FEDERAL SUBSISTENCE BOARD MEETING

MAY 22, 2003

VOLUME III

Millennium Hotel
Anchorage, Alaska

BOARD MEMBERS PRESENT:

Mitch Demientieff, Chairman
Gary Edwards, Fish and Wildlife Service
Dr. Wini Kessler, Forest Service
Henri Bisson, Bureau of Land Management
Judy Gottlieb, National Park Service
Niles Cesar, Bureau of Indian Affairs
Keith Goltz, Solicitor
CHAIRMAN DEMIENTIEFF: We'll call the meeting to order. We're back on Proposal No. 5. And as we begin the discussion the discussion we have an amendment to the Regional Council recommendation that's on the agenda. And let me just speak -- I speak against the amendment even though our Cesar made the motion, I've got to speak against the amendment.

And let me just say this, having slept on this issue and staying up late at night, you know, thinking about this, let me give you my observations on why I will not vote for this amendment. I will not vote for any amendment and the reason is, is that we have failed as an institution.

Last year we asked for a stakeholders group to come together and do work, work on this issue. And it's been our somewhat more than casual observation that as we sit down at the table, or stakeholders sit down at the table that we find out that we are not very far apart on issues and that there's some give and some take. We involve the RAC, the local people, both rural, non-rural, advisory committees, Feds, State and we find out that we're not very far apart and we've worked out very many thorny issues. We asked for it last year and we didn't get it.

However, in the absence of that the Regional Council has done its homework. They have done and they have crafted up, maybe not the most perfect of solutions but they have crafted up a plan and we haven't done ours. So in the absence of our work, I intend to vote straight down the parting line for the Regional Council recommendation because they have done their homework, and until we do ours I will vote against anything that comes up that is contrary to the Regional Council recommendation.

The only thing that I will support, the only amendment that I will support is to make it a one year regulation until we do our work. That is the only thing that I, personally, will support. So just so you know, as the Board works on this, to come to some resolve, that's where I'm coming from and that's where I intend to vote consistently all day. And so I don't really need to -- you won't hear too much from me, I'll
just direct traffic and let the Board go where it may,
but we have failed as an institution, failed, we haven't
done our work. Other discussion.

MR. EDWARDS: Mr. Chairman, other than
that, how do you feel about this issue?

(Laughter)

DR. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

DR. KESSLER: As representing the lead
agency that has the charge with proceeding with the co-op
planning, I just, for the record, want to get on the
record that we have failed in completing the co-op, and
having the co-op process results ready for this meeting.
We certainly haven't been sitting idle. And as you know,
we have been very hard trying to pursue this process. We
encountered a number of thorny issues, several of them of
a legal nature. We've worked through those issues and
we're ready to proceed and we are, as before committed to
proceed with this co-op planning exercise.

CHAIRMAN DEMIENTIEFF: Wini, let me point
out that I'm not saying this to be critical, I'm not
criticizing or blaming anybody. I'm just pointing out
the fact that we didn't do our work so we -- and I'm not
saying Forest Service, I'm saying, we -- I think the
words were, we, as an institution have failed. We have
failed our process. And I'm not putting the blame on
anybody. I'm just saying that we have failed to do our
work.

MR. CESAR: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Niles.

MR. CESAR: As one who is not accustomed
to failure, you know, I'm going to move ahead because I
think we need to draft a compromise that we can live with
for this season. And after -- I didn't sleep on this
issue, I was watching a movie, but I do think that I've
had some discussion with both RAC committee members, as
well as other people and I believe that it is my job, my
responsibility to try to get this thing moving so that we
can have a reasonable season this year while we wait for
the outcome of more work done by the co-op group.
And I'm trying, in my mind, and I ask the other Board members here to help me. I know what I want to do it's just a matter now of the process I need to go through to get this on the floor. And I think after thinking about it a bit it would probably be easier for me to withdraw my amendment and withdraw my motion if the second would agree and then come back in with -- I'm think you did Henry, yeah. So I will move, at this point -- Gary -- Gary did, I knew it was somebody down that way.

I will move that I withdraw my amendment and....

CHAIRMAN DEMIENTIEFF: Let's deal with that first. The maker of the motion to amend is withdrawn, do we have the consent of the second, which is Gary?

MR. EDWARDS: And you're going to come forward with something else?

MR. CESAR: Better.

