Laughter)

CHAIRMAN DEMIENTIEFF: Yeah, that, you know, I also support that. Harry, do you have any comments with regard to the modification?

MR. WILDE: Mr. Chairman, I don't have any because ever since I've been sitting here back in 33 [sic] I try to follow what the Council say. I don't have more.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

Further discussion.

(No comments)

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

We're noticing that we do have quite a few -- we're going to go to Bristol Bay next, we have six proposals to do. I think we're just going to go ahead and break for lunch at this time, it's a quarter to 12:00 before we go and shift gears, so we will come back with Bristol Bay at 1:00 o'clock. And because we're breaking a little bit early, we'll probably start pretty prompt at 1:00 so just be advised.

Thank you.

(Off record)
CHAIRMAN DEMIENTIEFF: Well, if we could make our ways to our chairs, I think we're going to go ahead and get started here.

(Pause)

CHAIRMAN DEMIENTIEFF: Okay, we're moving on, as I indicated before lunch, that we're moving on into Bristol Bay. And with that, we'll get to Proposal 41.

MR. FISHER: Thank you, Mr. Chairman. This is Proposal No. 41, it was submitted by the Alaska Peninsula Becharof National Wildlife Refuges headquartered in King Salmon.

What this proposal would do is revise the Federal sealing requirements for brown bears harvested for subsistence in Game Management Unit 9(E). Current Federal sealing regulations require that the skin and skull of a brown bear taken in 9(E) be sealed by Department of Fish and Game people. What this proposal would do is delete that requirement. In other words, if you harvested a bear in Unit 9(E), a brown bear in Unit 9(E), unless you removed it from the unit you wouldn't have to have it sealed. It lines up with sealing requirements in other areas in Unit 9, like the Western Alaska Brown Bear Management Area.

The proposal map for this proposal is on Page 297, if you wanted to take a look at that and look at the Federal public lands involved and it also shows the Chignik Brown Bear Management Area.

The brown bear population in Unit 9(E) is stable. The estimate is more than 3,000 bears in this subunit. Most of the harvest occurs by sporthunters. The reported Federal subsistence harvest is very low, varies between one, two, possibly three bears per year by Federal registration permit. And what this proposal would do is remove the current sealing requirements for the subsistence harvest on Federal public lands in -- for brown bear in Unit 9(E). Again, it wouldn't have to be sealed unless they're removed from the area.

That's basically all I have, Mr. Chairman.
CHAIRMAN DEMIENTIEFF: Thank you very much. Written public comments.

MR. EDENSHAW: Thank you, Mr. Chair. There was one written public comment that was submitted by the Aniakchak Subsistence Resource Commission.

The SRC supports the change in the sealing requirement to allow subsistence users taking brown bear in Unit 9(E) to seal brown bear hides and/or skulls only if they are removed from Unit 9(E).

That concluded written public comments, Mr. Chair.

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

MR. O'HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. O'HARA: As you can see from the proposal, the Bristol Bay RAC supported the Staff's proposal. And on Page 291 it's just, you know, the Council's recommendations are on that page and pretty much the same as what Dave has told us, that you have the bear in your possession but if you're going to take it out of region then you need to have it sealed and so we support that. I think that's pretty straight ahead.

CHAIRMAN DEMIENTIEFF: Thank you.

Interagency Staff Committee please.

MR. BOS: Thank you, Mr. Chairman. Members of the Board. My name is Greg Bos. Fish and Wildlife Service Interagency Staff Committee member.

The Interagency Staff Committee's recommendation is to support the proposal with modification consistent with the recommendation of the Bristol Bay Regional Advisory Council. The modification is to add the special provision allowing the use of a Federal registration in lieu of a State locking tag. The regulatory wording you'll find on Page 292. The change would be in bold.

This proposal would allow subsistence hunting for brown bear without requiring
the purchase of a locking tag and simplify sealing requirements for Federally-qualified subsistence brown bear hunters harvesting brown bear in Unit 9(E).

Hunters would not be required to have the skull and skin sealed unless they removed the skull and/or skin from Unit 9(E). This change would make brown bear sealing and tag requirements in 9(E) consistent with sealing and tag requirements in nearby units 9(B) and 17.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. HAYNES: Mr. Chairman, the Department is neutral on this proposal. The original proposal and the proposal as modified by the Interagency Staff Committee would align the Federal brown bear sealing regulations in Unit 9(E) only with the corresponding State regulations for the Chignik Alaska Brown Bear Management area. The mix of State and Federal lands in Unit 9(E) is a valid reason to keep the regulations as clear and consistent as possible while also providing hunting opportunities for Federally-qualified subsistence users.

The Department prefers a modified version of this proposal that would align the State and Federal brown bear sealing requirements in that portion of Unit 9(E) in that portion of Unit 9(E) within the Chignik Alaska Brown Bear Management area.

According to the Staff analysis, hunters using Federal subsistence registration permits in Unit 9(E) have harvested an average of one to two brown bears per year since 1992. This level of harvest does not raise conservation concerns at this time. However, if either the proposal or the proposal as modified is adopted and harvest do increase substantially, this regulation may need to be revisited to ensure that harvest levels can be sustained. One possible benefit of removing the sealing requirements for brown bear taken on Federal lands in all of Unit 9(E) is improved and more accurate harvest reporting which will be essential for evaluating the effects of this regulatory action if this proposal is adopted.
If the sex of the bear harvested and the location of harvest is not already being recorded on Federal registration permits for the Unit 9(E) brown bear hunt, we recommend that successful hunters be required to report this information if this proposal is adopted.

We also strongly urge that there be regular follow up on getting back permits from hunters who have obtained them. This is crucial management information that will help to replace information lost if the sealing requirements are eliminated in the Federal regulations.

Thank you.

Discussion.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. O'HARA: I think Dave said that there was an adequate supply of brown bear in this region. There's an over adequate supply. They need to be better managed, and anything we can do to thin this population down without hurting the number of animals you need to maintain a population which is reasonable, Mr. Chairman, and you just need to kind of be reminded of that once in awhile, okay.

Thank you.

CHAIRMAN DEMIENTIEFF: Wasn't I reading something about the Department and their predator control program with regard to bears? Wayne.

MR. REGLIN: Mr. Chairman, there was legislation before the Alaska Senate that would have changed how bear management and set up a predator management program for bears but that did not pass.

CHAIRMAN DEMIENTIEFF: Okay, thank you. I knew I read something, I just couldn't remember what.

Further discussion.

MS. GOTTlieb: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTlieb: I appreciate the concern on the permits and the follow up and so I know on behalf of the Park Service we'll talk to the superintendent
about seeing what can be done in terms of monitoring and contacting permit holders.

CHAIRMAN DEMIENTIEFF: Thank you.

Further discussion. Gary.

MR. EDWARDS: Mr. Chairman, if there's no more discussion then I would move that we would adopt the proposal as amended by the Bristol Bay Regional Council which would allow the use of Federal registration permits in lieu of a State locking tag.

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

MR. TONY: Second.

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

(No comments)

CHAIRMAN DEMIENTIEFF: I think pretty much I intend to support the motion for the reason that I think we've resolved in the Staff process and as well as our discussion here that the reporting requirements which, as I understand is the biggest concern, would be taken care of and I think probably information would be exchanged.

I mean these are not going to be done in a vacuum. During our work together between State reporting on State hunts and Federal reporting on Federal hunts, that information will be exchanged. So for that reason I intend to support the motion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: My understanding is that this proposal originated with the Refuge really early in the process and it's a good example of early coordination, asking for comments, working with the SRC and RAC and local people and other Federal agencies and the State so I really appreciate that that effort was made early on to settle as many differences as possible.

CHAIRMAN DEMIENTIEFF: Further discussion on the motion.
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 42, Staff analysis, please.

MR. FISHER: Yes, Mr. Chairman, Proposal 42 was submitted by the Bristol Bay Regional Advisory Council, and what this proposal would do is reduce the bull caribou harvest limits and modify harvest seasons in Units 9(B), 17(A), (B) and (C), and Unit 18. We talked about 18 earlier under Proposal 50 so I won't really say too much about that, that's already been addressed.

We also talked a little bit about the Mulchatna Caribou Herd this morning. The range covers approximately 60,000 square miles. It's found in Units 9(B), (C), 17, 18 and also Unit 19(A) and (B). And the population was estimated at about 200,000 in '96. The current estimate is around 147,000, maybe a little bit more. And we also talked about the decline in bull/cow ratios. Most of this decline, as I talked about earlier, was in the Unit 17 area, hence the concern for the Bristol Bay Regional Advisory Council to reduce those -- modify the bull caribou harvest limits, they're proposing to reduce that from two to one.

This is a very important species, subsistence species for subsistence users, not only on the Yukon Delta but also in the Bristol Bay area. The harvest at times has been as high as 12,000 animals. Most of the harvest has been bulls and most of the harvest occurs in August and September.

That's basically pretty much it as far as the harvest and the biology goes.

What this proposal would do would reduce the bull harvest from two to one for specific time periods in Unit 9(B), 17(A), 17(B) and 17(C). The
overall harvest limit would still remain at five so this
really shouldn't affect subsistence users, and it may
help the bull/cow ratio in line within State management
guidelines.

That's basically all I have.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. EDENSHAW: Thank you, Mr. Chairman.

Board members. There was one written public comment
submitted by the Lake Clark SRC.

The Lake Clark SRC recognizes the
conservation concern for the Mulchatna Caribou Herd and
supports reducing the harvest limit for bull caribou from
two to one.

That concluded written public comments,
Mr. Chair.

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

MR. O'HARA: Mr. Chair, Dan, from Bristol
Bay. Back in the '70s we had the same problem with the
North Peninsula Caribou Herd and the biologists
recommended same day airborne hunting in those days from
January to the end of March, that you only kill a caribou
that had horns, and that meant that that was a pregnant
cow, because the cow/bull ratio had reduced so far down
and the subsistence user was taking big animals and so we
had a real problem. Within five years that problem was
corrected. And we went back then to normal hunting.

So you have a conservation issue on your
hands right now that you have to deal with.

I know Bristol Bay wants the recruitment
stock, they want the escapement, that's our first
priority or you'll not have subsistence so that's the
horns of the dilemma right now you're going to have to
deal with.

And I don't, you know, the sports hunter
is going to get the big horns in October when they're in
rut and I realize that's really a big issue that we could
go on forever with and the subsistence user can reduce
his take on a bull and the subsistence user knows the
difference between a cow and a bull as far as hunting,
you know. The gal from California when we did beaver
said, you know, these kids are going to be out there
killing all kinds of beavers and shooting each other and,
you know, all this stuff is a bologna.

So thank you.

CHAIRMAN DEMIENTIEFF: Well, actually
we've got four. YK.

MR. WILDE: Yeah, Mr. Chairman,
Yukon/Kuskokwim Delta Advisory Council recommend support
and modification modify to establish season date of
August 1 to April 15 for caribou in Unit 18 with the
harvest limit of five. This would also align with the
recommendation made by the Council on the proposal WP04-
50 the Yukon/Kuskokwim Delta Subsistence Regional
Advisory Council agree that it's a benefit to align
Federal subsistence caribou regulation for Unit 18 with
the State's regulation. This would reduce possibly
confusion for Unit 18 caribou hunters.

The Council did not want to impose
additional restrictions on the caribou hunters in Unit
18.

Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. SAM: Thank you, Mr. Chair. On Page
305, our justification for -- or our recommendations are
listed. As with Proposal 67, with all the subunits and
the areas specifically designed we just wanted to combine
the 18 for -- to avoid confusion and the boundary issue.
Again, in all our deliberations we always worry about the
bull/cow ratio for sustainable yield purposes.

And with that, we support with
modification.

CHAIRMAN DEMIENTIEFF: Thank you. Seward
Penn.

MS. CROSS: Seward Penn supported this
proposal with modification to modify to extend Federal season to July 1st in Unit 9(B), April 15 and Unit 18 to combine the north and south parts of Unit 18 as Unit 18. This would align the Federal and State regulations making it easier for subsistence users to follow local game laws.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. BOS: Thank you, Mr. Chair. The recommendation of the Interagency Staff Committee is to support with modification, which for the most part is consistent with the recommendations of the Bristol Bay, Seward Peninsula and Western Interior Regional Councils, which would extend the Federal season to July 1 in Unit 9(B), April 15 in Unit 18, and to combine the north and south parts of Unit 18.

However, consistent with the recommendation of the Yukon/Kuskokwim Regional Council, the proposed modification does not include a reduction in the bull harvest in Unit 18 as recommended by the other affected Councils.

The regulatory wording in bold is on Page 306.

The Mulchatna Caribou Herd is close to the upper range of the desired population size management objective but is below the bull/cow ratio, which have declined below population management objectives most markedly in the southern portions of the herd's range.

The annual harvest may be as high as 12,000, of which about two-thirds is estimated to be bulls and the reduction in the bull harvest limit prior to November 30 is intended to increase the proportion of bulls in the population primarily by reductions in the non-subsistence harvest of bulls.

The proposal modifications for Unit 9(B) and Unit 18 season dates and areas would align the Federal subsistence caribou harvest regulations with the State regulations, except for the fall bull
caribou harvest limit in Unit 18.

The Staff Committee feels that the Unit 18 fall subsistence harvest of bulls is thought to be a relatively minor component of the total bull harvest from the entire range of the herd, but is an important harvest opportunity for Unit 18 residents particularly with the closure of moose hunting in the Kuskokwim drainage, which you have recently approved.

Harvest of bulls in Unit 18 are not thought to be of sufficient magnitude to warrant a reduction in the harvest limit given some uncertainties in the survey data. And further, the alignment with State harvest limits is less of a concern in Unit 18 than in other units because most of the land where the caribou are taken is Federal public land. In your previous action on Proposal No. 50, I think, took care of the elements of this proposal that deal with Unit 18, and so we're left with the proposal where the Staff Committee is lined up with the Bristol Bay Council, the Seward Peninsula, and Western Interior Regional Advisory Council with respect to Unit 9 and Unit 17.

I would also say that the Federal and State managers intend to strengthen our collaborative efforts to obtain more complete and representative data on the composition and size of the herd and if additional information on the biological status of the herd indicates more conservative management is necessary, regulatory revisions can be considered then.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Mr. Chairman, the Department supports the proposal as modified by the Interagency Staff Committee for the reasons that Mr. Bos read into the record.

Although the proposed action does not completely align the State and Federal regulations as we mentioned for Proposal 50, we don't have a problem with the Unit 18 exception so we're comfortable with what's being proposed.

Thank you.
CHAIRMAN DEMIENTIEFF: Okay. As we begin discussion, you're just going to have to tolerate me eating bananas. Most of you noticed me limping around this morning. We all know high potassium, it's just a muscle cramp that I had, so we'll just have to work around that, okay.

(Laughter)

CHAIRMAN DEMIENTIEFF: Board discussion.

MR. EDWARDS: Mr. Chairman, correct me if I'm wrong, but it actually it seems we have full agreement on this; is that correct?

CHAIRMAN DEMIENTIEFF: It occurs to me the western hemisphere is aligned behind the proposal. It probably was some last minute issues sounds like that needed to be worked out.

MR. EDWARDS: Well, in that case, unless somebody else wants to discuss, I would move that we amend the proposal consistent with recommendation of the Bristol Bay, Seward -- let me make sure I've got the right one, is that the right one, 42, right?

MR. BOYD: Right.

MR. EDWARDS: Okay. So it would be consistent with Seward Penn and Western Interior Regional Advisory Council by not reducing the harvest limit for bulls in Unit 18(A) as recommended by the Yukon/Kuskokwim Delta Regional Advisory Council.

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

MR. TONY: Second.

CHAIRMAN DEMIENTIEFF: The point you brought out, I think, is probably, you know, everybody has worked the issue out and lined up behind it so I think for that reason I intend to support the motion. It's a good motion.

Any other 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.

Okay, 43 has been put on the consent agenda. That moves us to 46.

MR. FISHER: Yes, Mr. Chairman, 46. This proposal was submitted by the Bristol Bay Native Association. This proposal replaces a deferred proposal 03-24 and that deferred proposal was to replace a special action 02-11.

The reason 03-24 was deferred by the Council was to allow the moose working group to review the proposal and to make a recommendation. The special action 02-11, by the way we're talking about moose in 17(A), that's kind of one of my favorite topics, it goes back to 1980.

(Laughter)

MR. FISHER: Anyway, the special action was to provide a 14 day to be announced season, sometime between December 1 and January 31st. One antlered bull be State registration permit. The hunt area was only part of 17(A) and this was done to allow moose to expand to the west in Unit 18. It aligned with State regulations and it was adopted by the Board. However, there was no hunting season that year because there was no snow, consequently no snow for travel so there was no hunting season.

This proposal No. 46 is requesting a one antlered bull by Federal registration permit with a limited winter hunt to occur sometime between December 1st and January 31st. The same hunt area was outlined that I described in the special action, the opening and closing of the to be announced season would be announced by the Refuge manager in Dillingham.

Current regulations provide for a fall Federal hunt and also a State Federal [sic], that's one bull by State registration permit, August 25 through
September 20. There's currently no Federal winter season. There is a State winter season. And this was established by the Board of Game in October of 2002 and that provides one antlered bull by State registration permit, a to be announced season of up to 14 days, December 1 through January 31, the same hunt area as we were talking about in the special action.

Now, a little bit about the biology of these moose in 17(A), the season was closed in 1980 due to a very low population. The season remained closed for about 17 years until 1997 when we had the first fall hunt. The population did start to come back a little bit in the late '80s, early '90s. There was about 430 animals in 1998, 650 in 2002 and a current estimated population is somewhere around 750 animals.

As a result of the very low population in the early '90s a planning effort was initiated. This was started in '96 by the Department of Fish and Game, Fish and Wildlife Service and the Bristol Bay Regional Advisory Council. And they came up with some basic management objectives. They want to maintain a minimum population of 300 animals in Unit 17(A), increase the population to an estimated carrying capacity of somewhere between a thousand and 1,200 animals, establish a fall harvest for bulls when the population is greater than 300 and establish a limited winter hunt when the population exceeds 600. So we've just about completed those objectives.

What this proposal would do would provide a to be announced season sometime in December and January, one antlered bull by Federal registration permit. We have to remember, though, if we use a Federal registration permit it's only good on Federal public lands, whereas a State registration permit would be valid on all the hunt area. Hunters who wish to hunt on both areas would have to get two permits. Some of the best moose habitat is located close to the village of Togiak which is managed by the State, so if you only had a Federal registration permit, you'd have to go through that area to get to the Federal lands or get a State registration permit. Two permit systems would mean two harvest reporting systems, and any closure by one agency or the other could be confusing. Two permits for a winter hunt could also be confusing with the State registration permit that's required with the Federal hunt. And the Federal Subsistence Board has already determined when they approved Special Action 02-11 that a
single permit system is more effective and would be less confusing.

That's basically all I have, Mr. Chairman, thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. EDENSHAW: Thank you, Mr. Chair.

There weren't any written public comments.

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

Regional Council recommendation.

MR. O' HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Bristol Bay, first, go ahead.

MR. O' HARA: The Council supported the modification, which included certain closures of 17(A) that the moose may continue migrating and establishing themselves and hopefully lead to increasing moose population.

The Council supports the use of State registration permit. Local rural residents have supported the permit and see no need to have two permits which may lead to confusion among the subsistence hunters. The winter moose hunt will allow subsistence users the opportunity to harvest a bull.

Thank you.

CHAIRMAN DEMIENTIEFF: YK.

MR. WILDE: Mr. Chairman, Yukon/Kuskokwim Regional Advisory Council oppose Proposal 46 and 47. The Yukon/Kuskokwim Delta Subsistence Regional Advisory Council suggest that there should be more support from the local users and not enough information was presented to support the proposal at this time.

Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.
MR. BOS: Thank you, Mr. Chair. The Staff Committee supports Proposal 46 with modification consistent with the recommendation of the Bristol Bay Regional Advisory Council but contrary to the recommendation of the Yukon/Kuskokwim Delta Regional Council.

The modified proposal would establish up to a 14 day winter season during the period of December 1 to January 31 and would implement the hunt using a State registration permit instead of a Federal registration permit. The regulatory language can be found on Page 367 of your Board Books.

Conservative winter harvest of antlered bulls with a limited to be announced season of up to 14 days should not impact this expanding moose population. This proposal would allow managers the flexibility to open the winter season when snow conditions permit winter travel and close the season when harvest objectives have been met.

As modified the proposal would align with State winter harvest regulations, including the use of a State registration permit rather than a Federal permit. This would be less confusing and reduce harvest reporting requirements for local hunters.

In addition, limiting the winter hunt to that part of Unit 17(A) east of Kemuk and Togiak Rivers should encourage the westward expansion of moose from the unhunted portion of Unit 17(A) to the Goodnews, Arolik and Kanektok River drainages in adjacent Unit 18.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. HAYNES: Mr. Chairman, the Department supports the proposal as amended by the Bristol Bay Regional Advisory Council. This proposal presents no compelling biological evidence supporting the need to establish a separate Federal registration permit hunt for the winter moose season in Unit 17(A). The Department supported deferral of a similar proposal by the Federal Subsistence Board at its May 2003 meeting pending review of this issue by the Unit 17(A) Moose Working Group. The amended proposal is consistent with the recommendations made by this working group at a February meeting in
The Staff analysis for a similar proposal submitted to the Federal Board last year concluded that requiring a separate Federal permit, quote, may create confusion for hunters and potential law enforcement problems as some excellent moose habitat in Unit 17(A) is located on lands managed by the State. The State managed lands are closer to Togiak and Twin Hills than the Federal public lands and would not be open to hunters using only a Federal registration permit. Rural residents desiring to hunt on State managed lands would be required to obtain a separate State registration permit, end quote.

The Department does not support a Federal regulation that does not match the current State season and harvest limit and that would unnecessarily restrict non-Federally-qualified subsistence users from hunting on Federal public lands in Unit 17(A).

Thank you.

Discussion.

MR. EDWARDS: Mr. Chairman, I have maybe one question for Harry. Was there specific opposition from local hunters within your Council for the winter hunt and, if so, what were their concerns?

MR. WILDE: I do not really know what their real concern is, but according to some of the Councils there, it's not -- it should be more -- known by more people, not enough information to them, that's the reason is.

CHAIRMAN DEMIENTIEFF: Any other discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: Mr. Chairman, if there's no further discussion, I would move that we would adopt Proposal 46 as recommended by the Bristol Bay Regional Advisory Council. Certainly this winter season would provide additional opportunities to hunt and the fact that we'll be able to control it through the Refuge, I
I think, will address any conservation concerns as might -- there might be, and as modified, I think the proposal would mirror, you know, the State's current winter harvest regulations which is a good thing. And as pointed out, hopefully that approach will encourage, you know, westward expansion of moose from the unhunted portions of Unit 17(A).

CHAIRMAN DEMIENTIEFF: Thank you. Is there a second.

MR. BISSON: I'll second it.

CHAIRMAN DEMIENTIEFF: Okay, I was getting ahead of myself, I was getting ready to vote.

(Laughter)

CHAIRMAN DEMIENTIEFF: Yeah, well, the only thing I take exception with is that, it's just a slightly different way of looking at it, I admire the State for conforming to our regulations, make it easier on subsistence users.

Any other discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I guess I would hope, perhaps as a follow up, that the managers or Staff can get with Harry or the YK Council and just maybe you need to present more information on this regulation so it does come across as clearer to them.

CHAIRMAN DEMIENTIEFF: Good point.

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.

Let's see, we go now to Proposal 48 which was pulled off the consent agenda, so Staff analysis.

MR. FISHER: Yes, Mr. Chairman. Proposal 48 and also the following one, 49, they're similar, they both deal with beaver.

Proposal 48 was submitted by the Lake Clark Subsistence Resource Commission and they're requesting that a hunting season be established for Federal public lands for beaver in Unit 9(B), B as in Bob. The hunting season would be April 15th through May 31st with a harvest limit of two beaver per day.

Currently there is no hunting season for beaver in Unit 9(B) either under the State regulations or the Federal subsistence regulations. Under current trapping regulations for both agencies, they do allow the use of firearms only from April 15th through May 31st, two beaver per day, however, firearms are prohibited on Park Service lands during this time period.

There is a proposal map showing Unit 9(B) on Page 383. Rural residents of 9(A), (B), (C) and (E) and Unit 17 have a positive customary and traditional use determination for beaver in these units. The beaver population in Unit 9(B) has been increasing and is quite healthy. Beavers have historically been an important furbearer and a food source for rural resident in this unit. And what this proposal would do would provide additional opportunity for eligible subsistence users in a resident zone community to harvest beaver with a firearm under hunting regulations on Federal public lands in Unit 9(B).

There is a little bit of a concern in that these regulations would not align with State regulations. There could be some confusion due to the land status, navigability issues and so on, but it shouldn't impact the beaver population as it's healthy.

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

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. EDENSHAW: Thank you, Mr. Chair.

There was one written public comment received by the Lake
The Lake Clark SRC supports establishing a beaver hunting season in Unit 9(B) to allow subsistence hunters to use a firearm to take beaver in Lake Clark National Park and Preserve.

And that concluded written public comments, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Jack Hession, I don't know if you had additional comment to this.

MR. HESSION: Yes, I do.

CHAIRMAN DEMIENTIEFF: Come on up.

MR. HESSION: Thank you, Mr. Chairman and members of the Board and Councils. My name is Jack Hession. I'm here today on behalf of the Alaska Chapter of the Sierra Club. My remarks on 48 also extend to 49, which is, of course, on the regular calendar.

48, in effect, would go around existing National Park Service regulations that as I mentioned earlier this morning was the subject of published regulation, draft published regulations in which every citizen of Alaska and the nation could comment. This seems to be a rather back door way of circumventing these existing rules. And I would suggest that if the Park Service wishes to amend its regulations to allow this kind of hunting in a National Park and Preserve, then it go through another round of rulemaking, as it's called. Draft regulations to amend the existing ones. Not this particular process here which is unprecedented.

The same interest extends to 49 where the difference is there would be no limit on hunting beavers with guns and the season would be different, seven months as opposed to 47 days in Lake Clark National Park and Preserve.

I believe this 48 and 49 with respect to Aniakchak conflicts with National Park Service standards. Earlier I mentioned the public comment on the National Park Service's existing regs. In those regulations, which not only included no firearms in hunting beaver but also no same day airborne and other similar proposals received strong public support and the Park Service
followed through and adopted them.

There are, just briefly, some problems here. It's April 15th through March 31st, a time at which the young beaver are born and reared and it seems strange to me that you would allow -- or any agency would allow hunting of the adult beavers at this time. It's just simply not done.

It also conflicts, to some extent with the non-consumptive interest in National Parks and Preserves. People visit these areas for the purpose of observing wildlife. And to the extent that the pressure, hunting pressure and trapping pressure is on these animals, it deprives, to some degree, the opportunity for the public to view wildlife in an unhunted situation.

As I mentioned, Mr. Chairman, my remarks extend also to 49 which involves Aniakchak National Monument. There, the distinction is seasons and bag limits, no limit in that case, but the principle is the same. I would urge the Board to not adopt Proposal No. 48 or 49.

Thank you, very much.

CHAIRMAN DEMIENTIEFF: Thank you. It seems like that table is a little unstable I see. We got they get here then we'll probably stand down for a moment while they -- I don't want to see anybody tip over. Remember the year the lights blew off over my head. Holy cow.

(Laughter)

CHAIRMAN DEMIENTIEFF: Written -- no, let's see where are we, we already did that. Regional Council recommendation.

MR. O'HARA: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. O'HARA: Of course our Council recommends that they follow through on the recommendation from Lake Clark on taking these beavers.

The population is very good. I don't think there's a great deal of numbers of beaver taken,
it's only a certain number of people who like subsistence and if they can save the hide, fine. It's a subsistence issue.

And whereas the Sierra Club made mention that they would like to observe the game, we still need to use the game. We're not here just to observe the game, we're here to do a management program and use subsistence. It's okay for people from somewhere else who don't have to worry about a beaver cap when it's 25 below but we do, and we want to use these animals and right now there's a good opportunity for management, and if it starts getting carried away you have emergency methods at your disposal, Mr. Chairman, and the Federal Staff and the Board to shut it down. And I think Title VIII is a little different than the Park Service, they're certainly doing things different now under Title VIII than they've ever done before. This is a law passed by Congress. And I'm sorry our lawyer's not here today but I think we'd have just as much right on subsistence proposals in Parks as the Sierra Club would have on their observing an animal and whatever the Park regulations would require for proposals.

So on 48, we feel the population is fine. They'll use the animals. They can use a traditional lifestyle. Before you became a state we shot beavers almost to extinction, that's why we stopped. And I was a young boy when this took place. And now the population has come back and it's been very reasonable to maintain that population and a good healthy animal population.

Thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. BOS: Thank you, Mr. Chair. The Staff Committee supports the proposal consistent with the recommendation of the Bristol Bay Regional Advisory Council. The proposed harvest limit for Unit 9(B) would not adversely impact beaver populations which have been increasing.

The proposal would allow hunters to shoot beaver with a firearm under hunting regulations during the same spring season and with the same harvest limit allowed for trappers using firearms. This will provide additional subsistence harvest opportunities on National Park Service lands where the use of firearms under
trapping regulations is prohibited.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Department.

MR. HAYNES: Mr. Chairman, the Department supports the Bristol Bay Regional Advisory Council recommendation to adopt this proposal, which would authorize the same provisions in the Federal subsistence hunting regulations as are currently allowed in the State trapping regulations for beaver in Unit 9(B).

CHAIRMAN DEMIENTIEFF: Discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: I'll try to explain the Park Service regulations which in this particular case have never been easy for me to understand so I'll try to do a good job of explaining it.

On National Park lands shooting with a hunting license is allowed, if it's consistent with hunting regulations. And what's being proposed here by our Subsistence Resource Commission, which we have a great deal of obligation to listen to, is consistent with that regulation, it's a hunting regulation.

Park Service regulations, if one has a trapping license, Park Service regulations are such that shooting a free-ranging beaver which is one that's not in the trap or for bear, if you have a trapping license, that's what is not allowed, but we are talking about hunting regulations here, other agencies do not have this restriction on trapping licenses.

So that's where the difference is on Park Service lands.

MR. BISSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BISSON: I would ask Ms. Gottlieb, are there other Park Service units in Alaska where this regulation or something similar is already in effect?
MS. GOTTLIEB: Thank you. You are correct, that there are some other Park Service areas where this regulation has been in effect.

MR. BISSON: Okay.

MR. EDWARDS: Mr. Chairman, I have two questions. One then, are free-ranging beaver like free-ranging cattle or is there a difference there?

(Laughter)

MR. EDWARDS: That was my first question. (Laughter)

MR. EDWARDS: And my second question is, so under this, if you are a trapper but you possess a hunting license, then while you’re out trapping beaver you can shoot these free-ranging beavers; is that right?

MS. GOTTLIEB: Yes.

MR. EDWARDS: Okay.

CHAIRMAN DEMIENTIEFF: Yeah, we seem to have a bit of a shortage of cattle on our property so maybe you know a little bit more about cattle than us, free-ranging cattle.

Further discussion.

(No comments)

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

MR. BSCHOR: I move to support the proposal consistent with the recommendation of the Bristol Bay Regional Advisory Council.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. TONY: Second.

CHAIRMAN DEMIENTIEFF: Discussion. I am comfortable with the population. I mean the population of the beaver, very comfortable with that biological information. And I support the proposal because actually they're primary food source, we all know that, as was
testified to by Dan and there are certain areas, certain
areas around my village where they're overpopulated and
they're actually causing problems with our fish because
they can't get past the dams to get to where they
normally spawn. So it cuts a couple different ways
actually, these issues.

But also with the drop in the price
several -- well, quite a few years back, actually, for
beaver skin, a lot of beaver trappers lost their
motivation to go out so this gives them the opportunity
to get food on their table and we certainly in rural
Alaska, we certainly depend on that as a fresh meat
source in the spring and so it's real important.

So I support the Council as well.

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,
same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

MR. FISHER: Thank you, Mr. Chairman.
Proposal 49 was submitted by the Aniakchak Subsistence
Resource Commission.

This proposal also requests a hunting
season be established for beavers for Federal public
lands in Unit 9(E). The proposal map is on Page 392 for
your reference. The requested hunting season, a little
bit different than No. 48, but they're requesting a
hunting season seven month season, September 1 through
March 31st with no harvest limit.

Currently there is no hunting season for
beaver in Unit 9(E) under either Federal or State regs.
Both State and Federal regs, trapping regs, allow use of
a firearm to take beaver April 15th through May 31st, two
beaver per day except on National Park Service lands.
C&T is the same as what we talked about in 48. The
biology is basically the same. The population is
increasing and is healthy.

What this proposal would do would provide
additional opportunities for eligible subsistence users
to harvest beaver with a firearm under hunting
regulations on Federal public lands in Unit 9(E).

We do have some concern though that an
unlimited harvest for seven months that the effort to
retrieve shot beavers could be lots and could lead to a
high exploitation rate and some waste. And also this
regulation may create some confusion with the current
State regulation. There is no State hunting regulation
so there could be some confusion there.

That's all I have, Mr. Chairman, thank
you.

CHAIRMAN DEMIENTIEFF: Written public
comments.

MR. EDENSHAW: Thank you, Mr. Chair. The
Aniakchak SRC submitted written public comment.

They support establishing a beaver
hunting season in Unit 9(E) to allow subsistence hunters
to use a firearm to take beaver in Aniakchak National
Monument and Preserve.

That concluded written public comments,
Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Jack,
I don't know if you have anything else you want to add to
your earlier comments on 49?

MR. HESSION: No, thank you, Mr.
Chairman.

CHAIRMAN DEMIENTIEFF: Okay, thank you.
Regional Council recommendation.

MR. O'HARA: Mr. Chair, Bristol Bay
supported the proposal.

CHAIRMAN DEMIENTIEFF: Okay. Thank you.
MR. BOS: Thank you, Mr. Chair. The Staff Committee supports Proposal 49 with a modification contrary to the Bristol Bay Regional Advisory Council's recommendation to adopt without modification.

The modification recommended by the Staff Committee would establish a harvest limit of two beaver per day and hunting season dates that would align with the existing trapping regulations for the use of a firearm.

This proposal is similar to Proposal 48, in that, the intent of the proposal, we believe, is to provide subsistence opportunity to take beaver using a firearm on Park Service lands that is similar to the opportunity currently provided to subsistence trappers to take beaver with a firearm on other Federal lands within the unit. The harvest limit of two beaver per day for Unit 9(E) would not adversely impact beaver populations.

And the hunting season would provide additional subsistence opportunities to harvest beavers on Park Service lands.

The harvest limit and season date modifications recommended by the Staff Committee would address biological concerns, such as shot beaver not being retrieved. Mortality of kits that are orphaned in the fall and potential overharvest or localized depletions of accessible beaver populations.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. HAYNES: Mr. Chairman, the Department supports the proposal as modified by the Interagency Staff Committee. The Department supports a Federal beaver hunting season in Unit 9(E) that is consistent with that portion of the current State trapping season during which firearms can be used, and that would be April 15 to May 31 with a harvest limit of two beaver per day.

The proposed seven month hunting season with no harvest limit would subject beaver populations in this area to overharvest especially during the open water periods, which for lakes and streams in this area can
extend from April through January. No evidence is presented in the proposal or the Staff analysis to indicate that a daily limit of two beaver would be detrimental to satisfying subsistence needs.

Thank you.

Discussion. Gary.

Mr. Edwards: Mr. Chairman, I do have a question for Dan. Dan, it's my understanding that in the past the Council has been supportive of a two day bag limit as well as a shorter season and, you know, this is an extremely extended season as well as no limit, I mean what has changed that has persuaded the Council to open this up more?

Mr. O'Hara: Mr. Chairman.

Chairman Demientieff: Go ahead.

Mr. O'Hara: I was not at that meeting so I don't know what the nature of the Council was to support an open-ended type situation.

I don't know if they, you know, I've flown that are, I do it almost every week and the population is good, I mean there's a lot of beavers, and the Meshik area, that's being addressed here is suffering somewhat from lack of some species of salmon, some of the five species, but I do not know why they supported two in one area and an open-ended situation in the other area. I just do not know the answer to that.

Ms. Gottlieb: Mr. Chair.

Chairman Demientieff: Judy.

Ms. Gottlieb: I guess I sat in on some of that meeting and I think Dan's absence and some of the other senior members of the Council not being there in person did have an effect, but I'd like to see us proceed with a season but be more cautious on having a limit, and so I think, too, consistent with other parts of the region, would be a good idea.

Thank you.

Chairman Demientieff: Thank you. Dan,
in your neck of the woods affected by this proposal, is
it common for people when they do shoot beaver to shoot
them on the bank as opposed to shooting them in the
water, because they really don't float very well?

MR. O'HARA: No. But a lot of the beaver
hunting that has been done in this type of a situation
where they shoot the beaver, they really don't lose them.
You lose something all the time, I mean like you go out
duck hunting and your dog is going to miss a bird that's
gone in the grass and couldn't catch it or something,
that's understandable. But I would say on a large
percentage of basis of the people who hunt beavers,
they're going to shoot them in a shallow stream or it's
pretty rare to catch them out on land, really it is.
Most of the time they're under water or they're back in
the water and they'll swim, they'll -- you can hunt a
beaver and he'll swim along and you can keep hunting him
until you get them to a location where you can harvest
him and get him back.

And believe it or not, a lot of people
do, beaver meat is very good, it's good to eat. And the
fur, you know, if it's not too late, if it's a cold
spring, that's an awfully good beaver skin cap.

So I think retrieving them is not a
problem, you just might deal with the open-ended part of
this thing, too, you know.

CHAIRMAN DEMIENTIEFF: Any other
discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Is somebody
prepared to offer a motion.

MR. EDWARDS: Well, Mr. Chairman, I would
move that we would amend the recommendation by the
Bristol Bay Regional Council that we would establish a
harvest limit of two beaver per day and to align the
hunting season dates with existing trapping date
regulations for use of firearms.

And as we discussed, I think this is a
more conservative, or at least a conservation approach so
this is not open-ended and basically seems to be
consistent with how we have addressed, you know, these
other types of seasons with beavers.
CHAIRMAN DEMIENTIEFF: There's a motion, is there a second.

MR. BSCHOR: I second it.

CHAIRMAN DEMIENTIEFF: Okay. Discussion on the motion. Terry.

MR. HAYNES: Mr. Chairman, I just wonder if Mr. Edwards could clarify what season dates were you recommending?

MR. EDWARDS: April 15th through May 31st.

MR. HAYNES: Thank you.

CHAIRMAN DEMIENTIEFF: Further discussion.

MR. BSCHOR: We had no discussion on what the demand would be and how many people who really go out there and do this but I'm more comfortable with the motion as amended because it's a more conservative approach initially.

CHAIRMAN DEMIENTIEFF: I guess the only other concern that I have with regard to the subsistence hunter, it's real tough to justify, especially with today's gas prices a big beaver hunting trip for two a day, it's -- you know, I really question whether or not there will be very many people out. The only ones that will do that is if it's incidental to some other harvesting activity where you could kind of justify it. But I know, personally, I wouldn't go out for two beaver a day, it just costs too much.

Further discussion.

MR. LITTLEFIELD: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes, John.

MR. LITTLEFIELD: Thank you, Mr. Chair. I don't want to take any position on this, but I do have a question on process. I thought that in an earlier correspondence that we were going -- that the Federal Subsistence Board was going to move to adopt the Regional Advisory Council recommendation and then amend it so that the record was clear why they were changing it, then
amending it, and when they sent the letter back to the
Council saying why they did not approve what they
recommended, that the record was real clear to follow
that. I thought that was the process that the Board was
going to follow.

CHAIRMAN DEMIENTIEFF: I think, again,
and that's one of the things I talked about earlier in
talking to Gary, you did move the Regional Council
recommendation as modified, did I hear that?

MR. EDWARDS: Mr. Chairman, what I did
say was that I would move to adopt their recommendation
as modified.

CHAIRMAN DEMIENTIEFF: Right.

MR. EDWARDS: If I didn't that's what I
intended to do.

CHAIRMAN DEMIENTIEFF: Yes.

MR. EDWARDS: And I don't know if that
addresses what John's concern is or not but.....

CHAIRMAN DEMIENTIEFF: Yes.

MR. LITTLEFIELD: I guess the process I
would have liked to have seen would be, and I thought
that's what you were going to follow was to move to adopt
the Regional Advisory Council recommendation as they
submitted it, and then subsequent to that to amendment
and then justify why you are supporting the amendments.
I don't have any position on this but I thought that was
the process that you had agreed to earlier.

CHAIRMAN DEMIENTIEFF: I think, John,
pretty much procedurally we made a commitment to use the
Regional Council recommendation, you know, as the
vehicle, and what we've kind of done right now is using
that as a vehicle, but also in the motion accepting the
modification. You know, procedurally it is our
commitment that we have made to use the Regional Council
recommendation.

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, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

MR. O'HARA: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. O'HARA: Does that conclude Bristol Bay?

CHAIRMAN DEMIENTIEFF: Yes.

MR. O'HARA: All right.

CHAIRMAN DEMIENTIEFF: Yes.

MR. O'HARA: I want to thank you for your consideration and we can have a brown bear hide without cutting his arms off and everything else off and if we want to take it out of the region we'll seal it and that will protect everybody.

(Laughter)

MR. O'HARA: And I think you were very reasonable on the beaver situation where it is a good subsistence animal and has good fur still and we do thank you for your consideration.

CHAIRMAN DEMIENTIEFF: Thank you. We are going to just take a real quick break, we need to get this table fixed so it will be just a short break, don't go too far.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: Okay, we're going to go back into Southcentral at this time. Our Chairman came in and I don't have to ball him out this year for
not bringing fish because he was taking a beating from
several people in the room and not to mention his wife,
his wife, he said, he didn't bring fish even for his wife.

(Laughter)

CHAIRMAN DEMIENTIEFF: So he's been
fairly well abused, I think.

MR. LOHSE: Not half as bad as I'm going
to be.

(Laughter)

CHAIRMAN DEMIENTIEFF: Okay, now, let's
see we have Karen Deatherage, who I think wants to
testify on Proposals 31, 32 and 33, which are not consent
items but I think what it is is -- wants to discuss
removing some other items off of the consent agenda, so
29, 30 and 34 as I got it.

MR. BOYD: Yes.

MS. DEATHERAGE: Wasn't 34 already
removed?

CHAIRMAN DEMIENTIEFF: No.

MR. BOYD: No.

MS. DEATHERAGE: Is that lynx?

REPORTER: You need to come on up to the
microphone.

MS. DEATHERAGE: Is that lynx, 34?

CHAIRMAN DEMIENTIEFF: 36 came off.

MS. DEATHERAGE: Well, I'd like to -- Mr.
Chairman, Members of the Board, I'd like to testify on
29, 30, 31, 32, 33 and 34.

CHAIRMAN DEMIENTIEFF: Well, are you
going to be here when we deliberate those because 31, 32
and 33 are going to be considered right now.

MS. DEATHERAGE: So you're not going to
be considering 29 and 30 right now?
CHAIRMAN DEMIENTIEFF: No. I was just going to allow you simply the opportunity to make your request to pull them off the consent agenda, which was my understanding of what you wanted to do.