MR. EDWARDS: I'll withdraw my second, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Okay. So the amendment is off the table.

MR. CESAR: Okay, so what is left on the table?

CHAIRMAN DEMIENTIEFF: The Regional Council recommendation.

MR. CESAR: Okay. Now, I move for the adoption of the Regional Council recommendation with the following modification.

First, I move that we raise the limit back to four. That we do not tinker with the bag limit. And that we close Unit 2 for the taking of deer by non-subsistence users for the period of 1 August to -- is it 30 days in August or 31, I'm having a tough time today, until the end of August, at which time it will reopen for the taking of deer by all rural residents and the bag limit will remain at four.

Now, I'd like a second on that so we can
discuss it.

CHAIRMAN DEMIENTIEFF: Is there a second.

MS. GOTTlieB: Second.

MR. CESAR: I don't have any real pride of authorship in this thing and if we need to tinker with it, I ask other Board members to help me in this process.

MR. EDWARDS: Mr. Chairman, if I could respond. I would certainly concur with that portion that deals with keeping the bag limit at four. I guess I have some fundamental concerns with extending it to the extent that is being suggested.

Currently what we did with the previous consent agreement, we've added 17 days of, I don't know if you'd call it exclusive hunting but certainly hunting that would just be available for subsistence users. Also in part of the discussion that we had yesterday and kind of reflecting upon the amendment that the community of Craig added later which talked about this core area which was similar to which the Staff Committee -- but I did hear some very persuasive arguments as to that that does leave out several communities that didn't have an opportunity to weigh in on that. And we also heard that outside of -- within that unit there are other places that may not be as problematic as far as hunting pressure might go.

So I was thinking along lines of something that would sort of have a core area, but the core area would be the entire island and not the entire unit. And so we're looking at something that would be more along those lines with the season from the July date to the August 10th date, which was actually in the RACs original recommendation. So that expands the area that's sort of exclusive but, yet, at the same time doesn't exclude non-subsistence hunters from using these other islands, which I understand although are not heavily used would provide the opportunity for that to occur.

MR. CESAR: Mr. Chairman, again, I don't have any heartache with that. I was just trying to bring something forward. And I'm looking down at the RAC member because I want to support them in as much as I can and I don't see any disagreement coming from him for you amending my motion, Gary, so -- or can we ask the RAC member how he feels.
MR. LITTLEFIELD: Mr. Chair. Mr. Cesar.

I have a couple questions. Number one is I don't think you want to strike that through, I don't think that's what you said. That I think the intent of that is just to change the word two to four, because we still want to maintain that as part of the regulation so we're not striking through that bottom section.

The comment on Prince of Wales, including all of Prince of Wales and the other islands I think is well taken. Because that would include all the other communities and specifically Hydaburg which did protest as well as other communities on the north end. That's not exactly what we approved but it's in the spirit of that. We were looking at the original proposal.

But if you give away some you need to somehow keep that percentage that we weighed. We tried to balance these. So if you're taking away some you need to give back in others. And adding some of the days back to August 31st, I think it might be a good compromise. It sounds reasonable to me, but obviously as the RAC, we support the RAC rationale, but this seems to have some merit.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: If I might perhaps another question for the Southeast Chair. My understanding and I know you explained real carefully about the core area and people's distaste or just not having worked on it to design it, that that would not be as acceptable. But my question on the timing, I thought I understood from the discussions at the RAC that people, of course, were trying to make it -- to craft a solution as least disruptive to people from Ketchikan and also the timing issue had something to do with when schools were closed in Ketchikan so that people could bring kids over and learn how to hunt or where some of the areas were. So a closure of all during August would change that idea then.

CHAIRMAN DEMIENTIEFF: If I might before -- I'm going to have John respond. But I'll point out that we have, by special action, you know, taken care of those requests in the past, you know, for organized functions. And if that's -- we do have a process to deal
with that and I just point that out that if there is a
school group or, you know, a group of young people that
somebody wants to take somewhere we have allowed that in
past practice very commonly.

John, go ahead, you had something.

MR. LITTLEFIELD: Thank you, Mr. Chair.

Yes, we did discuss this as I mentioned earlier, quite a
bit, at great length, of the effect of our actions on
other users and you can see that in our recommendation
and rationale as well as others.

But if we get back to this particular
one, apparently there's some give and take here, what you
guys are trying to do is come up with some give and take.
If you only give the proponents the seven -- or the 10
days in the first of the month and then take away the two
bucks and go to four, well, then you've taken away
something from them and you need to add back something to
1 even up the mix. So the way to do that would be to give
2 them the more days.

In other words, we considered this as far
back as January or excuse me, the Juneau meeting in 2002,
I believe, where we considered closing down all of this
just exactly like this and we supported that at that
time. We still support that except we were trying to
balance things this time and if that can't be done, if
you won't support the RAC rationale then we would like
you to give back some other time and perhaps in days is
the way to do that.

MR. EDWARDS: Mr. Chairman, let me ask,
is there any flexibility with the Proposal 4, which
started the start date earlier in July. I don't know
what the implications, if you would start it, pick up
some additional days in July, what the implications of
that. So I guess I'd either ask the RAC Chair or the
State or Staff or whoever knows more about the
implications of that than I do.

CHAIRMAN DEMIENTIEFF: Go ahead, John.

MR. LITTLEFIELD: Mr. Chair. Yes, we
could make that date the first of January [sic]. But the
fact of the matter is that July is a heavy subsistence
use month for sockeye, for other fish and people are
basically doing other things in those months, during that
particular time.
I agree with Proposal 4 entirely. It provides an additional opportunity but it doesn't change any of the numbers at all. It just allows them to have unimpeded time where they can hunt -- the Federally-qualified users have a head start on the other users. But pushing that to the 1st of July I don't think is going to do any good at all. I don't think it will be used very much. Some people will use it but not very many.

MR. BISSON: Mr. Chair, I guess the question in my mind more is if you took away the July hunt and extended the August hunt, say, by a week so that you end up giving the folks from Ketchikan, at least, the last week of August or the last eight or nine days of August when the kids are not in school yet to go out and hunt, so that you still end up with 17 or 18 or 20 days but it just wouldn't be in July it'd be in August. Would that be preferable to July, whatever it is until August 10th, which is the way, you know, between the two propositions you would end up with now.

It would eliminate that overlap with fishing for the sockeyes.

CHAIRMAN DEMIENTIEFF: Yes.

MR. LITTLEFIELD: Mr. Chair, I'm not certain I understand that. In other words, would you propose that the dates would be, say, July 24th to August 24th, is that what you're.....

MR. BISSON: No, August 1st to say August 21st, which would be a three week closure in August, but there would be no July open season.

MR. LITTLEFIELD: Obviously you realize that I can't be negotiating these. I mean the position of the RAC is the position of the RAC. But as a personal opinion I think that's a move in the right direction. The spirit is there that we need to give them more days. How many days, I don't have the ability to digest all that. Look at all those six pages and you know hard it is to come up with those numbers, I don't know what they are.

MR. BISSON: Mr. Chair, I guess in my mind, you know, it's my personal feeling that if we -- you know, and it's not to say we shouldn't go there because of concerns about legal ramifications but if we
go to a two buck requirement, I think we're going down a
path that's going to lead us into litigation. But I
think that to accommodate the subsistence users, to make
sure that they're able to do what they need to do, I
think that if we were to go with a 21 day closure in
August and with no closure in July, basically no season
in July then that's about a three week advantage at a
time when they're not going to be red fishing. And if we
did it for the island, which has been suggested in
previous discussions, so that people still, if they have
boats or they choose to hunt on other islands within that
unit, which are not affected by this issue, to me, that
seems like a reasonable proposition.

CHAIRMAN DEMIENTIEFF: Let me just --
let's just resolve this very simply. This is not the
forum for a potential legal issue with regard to the two
buck issue. It's just basically a two buck issue. But
let's just -- I don't want to sit here and argue, you
know, the merits of the case. Let me just ask the
Department of Law, is that something that Department of
Law would challenge, just simply yes or no?

MR. NELSON: On the bag limit, Mr.
Chairman?

CHAIRMAN DEMIENTIEFF: Yes.

MR. NELSON: Yes.

CHAIRMAN DEMIENTIEFF: And Keith, you've
done some research, I know, just simply yes or no, is
that something that you feel that we can defend?

MR. GOLTZ: Yes.

CHAIRMAN DEMIENTIEFF: Okay.

(Laughter)

CHAIRMAN DEMIENTIEFF: I don't want to --
this is not a court of law. And actually Henry if there
is a lawsuit against us, it will be the very first one.