MS. DEATHERAGE: Yes. I would like to have Proposals 29 and 30 removed from the consent agenda.

CHAIRMAN DEMIENTIEFF: Okay. And 34 also?

MS. DEATHERAGE: And 34.

CHAIRMAN DEMIENTIEFF: Okay. Well, go ahead and make your case specifically to why you want them off.

MS. DEATHERAGE: Well, I'm with Defender's of Wildlife and I'm representing that organization today and we're opposed to Proposals 29, 30 and 34 and so we would like to present our case before the Board to express that opposition and our justification for that.

CHAIRMAN DEMIENTIEFF: This is your opportunity.

MS. DEATHERAGE: To do that?

CHAIRMAN DEMIENTIEFF: Yes.

MS. DEATHERAGE: Okay. And really the points I'm going to make are applicable to all the proposals that I listed that we are in opposition to which deal with coyote, fox and lynx in Southcentral.

The first most disturbing points that we found in the proposals was that the justification for these proposals was to align State and Federal season dates because they're easier to follow and understand. And we believe that doing that is incompatible with existing Federal laws and policy. Federal policy dictates that wildlife be managed for a variety of uses and provide for natural densities and levels of variation and populations of species. This is not currently evident in State regulations, which, in recent years have been extreme in nature, are designed to augment only those species desired for consumptive purposes and represent gross mismanagement of Alaska ecosystems. Therefore, alignment with State regulations is not
reasonable justification for liberalizing bag limits and seasons for coyotes or any other species.

Defenders encourages you to rely on the principle to ensure, and I quote, stable and continuing natural populations of species of plants and animals in their ecosystems. We believe that by doing so you will both protect these ecosystem and provide for subsistence needs of rural residents.

The second point, which is in particular to the coyote season being extended to August 10th is that we consider this wanton waste. And under the Section .802 of ANILCA it identifies the congressional policy that non-wasteful subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive uses of all such resources on public lands in Alaska. We're not familiar with any value that a coyote or any other animal, furbearer for that matter, may have in August pelt-wise. It's certainly not an animal that's consumed and so the only value of that animal would be in the pelt. I've personally been in the field a lot in August, September and October and I can assure you that the pelts on these animals are not worthy of any economic value or any subsistence value for someone who is looking to use it to keep warm in the winter, they're non-existent almost, particularly in the months of August, which is what this proposal is asking the season extension to accomplish.

So we think that any regulatory changes to increase or expand take into this season would be considered for the purpose of sport hunting or for predator control, that's really only the justification we can see for extending the coyote season into August.

Also another point is that extending this season into August conflicts with non-consumptive users using parks leaving only 40 days for these users particularly in Game Management Unit 11, which is vastly compromised of National Park and Preserve land.

And then finally a concern that I think is applicable to all of the proposals that are asking for liberalization of seasons and bag limits is that no data exists and no surveys have been undertaken to determine the current populations of these animals.

Alaska Department of Fish and Game estimates are based solely on anecdotal information. And
we believe to liberalize seasons and bag limits to this extent without these data is scientifically unsound and does not fall within the conservation based policies of managing wildlife on Federal lands.

Thank you, for the opportunity to comment.

CHAIRMAN DEMIENTIEFF: Jack Hession.

MR. HESSION: In the interest of time, Mr. Chairman, I'll defer to Ms. Deatherage's comments.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

Is there any request by Board members to remove those items from the consent agenda?

(No comments)

CHAIRMAN DEMIENTIEFF: Hearing none we'll go ahead and move on with Proposal 27, Southcentral.

MR. ARDIZZONE: Mr. Chair. Board members. My name is Chuck Ardizzone, I'll be presenting Southcentral proposals today. The maps for Southcentral are in the supplemental map packet, Pages 1 through 5. Proposal 27 can be found on Page 193 of the Board Book.

Proposal WP04-27 was submitted by the Alaska Department of Fish and Game and it requests Federal harvest dates for moose in Unit 13 remainder be shortened by 14 days and that the reporting of the harvest to BLM to be done within three days. The harvest season would be changed from 1 August to September 20th to August 15th to September 20th.

The proponent wants the season change for several reasons. The first reason is the first two weeks of August are often warm and wet. To ensure proper care of meat, thus reducing or eliminating meat spoilage cool and dry weather is required. Typically this weather does not occur until mid-August.

The second reason has to deal with enforcement issues. The proponent believes that many of the moose taken under the Federal subsistence regulations are harvested outside of Federal lands.

A little bit of regulatory history. The existing Federal subsistence moose regulations have been
in place since 1995 when the season start was changed from August 25th to August 1st providing a 14 day period for subsistence users to harvest moose without interference from State Tier II hunters. The moose population in Unit 13 has fluctuated broadly since the 1940s, with the most recent peak in 1987. ADF&G’s overall moose population goal for Unit 13 is to increase the population to 20,000 to 25,000 moose and to increase the harvest to 1,200 to 2,000 animals annually. The current population is considered stable and you can look at Table 1 for that.

Federal moose harvest in Unit 13 for August was 14 animals in 2000; nine animals in 2001 and 10 animals in 2002, and that would be in Table 3.

Federal moose harvest before 15 August has been minimal. Six animals in 2000, seven animals in 2001 and five animals in 2002.

The effects of this proposal. If the proposal is adopted it would be more restrictive than current regulations and would shorten the Federal harvest season by 14 days, thus reducing opportunities for qualified subsistence users to harvest moose.

Currently the moose population is considered stable and the current harvest is considered sustainable. Subsistence harvest of moose during the first 14 days of August has been low, ranging between five and seven animals between 2000 and 2002. Shortening the season would lessen the opportunity for the subsistence user basically placing the burden on all subsistence users is possible illegal harvest by some individuals. Adopting this proposal would not address the main concern of the proponent, which is Federal hunters harvesting moose on State lands but reporting their harvest was taken from Federal lands.

Federal law enforcement officers have stated that in the future officers will be watching the trails that pass through Federal lands to State lands more closely to help eliminate a possibility of illegal harvest.

There are very few moose harvested in early August in Unit 13. Subsistence hunters are aware of the possibility of meat spoilage during warm weather and take measures to prevent it from occurring.
And are there any questions.

CHAIRMAN DEMIENTIEFF: Any time they come up you'll be at the table anyway so you'll be able to respond to different things.

Summary of written public comments.

MR. MIKE: Thank you, Mr. Chairman. Donald Mike, Council coordinator. You will find your public comments under written public comments on Page 192. We received three written public comments, two in opposition and one in support.

The Copper River Native Association/Ahtna Incorporated Joint Committee opposes the proposal to shorten the moose season from an August 1 through September 20th season to an August 15th to a September 20th season.

Wrangell-St. Elias National Park Subsistence Resource Commission supports the proposal as written.

The Denali Park and Preserve Subsistence Resource Commission opposes the proposal. The harvest reporting dates are very unreasonable. There are very few Federal harvests during this time period in August and it would reduce subsistence opportunity in general. This is an enforcement issue, not a biological issue, and the Commission is not convinced about illegal harvest.

Thank you, Mr. Chair.

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

Regional Council recommendation.

MR. LOHSE: Southcentral Regional Council opposes this proposal. We looked at the data that was taken outside on Federal land, it seemed kind of a moot point to us that there couldn't be very many when the harvest is somewhere between five and seven animals a year.

And like the testimony that was presented at the meeting, said, most of those came along the road system down there, towards Valdez where you're actually right along side the road in that area that's accessible,
and they can be taken there legally with no problem.

CHAIRMAN DEMIENTIEFF: Eastern.

MR. FLEENER: Thank you, Mr. Chair.
Although Eastern Interior discussed the importance of
proper care for meat during warm weather, I think a lot
of people plenty of experience hunting with really warm
temperatures, especially now days when it seems that fall
time is getting pushed further and further towards winter
and I, personally, have gone hunting in mid-September
when it's been in the high 70s and know the importance of
taking care of meat and getting it home quickly.

But as far as the proposal goes we
defered to the home region.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee.

MR. KESSLER: Mr. Chair. Members of the
Board. Steve Kessler, and we're going to be sitting in
the back here now with our microphones working again.

The Interagency Staff Committee opposes
this proposal consistent with the recommendation of the
Southcentral Regional Advisory Council. This proposal is
more restrictive than the current regulation and would
shorten the harvest season by 14 days thus reducing
opportunities for Federally-qualified subsistence users
to harvest moose.

The prospect that some hunting under
Federal regulations is occurring off of Federal public
lands is an enforcement and hunt administration issue
best addressed through continuing hunter education and
orientation by the Bureau of Land Management.

The proposed reduction in season length
would not rectify the issues concerning the harvest site
and land status. Shortening the reporting time to three
days would do little to curtail the concern of illegal
harvest and would place a burden on subsistence users.
The Federal registration permit requires reporting within
five days after harvest.

Mr. Chair.
Department.

MR. HAYNES: Mr. Chairman, we obviously support this Department of Fish and Game proposal.

The proposal would align the Federal and State moose season opening dates in the portion of Unit 13 of which less than two percent is Federal public land and it would require reporting within three days of harvest.

Less than half of the Federal lands in this area are considered good moose habitat. If the annual reported Federal harvest is averaged nine percent of the total moose harvest in Unit 13 during the past four years, the Department questions whether it's biologically possible for such a high harvest of moose to occur in such a small amount of Federal land.

Many of the well-used ATV trails leading to Federal lands run through larger tracks of State lands. The shorter Federal season beginning on August 15th will still provide Federally-qualified subsistence users with two weeks of moose hunting opportunity with minimal competition from State hunters since there are only 150 Tier II permittees, many of whom are local residents who would also possess a Federal permit.

The reported Federal harvest of moose during the first two weeks of August is relatively low due to warm weather and wet conditions. Restricting the season to the last two weeks of August and aligning the State and Federal seasons would minimize the chance of meat spoilage and would facilitate enforcement.

At the Southcentral Regional Advisory Council meeting this spring, the Bureau of Land Management indicated that beginning next hunting season hunters will report their harvest within five days of harvest to the BLM office in Glennallen rather than to the Office of Subsistence Management in Anchorage. The Department considers this a positive step that will better enable enforcement officers to respond quickly when possible violations are reported.

Thank you.

Discussion. Gary.
MR. EDWARDS: One question I would have for the State, I mean, could you maybe elaborate a little on the difficulties facing your enforcement people? I guess philosophically I've sort of always been opposed whether it's sport hunting or otherwise to pass regulations just to make it easier on law enforcement personnel. I certainly would be opposed for us doing this, for example, on any of our Refuges. Because I think the opportunity is to provide the use, and then for enforcement to sort of figure out how to enforce it.

MR. HAYNES: Mr. Chairman. Mr. Edwards, part of the problem is the lay of the land. In order to access Federal lands one has to cross State lands and just the configuration of lands makes it more difficult for enforcement to determine exactly where a moose was harvested. The enforcement will be enhanced with this change of where the permits will be returned. Part of the problem experienced last year was the fact that maybe permits maybe had to be returned within a five day period but logistically they didn't show up in the Anchorage office for some time longer than that and they weren't readily available if enforcement officers needed them. With BLM's agreement to have those permits returned to Glennallen, we believe that addresses some of the enforcement related concerns.

MR. BISSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. BISSON: I guess the question I would have is this reporting requirement back to the field office in Glennallen, the BLM office, is that going to be in the regulation book? I mean how is that going to be enforced, are they going to be told that when the permits are issued?

We have the biologist from Glennallen, he's in the audience, could I ask him to answer that question, Mr. Chairman?

CHAIRMAN DEMIENTIEFF: Yes.

MR. WATERS: Good afternoon, Mr. Chairman. My name is Elijah Waters, I'm the subsistence coordinator for the Glennallen Field Office. And there's two ways we can handle that. One, we can work with Fish and Wildlife Service to get those permit reports addressed to us. The simple solution is to do what the
Park Service currently does and that's just to take a mailing label and put them right over those permits and they come right back to us, it's no problem.

CHAIRMAN DEMIENTIEFF: Thank you. Any other questions.

MR. BISSON: Mr. Chairman, if there's no further discussion, I guess I'd like to make a motion.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. BISSON: I move that we reject the proposal consistent with the recommendation of the Southcentral Regional Council. This issue, I feel, is better served through information, education of the hunters involved in the Federal hunt. And, of course, we will work closely with the subsistence users and I think Mr. Haynes is correct, in that, that the reporting back to Glennallen where the enforcement officers actually are and they work well together on the ground will facilitate going out and checking the kill locations if it seems suspect to where it actually happened.

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

MS. GOTTLIEB: Second.

CHAIRMAN DEMIENTIEFF: Discussion on the motion.

(No comments)

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: All those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

No. 28.

MR. ARDIZZONE: Mr. Chair, Proposal 28 is on Page 204 of your Board Book and the map to correspond with that proposal is in Page 2 of your supplemental map.
Proposal WP04-28 was submitted by the Alaska Department of Fish and Game and it requests Federal subsistence harvest limits for moose in 16(B) remainder be changed from one moose to one bull. The proponent requests that the harvest limit for moose be changed to eliminate cow harvest which is an important step for promoting the growth of the declining moose population.

The current Federal subsistence regulations for moose in 16(B) remainder were adopted in 1991 and have remained unchanged.

The current State management objectives for moose in Unit 16(B) are, one, to maintain a moose population of 6,500 to 7,500 moose with 20 to 25 bulls per 100 cows; and, two, maintain a harvest of 310 to 600 moose from the population.

Because of the unit size, ADF&G has divided Unit 16(B) into three zones, north, middle and south for survey purposes. None of these zones exactly corresponds with the Federal Unit 16(B) remainder, however, we can look at the numbers and get a good idea of the moose population.

In 1999 16(B) middle moose population composition was 28 bulls to 100 cows with nine calves to 100 cows. In 2001 the population composition was 32 bulls to 100 cows with 10 calves per 100 cows. This can be seen in Table 1.

The Unit 16(B) north moose population composition for 2000 was 39 bulls per 100 cows, seven calves per 100 cows. In 2001 was 40 bulls per cows, with 14 cows per 100 cows.

In the 16(B) south moose population composition in 1999 was 38 bulls per 100 cows, with eight calves per 100 cows. And in 2001 it was 31 bulls per 100 cows and 13 calves per 100 cows.

Overall in 2001 the composition of the entire unit was 33 bulls per 100 cows, with 12 calves per 100 cows, which is not very low or not -- there have been no Federal subsistence cow harvests reported since 1993 in 16(B) remainder. You can look at Table 3 and that shows the permits issued and the actual harvest data.
The only reported harvest was in 2001 and that was actually a bull moose.