(Laughter)

MR. GOLTZ: No.

CHAIRMAN DEMIENTIEFF: Okay, so we do
have a.....
CHAIRMAN DEMIENTIEFF: We do have an amendment, any further discussion on the amendment, no -- I mean you amended or made a motion.

MR. CESAR: I amended.....

CHAIRMAN DEMIENTIEFF: Oh, you made a 10 motion to.....

MR. CESAR: I made a motion to amend the 13 RAC Committee recommendation. We are now having 14 discussion on that. And as I said before, we're looking 15 for something that will fly. I think that maybe Henry 16 has something he wants to -- to amend the amendment.

CHAIRMAN DEMIENTIEFF: Right. Right now 19 we have before us a motion to adopt the RAC 20 recommendation, okay, and then now on that we have the 21 amendment that you offered, okay. So that's where we're 22 at procedurally. Because a motion was made to get it on 23 the table. You voted to -- or you made a motion 24 yesterday to move to adopt the minority opinion, which is 25 the RAC recommendation, okay, and now you have that 26 amendment on top of that, so that's where we're at 27 procedurally.

MR. BISSON: Mr. Chair, as I understand 30 what happened this morning the motion from yesterday was 31 withdrawn and what we have is Niles amended RAC 32 recommendation.

CHAIRMAN DEMIENTIEFF: No, this morning 35 Niles withdrew his first amendment, which was closing to 36 October 31st.

MR. EDWARDS: I don't think it was an 39 amendment, I think it was a new motion that basically 40 rejected the other ones and came up with a new motion.

CHAIRMAN DEMIENTIEFF: No, the motion was 43 made.....

MR. CESAR: That would be my intent.

CHAIRMAN DEMIENTIEFF: ....to get this 48 on the table to move the minority, okay, and then the 49 amendment, and that's the motion that he withdrew was the 50 amendment.
MR. CESAR: Somehow I feel like I'm not in the room. My intent is this. That I withdraw any motions that I have previously made in favor of coming forward with a new motion which accepts the Regional Advisory Committee recommendation with modification. And that's -- that has been seconded and I believe, and my intent was we're at the point of making that modification to the RAC recommendation.

CHAIRMAN DEMIENTIEFF: And that's exactly what we have on the table right now. We have a motion to amend the recommendation of the Regional Council. That's where we're at. Then we have to come back and deal with the main motion. The main motion is still on the table, we haven't withdrawn that.

MR. CESAR: Well, you can -- there's about 75 ways to skin this cat and I think we're looking for the one that we, as Board members, most understand and that understanding is that we have moved to accept the Regional Advisory Committee recommendation with the following modifications that we're working on right now. And we've had a discussion on that and there have been several changes in thinking here and I just want to see if we have, right now, an understanding by the majority of the Board members so we can vote on this. And in as much as the Chairman is not going to support it anyway, and he stated that, I think the discussion is between the remaining Board members.

Let's go.

MR. BISSON: Could I perhaps read what I think, at least, in my mind what -- offer something up here and that would be an amendment to the Council recommendation that could read as follows:

Federal public lands on Prince of Wales Island are closed to the taking of deer from August 1st to August 21st for hunters who are not Federally-qualified subsistence users.

We don't need to get into the harvest limit. The State limit is four, it's not changing, there's no change there whatsoever, so we don't even need to get into that issue. If we set a four buck limit, then, you know -- and I'm even willing to make this, you know, for one year, the Federal public lands on Prince of Wales Island are closed to kind of force the issue so it
comes back next year. If the local committee doesn't get it resolved, then we'll decide it once and for all next year, but let's put this in place for one year as the Chairman has suggested and kind of force people to sit down and try to get this worked out within the next year.

But it gives them 21 days and, you know, I don't -- the issue about the hunt in July, you know, I don't know that it gives anybody anything one way or the other because nobody's going to be out there so if you count the time in July that basically gives them almost a month which is what they were looking for.

MR. CESAR: Well, that's my understanding of the motion and so to move this, I'm trying to frame that in my mind, so what we would do is accept the Regional Advisory Committee recommendation with the following modification and the modification would be:

The taking.....

Why don't you add that for me, Henry, if you wouldn't mind.

MR. BISSON: Federal public lands on Prince of Wales Island are closed to the taking of deer from August 1st to August 21st for hunters who are not Federally-qualified subsistence users.

DR. KESSLER: And the rest is struck.

MR. BISSON: And the rest is struck.

MR. CESAR: Have we talked about this enough or what?

CHAIRMAN DEMIENIEFF: Wait a minute we still have your motion before us to the end of August.

MR. BISSON: So I guess the question is, do we -- this is a friendly amendment to your motion and I'm not sure procedurally how to make this happen.

MR. CESAR: Procedurally we need to vote that up or down and then go back to the main motion. So I move for the question on the friendly amendment.

CHAIRMAN DEMIENIEFF: Okay. So you made a motion for a friendly amendment.
MR. BISSON: I made a motion and somebody needs to second it.

CHAIRMAN DEMIENTIEFF: Is there a second.

MS. GOTTLIEB: I'll second it.

CHAIRMAN DEMIENTIEFF: Okay. We have an amendment to the amendment. All those -- if there's no further discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Judy.

MS. GOTTLIEB: Could we have it on the screen before we vote.

CHAIRMAN DEMIENTIEFF: The amendment is to change Niles' amendment from the 31st of August to the 21st, okay, so we vote that up or down. Is there any further discussion on that amendment?

Wini.

DR. KESSLER: I'm confused as to whether in the package we're considering is by Federal permit, is that correct, is that verbiage going to get in there, which would be really important to have -- to begin to have the information we need.

MR. BISSON: None of these amendments include those words, do they?

DR. KESSLER: I think so.

CHAIRMAN DEMIENTIEFF: Well, let's deal with the dates first, okay. We got this amendment, it gets the dates clarified. Okay, let's deal with that and if you want to -- okay, and also the amendment is not to change the bag limit, is that correct?

MR. BISSON: Basically if you strike that sentence out it doesn't change the bag limit. I mean the bag limit is whatever the State set, which is four currently. If the State went out and increased it to six then I think it would cause us to have to look at facing up to this issue, but if they stay at four and we're saying it's going to be four, we don't really have to do anything.
CHAIRMAN DEMIENTIEFF: Was that part of your amendment, I was kind of part of Niles, yeah, that was part of yours. Okay, that -- okay, I got it now. I'm sorry I was asking some procedural questions and I wasn't tracking.

MR. BISSON: The difference is that Niles proposed.....

CHAIRMAN DEMIENTIEFF: Right. You're just changing the.....

MR. BISSON: .....that we set a four buck limit.

CHAIRMAN DEMIENTIEFF: .....date at this point.

MR. BISSON: All I'm saying is we'd just take it out and be silent on the issue.

CHAIRMAN DEMIENTIEFF: Right, okay. So all of those in favor of the amendment to the amendment, please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: All those opposed, same sign. Aye.

MR. CESAR: So what we have now then.....

CHAIRMAN DEMIENTIEFF: We now have the amendment which changes the date. My understanding is that you were talking about Prince of Wales Island?

MR. BISSON: Yes.

CHAIRMAN DEMIENTIEFF: It's only Prince of Wales Island.

MR. BISSON: That's correct.

CHAIRMAN DEMIENTIEFF: And the other outlying islands just so we clarify, remain unaffected by this action?

MR. BISSON: Correct.

CHAIRMAN DEMIENTIEFF: Okay. The permit
DR. KESSLER: Well, that's what I wanted.

CHAIRMAN DEMIENTIEFF: Okay.

MR. BOYD: Actually it's not, that only applies to antlerless deer, so we would have to add Federal permit language.

DR. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

DR. KESSLER: A wording change would improve this so that the Federal permit pertains to where we want it and not just to the antlerless portion. So it would read:

Unit 2 deer. Let's see, four deer by Federal registration permit only.

However.......

CHAIRMAN DEMIENTIEFF: On Prince of Wales Island. Because that's the action that you took.

DR. KESSLER: The bottom paragraph closes the non-Federal subsistence and we're dealing with the top here trying to put the Federal permit requirement in the right spot is all we're trying to do and I think we have it.

MR. BISSON: So what you're proposing is that it would read under the C&T use determination:

Rural residents Unit 1A, 2 and 3, four deer by Federal registration permit only, however, no more than one may be an antlerless deer.

And then you could actually put a period after December 31st. Because they're going to have to have a Federal permit, you don't need it in two places, it's just in the wrong place is what you're saying.

DR. KESSLER: Uh-huh.