The effects of this proposal, if adopted, it would have little effect on the moose population because few permits are issued and even fewer moose are harvested under the Federal subsistence regulations. However, the current moose population is low and eliminating the possibility of cow harvest would remove the potential impact to the population. Conservation of cows is an important step for promoting growth of the declining moose population. Currently Federally-qualified subsistence users could harvest a cow, however, no one has reported harvesting a cow since 1993.

Therefore, changing the current regulation from one moose to one bull would have little to no effect on subsistence users.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. MIKE: Thank you, Mr. Chair. We received four written comments, two in opposition and two in support.

The Mt. Enlow Advisory Committee (ph) supports the proposal. The advisory committee listened to the Department biologists attending the meeting. Most members agreed that although there was an unmeasurable effect due to the hunt as is, the perception was plenty to justify removing antlerless moose from the book that the proposal addresses.

Mr. Dade McHose of Skwentna commented that moose population in Unit 16 has been in decline since the early to mid-1980s due, in part, to winter cow season managed by the Department during the mid-80s resulting in the harvest of over 100 cows per year. Recently the Department supported a 20 day general moose hunt for Alaska residents for spike-fork or 50-inch bulls in Unit 16(B) despite opposition by the local advisory committee. The committee did not believe that enough surplus bulls warranted a season. The new season will probably result in a larger illegal harvest of cows than the Federal season as no enforcement is present. 140 permits are issued under the State Tier II system for November 15th to February 28th season. This results in
the harassment of cows during January and February as the
hunters try to determine if an animal is an antlerless
bull which may result in illegal and accidental harvest
of cows.

Matanuska Valley Fish and Game Advisory
Committee would like to support Department of Fish and
Game Proposal No. WP04-28 to eliminate cow moose hunting
in Game Management Unit 16(B). Our committee recently
met and heard testimony on the status of the moose
population in the unit and we are concerned about the
long-term health of that population. We understand that
currently few permits are issued and few animals are
taken, however, we feel that the moose herd has declined
dramatically and we should be taking all steps necessary
to help this herd recover, therefore, we request the
Southcentral Regional Advisory Council and the Federal
Subsistence Board support the proposal to eliminate cow
hunting in Unit 16(B).

The Denali National Park Preserve
Subsistence Resource Commission opposes the proposal.
The Federal subsistence use is minimal and does not
influence the moose population decline in 16(B). Federal
registration permits in 16(B) remainder, antlerless moose
hunt has averaged one permit per year over the last 14
years. No cows have been harvested under the Federal
perms for the last 10 years. The State's Tier II
winter hunts and reopening of Unit 16(B) remainder to
general State hunts in 2003 and 2004 has caused far
greater damage to the moose population in this area than
the minimal Federal subsistence harvest.

Thank you, Mr. Chair.

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

MR. LOHSE: Southcentral Regional
Advisory Council supported this proposal. We felt that
since there hadn't been any take to speak of in the last
10 years that it would have minimal impact on any
subsistence users.

CHAIRMAN DEMIENTIEFF: Thank you. Staff
Committee.

MR. KESSLER: Mr. Chair. Members of the
Board. I'm Steve Kessler with the Interagency Staff

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The Interagency Staff Committee supports the proposal consistent with the recommendation of the Southcentral Regional Advisory Council. Eliminating the Federal cow harvest would be consistent with conservation actions taken by the State to avoid harvest of cow moose and would have little effect on subsistence harvest of moose in the area. Currently there are a few permits issued for antlerless moose harvest and there has been no reported cow harvest under Federal regulations in the last 10 years.

The Interagency Staff Committee also considered the Denali National Park and Preserve Subsistence Resource Commission recommendation that the Federal subsistence harvest is minimal and has not influenced the moose decline in 16(B) remainder, therefore, modifying this regulation is not necessary. However, the Interagency Staff Committee did support the proposal as recommended.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Mr. Chairman, we, naturally support this proposal consistent with the recommendation of the Southcentral Regional Advisory Council. The Department proposal addresses a conservation issue in Unit 16(B), it would minimally impact Federally-qualified subsistence users due to their low level of participation in this moose hunt.

In 1984 the National Park Service surveyed moose throughout much of Denali National Park and counted 198 moose in the southwestern portion of the Park unit. A February 2004 survey counted only 27 moose in this area, which is 13 percent of the 1984 count, compromised of 20 adults and seven calves. The harvest of one moose from this area would represent five percent of the remaining adult animals present.

The Alaska Board of Game adopted a predator control plan for this area in March 2003 and has directed the Department to implement a predator control program on State lands there next winter. A Federal cow moose season is unsustainable and should not be retained in an area where the State regulatory authority has
determined that active predator management is needed to ensure adequate moose populations.

The area biologist from the area is also here if you have questions or need more information about this issue.

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: If I might, with due respect to the RAC, I will disagree a little bit because the majority of the lands in this portion are in Denali National Park and Preserve and because we know there is one subsistence hunter who fairly consistently over the years has been taking a bull, I feel that, yes, there is definitely a conservation concern but it's not subsistence users that are causing the decline and I feel it would be an unnecessary restriction to this individual to say bulls only.

I think there's been evidence of a very low take and some pretty fair discrimination on his part about what he is taking.

Thank you.

CHAIRMAN DEMIENTIEFF: Mr. Reglin.

MR. REGLIN: Thank you, Mr. Chairman. We'll begin a wolf control in this area next winter, this coming winter and in any area to have -- where we're going to conduct a wolf control program where we have a cow season is going to be -- even if none are going to be -- very few or none are taken is going to be used against the Department by the animal rights groups to try to stop this predator reduction effort, so I urge you to pass this proposal just so that we don't have the perception out there that we are killing cows at the same time we're reducing predation by reducing wolf numbers.

CHAIRMAN DEMIENTIEFF: Thank you. Any other discussion.

(No comments)
CHAIRMAN DEMIENTIEFF: Questions.
(No comments)
CHAIRMAN DEMIENTIEFF: Is there somebody that's prepared to make a motion.
(Pause)
CHAIRMAN DEMIENTIEFF: Well, I don't have nothing to do until July, I guess we can just sit here and look at each other, chat during breaks.
(Laughter)
CHAIRMAN DEMIENTIEFF: Or somebody could make a motion.
(Laughter)
MR. BSCHOR: Mr. Chair, it sounds to me like we do have a serious conservation problem here that would be significantly helped if there was consistency in not shooting cows. And although it's not happening by subsistence users right now, by agreeing with the proposal it doesn't seem to be in the way of subsistence activities. But for assurance, I'm prepared to make a motion for those reasons that we support the proposal as consistent with the recommendation from Southcentral Regional Advisory Council.
CHAIRMAN DEMIENTIEFF: We have a motion, is there a second.
MR. BISSON: I'll second it.
CHAIRMAN DEMIENTIEFF: Okay, moved and seconded. Discussion on the motion.
(No comments)
CHAIRMAN DEMIENTIEFF: I think, I, too, appreciate the work that has gone into this proposal and it's obvious that the Council and the -- you know people have worked hard to get to this point and so I intend to support the motion.
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.

MS. GOTTLIEB: Aye.


MR. ARDIZZONE: Mr. Chair. Proposals 31 and 32 I'd present together since they come.....

CHAIRMAN DEMIENTIEFF: Right, yeah.

MR. ARDIZZONE: Okay. They can be found on Page 223 of your Board Book and the map of those proposals are on Page 3 of the supplemental hand out.

Proposal WP04-31 and WP04-32 were submitted by the State of Alaska and request that Federal harvest dates for red fox hunting in Units 11 and 13 be extended by 28 days and the annual harvest limit be raised from two to 10. The proponent requests that the harvest regulations for red fox hunting be changed to align with existing State seasons.

The status of red fox populations in Unit 11 and 13 are not fully known.

Based on trapper response to questionnaires harvest is moderate, although, exact red fox population numbers are not available, data from trapper questionnaires are used by Alaska Department of Fish and Game to determine relative abundance and broad trends of furbearers. In Unit 11 and 13 red fox were determined to be common and the population appears to be stable. Harvest of red fox are well within sustainable levels.

Effects of this proposal. This proposed change would reduce confusion among Federal subsistence hunters by aligning Federal and State regulations. This proposal would allow additional opportunities for Federally-qualified subsistence users to harvest red fox by lengthening the season and increasing the harvest limit in Wrangell-St. Elias.
National Park and Denali National Park since State regulations do not apply there. Currently the red fox population is considered to be stable and this proposal should have little effect on the overall population.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. MIKE: Thank you, Mr. Chair. We received three written public comments for Proposal 31 and three written public comments for 32.

The Copper River Native Association/Ahtna Incorporated Joint Committee supports the proposal to lengthen the season for fox hunting in Unit 11 so that Federal subsistence users will have more opportunity to hunt red fox and to increase the take of red fox to 10 foxes and no more than two red fox before October 1st.

Wrangell-St. Elias National Park Subsistence Resource Commission opposes the proposal due to conservation concerns.

The Denali Park and Preserve Subsistence Resource Commission supports the proposal. This proposal would provide additional opportunity for subsistence users, would have minimal impact on the red fox population which is healthy and would align Federal and State regulations.

On Proposal 32, the Copper River Native Association/Ahtna Incorporated Joint Committee supports the proposal to lengthen the season for fox hunting in Unit 13 so that Federal subsistence users will have more opportunity to hunt red fox to increase take of red fox to 10 foxes and no more than two red fox before October 1st.

The Wrangell-St. Elias National Park Subsistence Resource Commission opposes the proposal due to conservation concerns.

The Denali Park and Preserve Subsistence Resource Commission supports this proposal. This proposal would provide additional opportunity for subsistence users, would have minimal impact on the red fox population which is healthy and it would align Federal and State regulations.
Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Public comment, we have Jack Hession.

MR. HESSION: Thank you, Mr. Chairman. I'd like to go on record as opposed to both proposals as excessive given the fact that we're dealing here with National Parks and National Preserves.

In Unit 11 the season would be extended by 28 more days and the bag limit increased from two to 10. In Unit 13, which involves about a half of the south of Denali National Park a similar proposal, this is on top of a trapping season by all rural residents that's in one case five and a half months in length and there's no limit. So this seems to be a way of blurring the distinction between Federal lands that are set aside for preservation as well as conservation purposes, if I can put it that way, and all other Federal lands.

We would urge you to be more discriminating when it comes to National Parks and Preserves and take a conservative approach here.

It seems, again, excessive to jump the bag limit five times in these National Parks.

Thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you.

Regional Council.

MR. LOHSE: The Southcentral Regional Advisory Council supported both of these proposals. We felt that it would give more opportunity.

We were looking at it from the standpoint that when a trapper is out trapping, currently under Park regulations, which most trappers don't realize, they cannot take a fox with a firearm, it has to be in a trap and most trappers, not realizing that would do that so this causes some confusion. By aligning it with what the current practice is and what the State is it would take this confusion away.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. RABINOWITCH: Yes, Mr. Chairman.
The Interagency Staff Committee supported the proposal consistent with the recommendations of the Southcentral Regional Advisory Council. The justification the Staff Committee came up with, which is on Page 220 of your Board Book has three different points, and they're a little lengthy so I will just summarize those.

The first one is that this proposal provides additional opportunity for subsistence users and as has been said would reduce confusion by aligning State and Federal regulations. I think that probably sums that up.

The second view that the Staff Committee came up with was that an alternative view is to not support this proposal, that the analysis says that the status of the red fox population is not fully known. That no one is arguing that the harvest limit is too low to meet subsistence needs and that the only justification is to align with recent changes to State regulations. So although it’s appealing to many that the five-fold increase in the harvest with little biological information is inconsistent with management standards of NPS.

The third view is an alternative to modify this, and that modification would be to increase the harvest limit to five rather than the 10 proposed. The impacts of the extended season and an increased harvest limit are unknown and a more conservative management strategy would be suggested since NPS areas are directly affected by the proposed regulation.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Is Karen Deatherage still here?

MS. DEATHERAGE: Yes.

CHAIRMAN DEMIENTIEFF: Okay. I forgot to call you up, you better come up and testify, 31 and 32.

MS. DEATHERAGE: I believe I gave my comments already earlier.

CHAIRMAN DEMIENTIEFF: Okay.
MS. DEATHERAGE: But I would like to ask.....

REPORTER: Please, you're going to need to come up to the microphone.

MS. DEATHERAGE: .....for a reconsideration.....

REPORTER: Wait, wait, please, you need to.....

MS. DEATHERAGE: .....of the consent agenda, I believe.....

REPORTER: Wait, please, and.....

CHAIRMAN DEMIENTIEFF: You need to get -- we need to record you.

MS. DEATHERAGE: .....there was a.....

CHAIRMAN DEMIENTIEFF: Yeah, it doesn't work so well from way back there on the floor.

MS. DEATHERAGE: Okay.

REPORTER: Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

MS. DEATHERAGE: I wanted to refer to my statements, Mr. Chairman, earlier made about excessive and liberalized bag limits and seasons for fox, coyote and lynx. And that Defenders of Wildlife does not believe that those particular regulatory changes are appropriate for Federal lands.

I would also like to ask that if possible you reask the question to consider taking Proposals 29 and 30 off the consent agenda. I saw a Board member try to respond to that question and was unable to, so I would like to request, if possible, for you to reask that question.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you very much. I'll just note that people have microphones in front of them and can do what they want to, Board
Okay, Regional Council, Staff Committee -- Department.

MR. HAYNES: Thank you, Mr. Chairman. The Department supports both of these proposals 04-31 and 32. Their adoption would align the State and Federal regulations and provide additional red fox hunting opportunity in Units 11 and 13 for Federally-qualified subsistence users.

The Department does not anticipate that the longer hunting season and harvest limit requested in these proposals will result in much additional harvest and that no conservation concerns will be created.

I queried our Staff in Glennallen to see if they could estimate what they thought the increased harvest might be if these proposals were adopted and they just estimated, given the harvest that's occurring under the trapping regulations already, they did not expect much additional harvest and estimated that it could be as small as five animals per year. So at this time we're not expecting adoption of these proposals to result in much increased harvest but it would just provide additional opportunity.

Thank you.

Discussion.