CHAIRMAN DEMIENTIEFF: Is that a motion to amend -- it's administrative, okay, then we don't need
to deal with it then. Okay, good.

MR. BISSON: Mr. Chair, there was an issue, I did offer to make this proposal in place for one year, and the question I have is should we be that specific. I think that having it for one year actually forces people to get this resolved before next year or we may take a different action completely.

CHAIRMAN DEMIENTIEFF: Well, as I said in my opening remarks that's the one amendment that I could support, that we sunset it. That this is a one year operation and the stakeholders get to the table and work things out. So if you want to move to amend the.....

DR. KESSLER: May I, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

DR. KESSLER: To get some clarification. If this were to be for one year only, would it automatically next year be replaced by the existing one, the one that preceded it, the old one?

CHAIRMAN DEMIENTIEFF: Correct. Correct.

MR. BISSON: Unless a new proposal is brought forth.

CHAIRMAN DEMIENTIEFF: Correct.

DR. KESSLER: Okay. Supersedes it, okay, thank you.

CHAIRMAN DEMIENTIEFF: Henry are you offering an amendment?

MR. BISSON: Yes, I'm offering to amend this modification so that it's only effective for one year. And I'm not exactly sure how to word that.

CHAIRMAN DEMIENTIEFF: That's it. That's good enough. We'll let the regulatory people do that, we know what the intent is. Is there a second to the motion.

MS. GOTTLIEB: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion on
MR. BOYD: I think it's important, maybe, to capture the language in here so that it keeps everyone in formed. However, I would remind the Board that these are annual regulations. They do, in fact, sunset every year, and having this language does instruct us to provide some clarity with regard to what we're doing here. But as a technical matter they do sunset every year.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: You know, I see what you're saying, Tom, but I think if we didn't put the sunset in then it puts the burden on users or others to come forward to us with new ideas or proposals and I think in this way it's the Board trying to take more of a share of that responsibility and demonstrate the willingness to work together with all the affected parties and user groups to keep after this issue so we can come to more consensus than we'll have today.

CHAIRMAN DEMIENTIEFF: Any other discussion on the amendment. John.

MR. LITTLEFIELD: Thank you, Mr. Chair. I have a question on the Federal registration permit, and wondering whether that should be just registration permit. Is your intent to get the State deer under a Federal registration permit, too, or I don't understand what's going on here. I fully support the requirement for a registration permit and we need to do that. But I'm just wondering if this language is the correct way to do it. Maybe the State could weigh in on that. Because it seems like we're asking the people who are hunting on Native lands and other lands, too, as well to provide -- I'm not -- I'm just not clear exactly how that's going to work with the Federal requirement.

CHAIRMAN DEMIENTIEFF: Fish and Game. Kim.

MR. TITUS: Hi, this is Kim Titus. In reading that, I will note that's pretty complex. I would suggest that that be taken up among the agencies in terms
of the intended -- the intention here, which I suspect is
some type of permit for those hunters, those Federally-
qualified hunters hunting on this early season on Prince
of Wales Island. That's not exactly what the first
paragraph says. So by inference a Petersburg hunter
could be on Heceta Island, which is in Unit 2 hunting
deer under a State permit in -- and it's more than this
Board wants to deal with but there are some pretty
important nuances between State and Federal permits or
non-permits that can have some pretty unintended
consequences here relative to -- because a Unit 3 hunter,
such as from Petersburg can still hunt under -- can sort
of choose which they want to hunt, which is part of the
issue with one of your other proposals on marten
trapping. And unless this is carefully crafted, it can
be a bit messy.

I would suggest the Board might not want
to work through all that here because it might be messier
than any of us can think through.

CHAIRMAN DEMIENTIEFF: In our -- go
ahead, Tom, you had something.

MR. BOYD: I would just add that I would
concur with Mr. Titus, as I've been sitting here trying
to understand the implications of that language change.
I haven't been able to sort it out. I think I would want
-- I agree there are some -- probably some unintended
implications of crafting it with this exact language here
and I think the intent here, though, is that we want to
somehow cover the user during periods and in locations
where it's different from the State, i.e., when we close
the Prince of Wales Island, as suggested here, to non-
qualified subsistence hunters, or restricted only to
qualified subsistence hunters.

So I think I guess I would ask the
Board's indulgence to try to work with this language and
work with the State to come up with a permit system that
is accommodating during those periods and in those
locations.