CHAIRMAN DEMIENTIEFF: Thank you.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I think we've heard a variety of assessments and opinions here and, again, unfortunately I'm going to have to disagree a bit with the Regional Advisory Council because the Wrangell Subsistence Resource Commission did express a conservation concern with respect to red fox in the Unit 11, and so I think as was mentioned, the idea perhaps going to a harvest of five rather than 10 may be one worth pursuing for discussion.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Gary.
MR. EDWARDS: Mr. Chairman, I guess I could agree that, you know, jumping from two to 10 does seem like a large jump but if we sort of are in agreement that the majority are taken by trappers and at least the data that's provided, does not appear that there is very many. I think there is some data that shows between '99 and 2000 there was a little over 300 that were exported. I'm sure some of them stayed in the state, but those that were exported even could have come from other years.

But at the same time we have a trapping season which you can take as many as you want or as many as you can catch I guess and it does seem then inconsistent with trying to put restrictions on hunting, which we acknowledge is probably going to be a very minor harvest at that.

CHAIRMAN DEMIENTIEFF: Any other discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Are we ready to make a motion.

(Pause)

CHAIRMAN DEMIENTIEFF: Paul.

MR. TONY: Consistent with the Southcentral Regional Advisory Council recommendation I would move to adopt the proposal.

CHAIRMAN DEMIENTIEFF: 31 and 32?

MR. TONY: (Nods affirmatively)

CHAIRMAN DEMIENTIEFF: Okay. There's a motion to adopt Proposals 31 and 32, is there a second.

(No comments)

CHAIRMAN DEMIENTIEFF: No second.

(No comments)

CHAIRMAN DEMIENTIEFF: Motion dies for a lack of second. Is there another motion.

MS. GOTTLIEB: Mr. Chair.
CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTlieB: I mean we haven't heard -- or maybe this discussion did take place at the Regional Advisory Council about subsistence needs not being met at the current levels, so it just might be another thing we can consider here.

(Pause)

CHAIRMAN DEMIENTIEFF: Does anybody wish to offer another motion.

(No comments)

CHAIRMAN DEMIENTIEFF: How much are apartments down here?

(Laughter)

CHAIRMAN DEMIENTIEFF: Well, we need to resolve it, a motion to support died for a lack of a second as the Chair ruled. There must be somebody ready to offer some kind of a motion.

(No comments)

CHAIRMAN DEMIENTIEFF: John.

MR. LITTLEFIELD: Thank you, Mr. Chair. This goes back to my earlier comments, you have to address what the Regional Advisory Council put before you. You can say yes or no, you can amend it, you can do anything you want to do but you need to put it on the floor and not be afraid to second it and then discuss it and change it. I mean somebody's got to second this, this is -- sorry.

CHAIRMAN DEMIENTIEFF: You know, John's point is well taken. Basically, you know, we had a motion offered and just because you second the motion or make a motion doesn't commit you to the motion, but a lot of times there just moved and seconded to get them up for consideration. Now, that's basically what we need to do here is get a motion on the table.

(Pause)

MR. BISSON: Mr. Chairman, I'll second the motion to get it on the table so we can discuss it
CHAIRMAN DEMIENTIEFF: You'll make the motion.

MR. BISSON: Because the motion previously died?

CHAIRMAN DEMIENTIEFF: Yeah, I ruled that out because nobody seconded it, so there is another motion maker, is there a second to that motion.

MR. TONY: Second.

CHAIRMAN DEMIENTIEFF: Okay. Now we can discuss it.

MR. BISSON: Mr. Chairman, I guess I would ask the question about whether -- there's obviously a difference of opinion between the subsistence groups in the two different National Park Service Units and we're throwing them all in here together, I just wonder if there isn't a difference between -- a real difference between these two or whether or it's just a philosophical difference.

Is there a biological reason for the local subsistence groups for taking a different position in each of the National Park Service areas? Perhaps Ms. Gottlieb could.....

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Go ahead.

MS. GOTTLIEB: In both of these cases, as I understand it the majority of the land is within National Park Service units. In both cases the Wrangell-St. Elias Subsistence Resource Commission opposed the proposals to go to 10 because of conservation reasons. Denali SRC supported both of those proposals. However, the Denali National Park favored going with a more conservative approach going from the 10 to five limit as well as Wrangell-St. Elias, that was the preferred as well, partly because we don't have lots of data, but, again, we want to provide some additional subsistence opportunity but be cautious upon making changes as well.

And it's really hard when you have both of the SRCs, one being closer in one case and one being
more distant and then vice versa and they don't have a
chance to talk with each other.

CHAIRMAN DEMIENTIEFF: Any other
discussion.

MR. TONY: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. TONY: I guess it seems kind of
inconsistent to say on the one hand that you have a
conservation concern and then say on the other hand that
you don't have any data to support the concern. It seems
like, you know, the Regional Advisory Council supports
the proposal, the majority of written public comments
support it and the Interagency Staff Committee
recommendation is to support it. So, you know, I'm with
Mr. Edwards, I don't see that there will be that great of
an impact by this, you know.

CHAIRMAN DEMIENTIEFF: Any other
discussion.

(No comments)

CHAIRMAN DEMIENTIEFF: Tom, I don't know,
it seems like we're kind of split, we better take a roll
call vote.

MR. BOYD: Well, Mr. Chair, I'll start at
my left. Mr. Edwards.

MR. EDWARDS: I vote aye.

MR. BOYD: Mr. Bschor.

MR. BSCHOR: I vote aye.

MR. BOYD: Ms. Gottlieb.

MS. GOTTLIEB: Oppose.

MR. BOYD: Mr. Tony.

MR. TONY: Yes.

MR. BOYD: Mr. Bisson.

MR. BISSON: Aye.
Mr. Boyd: Mr. Chair.


Mr. Ardizzone: Mr. Chair, Proposal 33 can be found on Page 230 and the corresponding map would be on Page 3 of the supplement.

Proposal WP04-33 was submitted by the State of Alaska and requests the Federal harvest dates for lynx hunting in Unit 11 be extended by 51 days. The proponent requests that the harvest regulations for lynx hunting be changed to align with existing State seasons.

Lynx populations are cyclic throughout the range with highs and lows occurring approximately every eight to 11 years. Lynx management decisions need to be responsive to these cyclic lynx populations changes and rely on indicators such as the overall harvest of percentage of kits within the harvest. Currently the lynx population in Unit 11 is in the low portion of their cycle based on sealing records, lynx tracks index and field observations.

In Unit 11 and 13, the combined annual lynx harvest averaged 426 animals between 1996 and 2002. Lynx harvest was low in 2000 to 2003 season.

The reported number of lynx shot or hunted in Unit 11 during the 2001/2002 season was zero. In 2001/2002 four lynx were shot and in 2002/2003 no lynx were shot.

You can look at Table 1, that makes it quite evident.

Currently the lynx population in Unit 11 is low but stable.

The effects of this proposal. The proposed change would reduce confusion among Federal subsistence hunters by aligning Federal and State regulations. This proposal would allow time for Federally-qualified subsistence users to harvest lynx by lengthening the season in Wrangell-St. Elias National Park since State regulations do not apply there. This proposal does not increase the harvest limit which is two lynx per year. Currently the lynx population is low but considered stable. The vast majority of lynx harvested
in Unit 11 is through trapping not hunting. Hunting has
minimal impact on the overall lynx population. Lynx
hunting harvest levels are not anticipated to increase,
even in the event this proposed change were adopted.
Lynx harvested by firearm are low and generally occur on
an incidental basis.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. MIKE: Thank you, Mr. Chair. We
received three written public comments -- three in
support and one opposing.

The Copper River Native Association/Ahtna
Incorporated Joint Committee supports the proposal to
lengthen the season for lynx from December 15th to
January 15th to November to January 15th so that Federal
subsistence users will have increased opportunity of
hunting lynx in Unit 11.

The Wrangell-St. Elias National Park
Subsistence Resource Commission opposes the proposal due
to conservation concerns.

The Denali National Park and Preserve
Subsistence Resource Commission supports this proposal.
This would provide additional opportunity for subsistence
users by significantly lengthening the season by 51 days,
yet, provide some level of protection for the lynx
population by retaining the harvest limit of two lynx.
In retaining this limit it is not expected to impact the
lynx population and it would align Federal and State
regulations. Passage of Proposal WP04-36 would address
the conservation concerns the Commission has by providing
the Board delegate authority flexibility to adjust season
dates to meet conservation needs for the protection of
the lynx population.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. We
have one additional request for public testimony. Karen
Deatherage.

MS. DEATHERAGE: Mr. Chairman. Members
of the Board. I think I'm doing it right this time, I'm
learning. My name is Karen Deatherage and I'm
representing Defenders of Wildlife.

We are opposed to Proposals to No's 33 and 34. Again, we feel that justification that aligning State and Federal seasons because they're easier to follow and convenient is incompatible with existing Federal laws and policies. Federal policy dictates that wildlife be managed for a variety of uses and provide for natural densities and levels of variation in populations of species.

This, as I have stated before, is not currently evident in State regulations, which in recent years have been extreme in nature and designed to augment only those species desired for consumptive purposes and represent gross mismanagement of Alaska's ecosystems.

Defenders encourages you to rely on the principle to ensure stable and continuing natural populations of species of plants and animals in their ecosystems. We're particularly concerned about the lynx populations statewide. Few data exist to recognize how many lynx there are. In addition, this is a species that is almost solely dependent upon the snowshoe hare as prey and those populations are very cyclic in nature. As was stated earlier the population of lynx is believed to be low and regardless of whether or not the take under hunting is incidental and low we don't believe that there should be expansion of that take at this time until the populations start to recover.

Thank you very much.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. EDWARDS: Mr. Chairman, can I ask a question?

CHAIRMAN DEMIENTIEFF: Yes.

MR. EDWARDS: Karen, I guess I'm just trying to understand, I mean other than the, maybe the process issue, does Defendants, you know, really feel that by expanding these hunting days that there's really going to be much of an increase? You know my belief is that lynx are hard enough to hunt when populations are high and when they're low they're -- basically you don't see them. So I mean is there a true belief that there will be a significant increase in numbers?
MS. DEATHERAGE: I think that the concern here is that there would even be a consideration given the low population for expansion. I don't think that Defenders would support that for any regulatory action when a population is considered low. I think that for the time being that we should leave the regulations in place and monitor them accordingly but certainly not expand them at this time.

You never know on hunting you could take out a whole family of lynx. You know, it's something that is vulnerable at this point in time.

CHAIRMAN DEMIENTIEFF: Thank you. Any other questions. Regional Council.

MR. LOHSE: Southcentral Regional Advisory Council supported this proposal.

First of for the reason that the current lynx population is healthy even if it is cyclic. If you go back through history and take a look at the records on cyclic lynx, you'll find that the cycle goes up and down on average of every nine to 10 years for as far back as you want to check the records.

The idea of aligning it for the sake of the subsistence users that are in the area to prevent confusion, I think is a worthwhile goal. Not just to align it for the sake of aligning it with the State season but to align it for the sake of the subsistence users. There has been some confusion I know in Unit 11 and the confusion if over the fact that most trappers would expect that they would be able to shoot a lynx if they saw it, and under current regulations you can't do that, and yet most of them would do it because they didn't know that it was illegal, it's always been legal under State regulations. So this would prevent some of those inadvertent violations.

I like the fact that this season does line up with the fur season and lines up when the pelts are prime, and I think that she had a point there before and I agree with that.

CHAIRMAN DEMIENTIEFF: Staff Committee.

MR. RABINOWITCH: Yes, Mr. Chairman. I'm on Page 227 of your Board Book. Staff Committee supported the proposal consistent with the recommendation
of the Southcentral Regional Advisory Council but there
were two different perspectives from the Staff Committee.

The proposal would provide more
opportunity for subsistence users and align the State and
Federal seasons as you've heard. The proposed season is
already in effect on State managed lands and hunters can
take lynx under State regulations on Federal lands except
for the Park Service managed Parks and Monuments. While
the lynx population is currently low, it's considered
stable. Harvest levels are not anticipated to increase
with the adoption of the proposal because lynx harvested
by firearm are infrequent and generally occur on an
incidental basis as you've heard.

The other view would be to not support
the proposal. The analysis tells you that the population
is in the low point of their cycle. It tells you that
harvest is though to have additive effects on lynx
numbers during the low phases of the population cycle.
It suggests that the index results from 2002 and 2003
confirm that the numbers have decreased. It tells us
that the predicted 1996 high point in the cycle did not
fully materialize and that the previous high point in '91
and '92 was lower than the previous high. So the
information in the analysis in this view is not
sufficient to support an increased length in the season
at this time when the population is in the low point of
their cycle.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. HAYNES: Mr. Chairman, the Department
supports adoption of this proposal as it would align the
State and Federal regulations and provide additional lynx
hunting opportunity in Unit 11 to Federally-qualified
subsistence users. And as with the previous proposals,
the Department does not expect that much additional
harvest would actually result if this proposal was
implemented, provide additional but we doubt that there'd
be much additional harvest.

Thank you.

Discussion.

MR. EDWARDS: Mr. Chairman, I guess I
have the same concern from a conservation standpoint with this one as I did with the last one. It just seems to me that if we have a conservation concern why would we allow an unlimited trapping season as opposed to trying to regulate or restrict a method of take that by all appearances would have a very insignificant harvest level.

CHAIRMAN DEMIENTIEFF: Thank you. Any other discussion.

MS. GOTTlieb: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTlieb: No, go ahead.

MR. LOHSE: Mr. Chair, just for curiosity sake, I know I've only been out there for five rabbit cycles, but in that five rabbit cycles the thing that I've noticed is that the rabbits don't reach the same peak on every cycle either and the lynx follow the rabbits, and the rabbit cycles have been lower on the last couple cycles and they are not affected by hunting. They're affected because that's what the rabbit cycle does. And if you go back for 200 years and look at the cycles see that the cycles cycle.

And so consequently, the fact that you have lower lynx cycles on the last two cycles, they correspond with the fact you had lower rabbit cycles on the last two cycles. Anybody that was there in the '70s and saw what rabbits really were like when our lynx cycle was high could see the difference in a heartbeat.

CHAIRMAN DEMIENTIEFF: Thank you. Further discussion.

MS. GOTTlieb: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTlieb: Well, unfortunately the Wrangell-St. Elias Subsistence Resource Commission did again express their concern that there would be conservation problems with this proposal and I think Gary's point is well taken. Perhaps next year the SRC can look at the trapping regulation because of those concerns and if they want to make any proposals for adjustments to that.
Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Any other discussion.

MR. TONY: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. TONY: I have to agree with most of the comments that have gone before. I grew up in Unit 13 and spent a fair amount of time in the woods and in my entire life I've only ever seen three lynx and all three of those I seen were in the summer time and I've spent a good deal of time hunting and trapping and it's not as easy as you might think to hunt a lynx.