CHAIRMAN DEMIENTIEFF: Keith, you had
something.

MR. GOLTZ: Yeah, let me just put my
shoulder behind Tom's comments. The Staff is peopled by
extraordinarily good regulation writers. I think the
Board, if it states its intent can leave the exact
language to them. They really are very good.

DR. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

DR. KESSLER: I'm comfortable with
stating the intent and having it crafted by the experts.
But our intent, I think, is really two-fold. You know,
the permit side of it is one and where we really need to
go to as we approach the co-op management and all that
goes with that, is better information about the deer
population, the deer harvest and all of that. So if
there's -- so if the intention could also include some
reporting mechanisms. If they could work on that as well
to improve our information about this resource and about
the levels of harvest by different users that take. If
there's some way we can include that as well would be
beneficial to the users and the resource.

CHAIRMAN DEMIENTIEFF: Well, let me, you
know, the intent is to keep track of the harvest, okay.
So simply put, since we do have, you know, a cooperative
working arrangement with the State, I think simply an
amendment to put by Federal or State registration permit
only and let the managers work it out. That would be the
amendment that I think would -- so they're not mandated,
we're not mandated, we're just going to -- the managers
will work together to find the best way to track the
harvest. That's what we're trying to do.

So that's my suggestion is that you go
with Federal or State registration permit and strike the
only. However, I can't make the motion.

MR. CESAR: Mr. Chairman, it seems like
we're trying to run this through some kind of minutia. I
mean it seems to me like when you pass a motion you
express your intent of the motion and you give Staff
guidance to create a permitting system which will reason
-- which will account for the harvest, and then the Staff
in their wisdom crafts something and that's what happens.
I mean if we sit here today and try to figure out and the
second sentence should read this we're going to be here
forever and invariably we're going to screw it up.

MR. BISSON: Mr. Chairman, I believe the
Staff has actually put a sentence up there and they made
some modification to it that I think expresses what you -
and it's fine with me. I mean it gives the Staff the
flexibility to work with the State.

And basically what it says is the intent is to have Federal or State registration permit when needed and to provide for harvest monitoring. That's probably all we need to say about it.

CHAIRMAN DEMIENTIEFF: Is that a motion to amend?

MR. BISSON: Yes, it is.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. CESAR: Second.

CHAIRMAN DEMIENTIEFF: Discussion.

MR. CESAR: Question.

CHAIRMAN DEMIENTIEFF: Been called for.

All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: All those opposed, same sign. Aye.

CHAIRMAN DEMIENTIEFF: Okay, now we have the main motion before us as amended and amended. Is there any further discussion on the main motion.

MR. EDWARDS: Mr. Chairman, my understanding is what we have done that is different from the RAC recommended is that we kept the limit at four, we reduced the closed area to just Prince of Wales and we provided 11 more days of hunting opportunity. And if that's the case what I'd like to know, ask both the RAC and the Staff and the State, what they see is the consequences that we may have missed doing any of that.

CHAIRMAN DEMIENTIEFF: John, do you have any observations?

MR. LITTLEFIELD: Thank you, Mr. Chair.

As I stated before the RAC has taken a position. Personally, I can give you my personal opinion only on this, I think this is a step in the right direction. No one at the RAC meeting thought that this would solve everything. It's important to note that these are up for
reconsideration every year. I suspect that if the people of Craig, Kasaan, Hydaburg and the others of POW are not happy with this that you'll see it again next year. But hopefully that's going to go before the planning committee so we can get this resolved. So I would say it's a positive step. I don't see anything wrong with it right now in my personal opinion.

CHAIRMAN DEMIENTIEFF: Dave or anybody.

MR. JOHNSON: Mr. Chair. Gary. I wouldn't comment or speculate on what the proponent of the proposal would say or do or accept.

MR. EDWARDS: What about the implications of the action for the subsistence hunters as well as impact on non-subsistence hunters.

MR. SCHROEDER: Mr. Chair. Gary. Obviously there's improved subsistence opportunity. Just as Mr. Littlefield, seconding what he said, whether this will meet the perceived subsistence needs on the island, we really don't know. I think -- my personal view is I think it's very positive to do something and to step off the line on this and it sends a good signal that the Board is paying attention to subsistence users and that we need to do better planning work in this area.

CHAIRMAN DEMIENTIEFF: State.