CHAIRMAN DEMIENTIEFF: Is somebody prepared to offer a motion here.

MR. EDWARDS: Mr. Chairman, I move that we adopt Proposal 33 as recommended by the Southcentral Regional Advisory Council.

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

MR. TONY: Second.

CHAIRMAN DEMIENTIEFF: Yeah, I'm going to support the motion. I've actually seen a few more lynx than three. Again, it goes back to the early argument or questions that Gary asked, you know, if these are free-ranging lynx I have seen a few more than that. But we eat them, as very many people do and they just taste like a big old rabbit because that's what they eat. And the reason I probably seen a little bit more when rabbits are down is because there are always pockets of rabbits in the country and when there are pockets like that you will find lynx, it's just what goes on.

So I just think we have to support, you know, just in case people do have that opportunity. Because even though there's unlimited trapping, when the prices aren't there, you know, people will be selective about what they're going to trap, but still it provides them the opportunity for food, so I will support the motion.

MR. BISSON: Mr. Chairman, I'm certainly
glad that someone's concerned about the poor rabbits because I really think they're critical to the cycles. But I would point out on Table 1, Page 232 that it's apparent to me that what is happening right now with lynx that are shot is extremely minimal compared to what's being harvested by other means, by trapping. So to me, I can't see that unless the popula -- and I'm very concerned, I would not want to see the lynx population crash, that would be the last thing any of us would want to see, but I can't see that hunting, even if it was increased is going to be a major impact to them. It would be an additional impact, obviously, but compared to other means it's not significant.

CHAIRMAN DEMIENTIEFF: Further discussion on the motion.
(No comments)
CHAIRMAN DEMIENTIEFF: Hearing none, all those in favor signify by saying aye.
IN UNISON: Aye.
CHAIRMAN DEMIENTIEFF: All those opposed, same sign.
MS. GOTTLEIB: Aye.
CHAIRMAN DEMIENTIEFF: Motion carries.
That brings us to Proposal 36.

MR. ARDIZZONE: Mr. Chair, Proposal 36 is on Page 243 of your Board Book. This proposal initiated by the Office of Subsistence Management is a housekeeping measure to move the delegated authority for annual lynx season adjustments from special action provisions to a Federal Subsistence Board delegated authority to be described in Subpart D.

This regulatory action will clarify implementation procedures for delegation of authority to the Assistant Regional Director for Subsistence Management. The current delegation of authority letter allows the Assistant Regional Director to implement changes to seasons and harvest limits through the special action provisions.

Special action provisions, however, do not allow for such changes in seasons and harvest limits
to exceed 60 days without conducting a public hearing.

As the Board's intent was to allow OSM to make annual
adjustments in lynx harvest regulations for specified
units using current harvest information and the lynx
harvest management strategy a regulatory change is
needed. To accomplish this change the delegation of
authority letter for lynx special actions should be
withdrawn and the delegated authority should be
articulated in Subpart D.

The effects of this proposal. The
adoption of this proposal would allow the Office of
Subsistence Management to continue making annual
adjustments to lynx seasons and harvest limits consistent
with the lynx harvest management strategy. The new
regulatory language would clarify implementation
procedures and therefore would not be subject to
limitations of special action provisions.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Written public comments.

MR. MIKE: Thank you, Mr. Chair. Written
public comments are summarized on Page 242. Since the
Board Book publication we've received recent updates from
the position of the Copper River Native Association/Ahtna
Joint Committee changed their position on Proposal No. 36
from support to opposing the proposal. And they sent the
letter to the Office of Subsistence Management.

The Copper River Native
Association/Ahtna, Incorporated Joint Committee, which
represents the seven Ahtna villages in the Ahtna Region
is hereby changing its position on Proposal 36 and

Specific to Wildlife Proposal No. 36,
Ahtna does not support the delegation of authority to
just seasons and harvest limits for lynx to the OSM
because it eliminates the participation of subsistence
users in the process.

The Wrangell-St. Elias National Park
Subsistence Resource Commission supports the proposal as
written.

The Denali National Park and Preserve
Subsistence Resource Commission supports this proposal.
The Commission concurs with the justification as stated in the Staff proposal analysis. Passage of this proposal is necessary to address conservation concerns we have regarding WP04-33/34 to lengthen the lynx season by 51 days.

Thank you, Mr. Chair.

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

Okay, go ahead and come on up and state your name.

MS. PENNINGTON: Thank you, Mr. Chair. I'm Donna Pennington from the Ahtna region. We have eight villages in our region that I also am here to testify on behalf, and thank you for this opportunity.

The Proposal 36 will allow the Assistant Regional Director to open and close and adjust all the, et cetera, on this statement. But my opinion is that authority given to this Board cannot just be delegated to its Staff under Title VIII of ANILCA to provide a subsistence priority. OSM is not bound by Staff -- as Staff to protect subsistence under ANILCA. The Staff can only make recommendations to this Board, this Board sets policy. And I'm not sure, having not seen any of their resumes whether they're qualified as Staff members to set policy, nor should precedence be set to change any procedures affecting rural subsistence to align with State regulations on these.

I hear quite a bit that the State -- a lot of testimony keeps coming up to align with State regulations, to align with State regulations. But because Alaska law no longer provides for rural priority in conformance with Federal law, that's why this Board has been handling subsistence since 1990. It cannot be delegated without the subsistence users input.

As I've previously stated Staff reports to the Division of Fish and Wildlife Service in Washington, who reports to the Secretary of Interior, that eliminates this Board from getting reported and our public input on such very important issues of subsistence.

Some questions need to be answered if authority will be delegated. My questions include, what
is the composition of the Office of Subsistence Management? What is their methods of evaluating? Can they override the concept of this Board's decisions? There's not much room for the traditional and local knowledge in the procedure as I see it. I still am concerned about the cyclical cycle of the lynx not being understood by the OSM. This sets precedence on predator fur-bearing animals. I think the other point I wanted to make is that these are predators, they're competing with us for food sources. And since there is a lot of controversy surrounding the Predator Management Policy, I believe that this needs to go in for a legal review.

As a tribal member, I would just have to object. We value our ability to provide input, we very much value it.

Also one other thing I did want to point out and I think it's just a typo, but the dates conflict with -- what is it 34, the one we just passed, the only other point I wanted to make and it goes back to the authority, according to regulatory history, the Office of Subsistence Management in order to adjust the lynx seasons must do it through the use of Department of Fish and Game's harvest tracking management strategy, requiring coordination with Alaska Department of Fish and Game.

To get back to my original point, this is why this Federal Board, Subsistence Board was established, because the concepts conflict, I guess I'm searching for words here.

I'd like to answer any questions, if I could.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: Ms. Pennington, I guess I'm trying to understand, how would you suggest then we would address conservation concerns, and I guess maybe a broader question, would you have the same concerns with how we do in-season management on salmon?

MS. PENNINGTON: Yes, sir. I think my objection is to the procedure, by how policy will be set. In my mind, the Office of Subsistence Management is only Staff and not very many times does Staff set policy. So actually this kind of falls in line with other proposals that will come forth because it does set precedence. And
I don't like to -- I'm really trying to be careful about how precedence is set on animals.

MR. EDWARDS: So I guess then it's view if we would have a conservation concern, it should be brought to the Board and then the Board needs to act upon that?

MS. PENNINGTON: Yes. In my view, only this Board has the authority to change dates, seasons, bag limits, et cetera, only this Board, and that's how I recognize it, in my mind, OSM is merely Staff support to this Board, am I not correct?

CHAIRMAN DEMIENTIEFF: There is one thing we need to correct.

MS. PENNINGTON: Uh-huh.

CHAIRMAN DEMIENTIEFF: We do not delegate policy to Staff. I mean we do, we make the regulations, both fish and game, but we do delegate certain responsibilities to our managers in order for conservation of the resource but they cannot, they do not make regulations at all, and that's the way we work and it's a very common management practice. And the idea, the thing that Gary was talking about is it's a conservation concern for resources.

MS. PENNINGTON: Uh-huh.

CHAIRMAN DEMIENTIEFF: If they're getting hit too hard, the managers in some certain cases have the ability to close the season but they do not make regulation, never have. We take our responsibilities very seriously between the Board members, we make regulations.

MS. PENNINGTON: Mr. Chairman, if I may, as I read it, it says the Assistant Regional -- this will allow the Assistant Regional Director to open, close and address Federal subsistence seasons, and to set harvest and possession limits, that, to me, is policy.

Other questions.

CHAIRMAN DEMIENTIEFF: Yeah, based on the regulations that the Board has already approved and it's just a matter of when we have a conservation concern, then the Staff that we do delegate some certain
authorities in some situations to Staff, but it is a very 
common management practice, realistically it is and it's 
an effective tool. It doesn't mean they can go hob-knob, 
but if we've got a resource that's -- for example, a fish 
run that shows up, doesn't show up in the numbers, then 
we don't have to have a Board meeting, the managers have 
that authority. It's just a real common practice. But 
we set the regulations.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I'm sorry, John.

MR. LITTLEFIELD: Mr. Chair, I don't know 
if it's appropriate to comment, but I think the words you 
were looking for might be the grassroots, from the bottom 
up approach. The Southeast Regional Council has gone on 
record many times opposing proposals that came from the 
Office of Subsistence Management because we feel that 
they should be coming from the people who are out there 
writing a proposal and bringing it up through the ranks.

MS. PENNINGTON: Uh-huh.

MR. LITTLEFIELD: And these particular 
proposals are coming from the top down and that's not 
what this program was designed to do, so I agree with the 
young lady.

Thank you.

MS. PENNINGTON: Mr. Chair, if I may make 
one more point. The only -- my main objection, also, is 
the OSM, the authority granted to them requires 
coordination with the Alaska Department of Fish and Game, 
and to get back to my original point, the reason this 
Board was established was because we couldn't get 
cooperation from Fish and Game.

CHAIRMAN DEMIENTIEFF: Thank you.

MS. PENNINGTON: Thank you, very much for 
this opportunity.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.
MS. GOTTLIEB: I just wondered if it might help if somebody could just briefly explain the harvest management strategy so that maybe we'd understand those principles a little bit better and maybe provide some level of assurance that our interests are met.

MR. LAPLANT: Mr. Chairman. Member Gottlieb. The harvest management tracking strategy which is used by the Alaska Department of Fish and Game and recognized by this Federal Subsistence Board back in the mid-90s takes into consideration the harvest data from the previous year's harvest and that data is usually summarized about this time of year. In fact, we just got the reports from the field biologists yesterday to summarize this past harvest.

We look at the composition of the harvest in terms of the percent of kits in the harvest and in relationship to previous years harvest, the lynx cycle, the population of snowshoe hares and how that population is, what position of the cycle they're in.

I guess I apologize for not having a complete copy of lynx mapping -- or lynx tracking strategy here in front of me.

But it takes into those elements of the lynx cycle and the composition of the population and how much of that was harvested in the past year. And this information comes in at this time of year so it doesn't match up with our regulatory cycle very easily. So if we waited for our regulatory cycle to implement that annual recommendation, and it is an annual recommendation because of the cyclic nature of the lynx. If we waited for the regulatory cycle we'd be a year behind each year.

So what we had been doing is implementing this annual change through special action authority. And when we do that we prepare a complete analysis of the issue, and we had been presenting that to the Board each year and having the Board make that decision. In 2001, the Board delegated the authority to the Assistant Regional Director for Subsistence to make that special action decision each year. And the solicitor's office wasn't comfortable with using special action authority to make that annual change each year, so it was their recommendation that we submit this proposal to move that authority from the special action regulations to Subpart D regulations.
So in a way, it's sort of a housekeeping, it was done under the recommendation of the solicitor's office, and by doing this we allowed this change to take place through the normal regulatory cycle, it receives public review, Regional Councils had a chance to provide their input, we're having this discussion right now.

Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

MR. TONY: Can I ask a question?

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. TONY: What do you mean when you say you're a year behind?

MR. LAPLANT: Well, we've got the information at this time. And if we took that information and prepared a proposal, the next window for submitting proposals is in the fall and it would come before the Board a year from now. By using the special action authority or the new authority that's being requested in this proposal, the Assistant Director for Subsistence can make that decision and we can get that change printed in the reg books, regulation books that will be available the first of July and it will go into effect for this winter season.

So if we waited for the normal regulatory cycle, it would be a year before we could implement it.

MR. TONY: I guess that kind of begs the question about why lynx are special and I mean isn't that the way we operate in all the other species that are regulated?

MR. LAPLANT: I guess the special nature of the lynx is the regulatory cycle and we recognize that the populations, you know, fluctuate, in some cases pretty drastically when the population starts dropping quickly. So to be able to respond to that rapid decline, you know, population gradually increases over the years and then it drops pretty rapidly so we'd be able to recognize that and implement new regulations and to respond to that, it wouldn't be necessary to wait a full year.

CHAIRMAN DEMIENTIEFF: Wayne.
MR. REGLIN: Thank you, Mr. Chairman. The lynx harvest tracking strategy was implemented by the Department of Fish and Game probably in the mid-80s and it's worked extremely well. It allows us to take advantage of the high's in the lynx population and also it allows us to protect the lynx population when they are in decline, so it's detrimental to the population to have too much harvest when they are at that low levels. And we have the same consideration in the State system as you do, the Board doesn't meet every year, they have a biennial cycle, so it just allows us to take advantage of what the biology of the animal is telling us so that we can -- when they have those high numbers out there, the trappers and the hunters can take advantage of them but as soon as they start declining then we can adjust the seasons very quickly.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. You know, Ralph, we are kind of actually getting ourselves and we will have every opportunity to discuss these. You know, we've kind of varied from the points, I think Donna was raising.

If you have comments germane to her testimony she's already left the table, that's fine, but otherwise I'm ready to move on to hear the Regional Council report and get all the information on the table and we will have ample -- or as much time as we need to debate, or discuss the issue.

Ralph, Regional Council report.

MR. LOHSE: Our Regional Council supported this with modification. I think the modifications that we suggested show some of our concerns and some of our concerns align with Ahtna.

One of the modifications we expressed is we would like a maximum season of November 10th to February 28th. We also wanted to make sure that when it said lynx harvest management strategy everybody knew that it was ADF&G's lynx management harvest strategy so we wanted ADF&G included in that name.

The other thing is we also wanted a review of this delegation to the OSM every five years just to see how it was working.
With that said, that's how we supported this with modification.

I guess I had a question that I would have liked to have asked of our last speaker and I think it applies to this and it applies to all of the issues that we've had on lynx up until this point in time, if I may?

CHAIRMAN DEMIENTIEFF: Yeah, you could call her up when we go to discussion.

MR. LOHSE: No, I was thinking of the biologist.

CHAIRMAN DEMIENTIEFF: Okay. Do you wish to call him up?

MR. LOHSE: No, I can ask him later during discussion.

CHAIRMAN DEMIENTIEFF: Okay. Yeah, that's fine, he's not going anywhere.

(Laughter)

CHAIRMAN DEMIENTIEFF: Okay. Staff Committee.

MR. RABINOWITCH: Thank you, Mr. Chairman. On Page 241 of your Board Book, Staff Committee supported this with modification, it's consistent with the recommendations of the Southcentral Regional Council. And although it doesn't say it in your Board Book, I believe it's also consistent with the Eastern Interior Regional Advisory Council, their comments on Page 240.

I don't think I need to read all this. The crux of the Staff Committee recommendation as with the Councils, is to add in the maximum season that this delegation would be for and that's in the bold text, November 10 to February 28th. And I think I can leave it at that, the justification of Staff Committee has here, you've basically already heard presented, so I won't repeat that at this time.

Thank you.

CHAIRMAN DEMIENTIEFF: I'm sorry, Craig,
I should have called on you before we -- we were just getting kind of a little bit off track and I've had to concentrate on getting it back on track, and in the process overlooked you.

MR. FLEENER: No, problem, Mr. Chairman, thank you. As the screen showed and the book shows, we supported with modification complimentary with what Southcentral has written here.

Upon further review of this, though, I pulled out the regulation book earlier and if we are to go with this maximum season of November 10 to February 28th, I notice that two of the regions -- or two of the game management units, 12 and 20 East will have to reduce their seasons. I'm not sure if you're aware of that, their seasons go from November 1st to March 15th, and that's 12 and 20(E) goes from November 1st to January 31st. So I would caution you to -- you might want to pull that out or change it to November 1st.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you.

Department comments.

MR. HAYNES: Thank you, Mr. Chairman. I was relieved, finally, I always try to make errors in our comments and I was relieved to finally reach a comment where I made an error [sic], and Mr. Fleener beat me to the punch.

We support the Regional Council positions on these proposals but in order to accommodate the existing opening season dates for lynx in these areas there are two units in which the opens on November 1, so we would encourage that consideration be given to changing the language in the Staff Committee recommendation with a maximum season of November 1 to February 28, rather than November 10, that way you wouldn't end up with a patchwork of authorities that were delegated and action wouldn't have to be taken at some other point in the process.

Thank you.

CHAIRMAN DEMIENTIEFF: Okay, now Board discussion.

MR. TONY: Mr. Chairman.
MR. TONY: I guess I have a problem with this and part of it is, you know, in the other regulations that we talk about, you know, we talk about the land managers having the ability to make in-season closures if there's a concern. But in this case we're not doing that and it seems -- I don't really understand the rationale. I don't really believe that lynx are somehow a unique animal and have to be managed different than all other animals, you know, in the world. And I guess what's a little troubling to me is reading the discussion part of the Staff analysis talks about that the current special action doesn't allow changes in seasons and harvest limits to exceed 60 days without conducting a public hearing. And I guess that's what's troubling to me about this whole thing, is that, it seems like the intent behind it is to cut the public out of the process.

And, you know, by delegating the authority that this Board has, you know, we have a very public process. I mean our whole process is based on respect for Regional Advisory Councils, respect for, and the review process of allowing the Councils to review changes prior to them being made and it seems like the intent is to, in a sense, maybe subvert or cut the public out of that process, and I have a problem with that. I don't like the idea of doing that.

And I guess I would be opposed to this for that reason.

CHAIRMAN DEMIENTIEFF: Apparently there is some confusion about maybe losing the testimony request, but I'm just going to use the prerogative of a Board member and I'd like to call upon a RAC member, Gloria Stickwan, who has some additional information that we need to hear, and I know she is a member of the RAC. But we, as the Board members, have the prerogative to do that.

So Gloria, can I ask you to come up and help us out. And, again, we don't need to have that form because this is my prerogative as a Board member just to call up for additional information during discussion.

MS. STICKWAN: So I'm speaking as a RAC member here?
CHAIRMAN DEMIENTIEFF: Pardon?

MS. STICKWAN: I'm speaking as a RAC member here, is that what you wanted comments on that, as a RAC member?

CHAIRMAN DEMIENTIEFF: No. You have additional information that I was made aware of but somehow we don't have your testimony but I wanted to just make sure that we were getting all the views represented here, so that's why I called you up. You can be whatever you want.

(Laughter)

MS. STICKWAN: Okay. I wanted to give additional information. I guess when we reviewed this proposal in February everybody agreed to it and then some people went back and read the proposals and we went back after the RAC met and there was some dissent among the -- on this proposal because the way it reads and our understanding of it is that it's delegated authority without an ending to it and that's what they opposed, was the delegating authority to OSM.

At the same time it's like, you know, recent action that was taken by the Federal Subsistence Board on fisheries, we supported that and we thought that was good, so it's like one was temporary and the other one was permanent and that was what they opposed, the permanency of the delegating authority on the closing and opening. That was the reason given.

CHAIRMAN DEMIENTIEFF: Good. I'm glad to hear your voice. It would have been the first Board meeting that I can remember since you started attending them that we would have got away without your friendly advice. Thank you.

Any questions of Gloria.

(No comments)

CHAIRMAN DEMIENTIEFF: Thank you very much. Okay, we'll go back to RAC and Board discussion.

MS. GOTTLIEB: Mr. Chair, I have two questions, please.

CHAIRMAN DEMIENTIEFF: Judy.
MS. GOTTLIEB: One would be this regulation, if implemented would be an annual regulation, just like all the others; is that correct?

MR. BOYD: Mr. Chair. Ms. Gottlieb, that's correct.

MS. GOTTLIEB: And secondly, are we talking hunting and trapping or just the trapping seasons here?

CHAIRMAN DEMientieff: Staff.

MR. LAPLANT: Mr. Chair. The lynx harvest tracking strategy has only been used by OSM for trapping seasons, and that would be our intent to continue using it for just trapping. You see that we do have a proposal for lynx hunting that was just discussed by the Board and we haven't been applying this for hunting.

CHAIRMAN DEMientieff: Craig, you had --

I thought I seen your hand go up.

MR. FLEENER: Yes, thank you, Mr. Chair. I don't know if it's appropriate or not but I was sort of wondering if there's been any time in the past, maybe by the State or Fish and Wildlife Service or any of the Federal agencies, I guess, where we've actually had to step in and officially manage lynx population because we were concerned about their demise during the cycle because -- I guess I ask that because in the Yukon Flats when we're out trapping lynx, when they're not there you don't catch them. So it's sort of a self-regulating trapping.

The trapping out there for lynx is self-regulating so I guess I'm wondering if there's an example of when we've actually had to do this. I really don't want to know about special instances where maybe all of a sudden there was a disease, or a flood, everything was drowned off, I'm more interested in following the natural cycles, have we had to do this before.

Thank you.

CHAIRMAN DEMientieff: Dan.

MR. LAPLANT: Well, Mr. Chairman, Mr. Fleener. We've been using the lynx harvest tracking strategy for 10 years or more now so in my history with
it, that has been the mechanism and the effect of that is
that the bottom of the cycle is not as deep because we
take action prior to reaching that bottom. So, you know,
it allows additional opportunity faster when the
population is recovering and it prevents that decline in
population from going down. Now, in many aspects of it,
yes, lynx are self-regulating, we recognize that as well.
And using the strategy might not be as drastic of a
management tool as some might think but I think it does
help keep the population from declining as far down as it
could without cutting back on the harvest.

It's been recognized that it's most
valuable in areas in Southcentral and that's why it is
only used in Southcentral because trappers in this area
tend to do trapping more based on the opportunity, you
know, it's not as expensive to go out and trap because
you're trapping from the road system. So even though the
population declines, they're trapping is maybe as much
recreational as it is economic, so they would tend to
trap even as the population declines. So that's one of
the benefits of using this method.

CHAIRMAN DEMIENTIEFF: Thank you. Yes.

MR. LITTLEFIELD: Mr. Chair, I have a
question for Staff. You talked about protecting these
lynx. You've been doing that, is what I'm getting from
you, you've been doing that but hasn't that been done
under special actions; isn't that the vehicle and why are
you proposing to change it if it's working?

MR. LAPLANT: Yes, it has been working
and, yes, that is the method we've been using. But as I
mentioned the solicitor's office didn't feel comfortable
with using the special action authority because of the 60
day limit. And some of these lynx seasons extend beyond
60 days. I think originally the Board thought that this
was a special situation and the special action
regulations could be used for this, but more recently
they recommended that we move this authority -- using the
same authority, the same method, the same cycle, using an
analysis, coordinating with the State, but we just do it
under Subpart D regulations rather than special action
regulations, that's really the only change.

MR. TONY: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.
MR. TONY: Do you have any kind of record of what the decisions were that were made under this scheme since you've been doing it?

MR. LAPLANT: Mr. Chairman. I don't have a record with me as to what changes have been made. You know, maybe Chuck might be able to identify which ones or remember which ones we made last year through this method. I started out being involved in this in 2001, that year we made adjustments in Unit 7 and 15, and it was a little bit more broad the following year. I don't quite recall what it was last year but, you know, we've been following the lynx cycle making adjustments in response to that, to those population changes.

CHAIRMAN DEMIENTIEFF: Is there any further discussion.

MR. LOHSE: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MR. LOHSE: I think I know what Paul Tony is getting at and it's the same question that I wanted to ask before and that's the fact that, well, I guess like I said I've been here for five cycles and I've seen high cycles and I've seen low lynx cycles and I've trapped them. And the thing was, when I started trapping there was lynx and lynx have been cycling for as far back as they've got records and people have been trapping them for as far back as they got records and we had a November 10th through March 31st season every year and when the value was down they didn't get trapped, when the value was up they got trapped, and when the cycle was high they got trapped, when the cycle was low they didn't get trapped. But after 200 years of trapping in Alaska there was still lynx when I got there and there's still lynx today.

And it's just like all the rest of these cyclic animals like, I mean, Minnesota decided that on grouse 50, 60 years ago, you don't manage cyclic animals like that, they're going to go in a cycle. And I just wonder if this whole thing is necessary, I guess, is my question on it, or is this just a means of providing window dressing like we actually think we're doing something or possibly like he said in Southcentral where you have road access, it might make a difference, but when you get out into the bush it's not going to make any difference.
I think it's just a management tool that looks good on paper but really doesn't accomplish anything.

CHAIRMAN DEMIENIEFF: Thank you. Yes.

MR. LITTLEFIELD: The reason I had a problem with this is if I was to substitute the word, moose, for lynx in here and moose management plan everybody would be going nuts if we had a proposal like this in front of us. And I think, again, as Staff has said we've handled through special actions whenever necessary and taken care of them, and that's the process that -- and if there's something wrong with it we want those proposals, again, to come from the bottom up, we'll tell you whether there's some -- people that are out there will tell you if there's a problem, probably better than this lynx harvest plan would do.

But I think this sets a bad precedence, Mr. Chair, and I would like to see you reject this proposal.

CHAIRMAN DEMIENIEFF: You know, earlier you talked about using the Regional Council recommendations and basically we have two Regional Councils on record in support with modification, and that's a thing that we have to keep in mind. And I'm sure some of these concerns came up in the RAC meetings, but, you know, those are the recommendations, they're formal recommendations and in the affected area, so we have to keep that in mind.

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENIEFF: Yes, Gary.

MR. EDWARDS: You know, I guess I understand that the RAC's modification is to basically not give the Office of Subsistence Management cart blanche, so it sets both a five year time window and, I guess, harvest window. But I was just curious as to why we went in at January 31st as opposed to February 28th, because isn't the previous we took, for example, in 13, doesn't that season end on the 31st or am I wrong -- so sort of this does give them cart blanche at least to extend it some additional days; am I right or wrong?

MS. GOTTLEIB: Mr. Chair.
CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Well, maybe I better let somebody else answer first, I thought this is only trapping.

MR. ARDIZZONE: I was just going to answer the question that January 15 is the end of the trapping season for lynx in Unit 13.

MS. GOTTLIEB: Thank you.

MR. TONY: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. TONY: One of the problems, I think with this, and maybe part of it is that we're just not understanding it and that's where some of the concerns are coming from is maybe, you know, it's not easily understood. But it doesn't say trapping in the proposed Federal regulation, it says open, close or adjust Federal subsistence lynx seasons and to set harvest and possession limits for lynx in the nine mentioned game management units in Alaska. And I guess, you know, if the intent was trapping, they should have just said trapping in the proposed reg.

Maybe, I guess what I'd like to propose is maybe we could give everybody a little more time to kind of review and understand this fully and maybe give Staff a little more time to articulate clearly in writing what the proposal is and just run it through the process one more time and I don't think it will hurt anything drastically, but that's what I'd like to propose.

CHAIRMAN DEMIENTIEFF: Craig.

MR. FLEENER: Thank you, Mr. Chair. I know that often in the past when Regional Advisory Councils have disagreed or the Board has had questions that they've deferred and gone back and said let's handle it at a later time, that would be my recommendation since there's a lot of confusion. Since the wording doesn't seem to be correct. Since there are a couple of Regional Advisory Committee members that are opposed to it, a few that are in support, let's just put it aside. It didn't come from a Regional Advisory Committee as was so eloquently pointed out by Mr. Littlefield and the lady in the back, I don't know why we can't let you guys handle
it behind closed doors and move on, let's defer it until there's more consensus on the issue.

Thank you, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Well, I think one of the suggestions in terms of working with Staff, and it is almost 5:00 o'clock right now and we're going to adjourn at 5:00. I think probably what we're going to do right now in talking with Staff, they figure it can be done real quickly, so I think I'm just going to go ahead and recess for the day until 8:30 in the morning and have the Staff meet with interested people right now, not behind closed doors.....

(Laughter)

CHAIRMAN DEMIENTIEFF: .....and then we will get to a Board action after that. It shouldn't take very long so let's just get together and anybody who's interested in working on it is more invited and welcome to stay and it can be done very effectively.

So we'll recess until the morning and take it up again.

(PROCEEDINGS TO BE CONTINUED)
CERTIFICATE

UNITED STATES OF AMERICA

STATE OF ALASKA

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

THAT the foregoing pages numbered 2 through 141 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME I taken electronically by Salena Hile on the 19th day of May 2004, beginning at the hour of 8:30 o'clock a.m. at the Millennium 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 28th day of May 2004.

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Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 3/12/2008