MR. TITUS: Thank you, Mr. Chairman. I think there are a couple of implications to this. First of all, from a deer population standpoint and the harvest of male deer and the fact that many of these August hunts are alpine hunts. That there probably is no -- this action, from the standpoint of the deer population, it's probably unnecessary in my opinion.

One of the other potential impacts of this is on non-resident hunters that, and perhaps guided hunters that choose to hunt trophy Sitka black-tailed deer in the alpine in velvet on Prince of Wales Island, and while there aren't scores of those people they probably already have their hunts booked and they will have to cancel or go to Native corporation land if they can be permitted to go there and gain that access or to hunt in other areas in Unit 2, such as perhaps the alpine on Heceta Island. Whether those things are feasible or not, I can't say, but there are probably a small number of non-resident hunters, because this area is advertised
somewhat as a bit of a trophy Sitka black-tailed deer hunting area there are non-resident hunters that do hunt there and they will be precluded on basically short notice.

MR. EDWARDS: Just a follow up question. I'm assuming that impact would be there whether it was the 10th or the 21st, right?

MR. TITUS: That's true. And, you know, how much of it is I can't say.

MS. GOTTLIEB: Mr. Chair. Another question for Kim. I couldn't quite hear one point before the guided hunts, you said something was unnecessary and I didn't quite hear what you said.

Thanks.

MR. TITUS: Well, many of the people, or at least some of the people that go to Prince of Wales Island on -- both residents of Prince of Wales and Ketchikan hunters and others from Southeast Alaska, I know Juneau hunters that go to Prince of Wales in August, I don't know when, and they traditionally conduct alpine hunts there. I don't want to say it's a popular activity like you run into hundreds of people in the alpine, anyway, from a biological standpoint the harvest of male deer there and many of the hunters that hunt there in August try to harvest large male deer, that -- that opportunity is lost or at least some of it is lost and from a standpoint of a deer biology standpoint it's probably unnecessary relative to the health of the deer herd.

CHAIRMAN DEMIENTIEFF: Any more discussion on the main motion as amended and amended.

(No comments)

MR. CESAR: Question.

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: All those opposed, same sign. Aye.
Okay, good, well, I'm really satisfied that we made some progress and we know we've got a mandate to go down there and get the work done to resolve and come back with a solid proposal. So I'm really comfortable with that part.

MR. EDWARDS: Mr. Chairman, one of the things I guess I'm a little concerned about is that we're going to get this group together and this approach and it's going to be critical that we have good data to do that. And I guess I'd like to ask the State, during this period will you be getting information from non-subsistence hunters? My point was that we really need good data here if we are trying to get a resolution to this and so everybody's kind of speaking from the same sheet. And if we have a gap in that data then it seems to me it's going to make it even more difficult. And I don't know what does or does not take place, as far as harvest data from the non-subsistence hunters, but that would seem to me would be an important factor in all of this.

MR. TITUS: You know, we -- the State has struggled for a long time about this deer permit harvest ticket reporting system and, you know, that's something I have to talk to my leadership about and what authorities we have to institute other things. I'll point out that the Board of Game has consistently voted -- or not adopted various types of increased reporting requirements around the state over a number of years largely in deference to rural users and the fact that in many cases they don't want to have more stringent reporting requirements.

I guess we'll run this up the flagpole again through our Board system. In fact, I know there is a Board meeting this afternoon, Board of Game meeting, so maybe I can get that inserted, at least as an information in that teleconference this afternoon.

CHAIRMAN DEMIENTIEFF: Thank you. John, did you have some comment.

MR. LITTLEFIELD: Thank you, Mr. Chair. I appreciate your vote on this. I think that people will appreciate your taking action. The Board taking some positive action. There is one thing that's left unresolved and I'd like to get -- maybe the Board could take some action on that.
In our Hoonah meeting, wildlife meeting, we passed a resolution that specifically said that the RAC wanted to run the planning process under a subcommittee that was under the control of the Regional Advisory Council. That was our position then in Hoonah, it's till our position today.

We're a couple years down the road and like you said, we haven't done that yet. And I'd like to prod the Board into taking some action on that, directing either us to do that or some other that this be done. And we're fully prepared to do this. We've already -- we have members who are right on top of this and can take care of it. So I would urge you to somehow take some action on the planning process so we can get this moving. Because we need to look at this, in conjunction, as the Chairman mentioned, with the rural users, with the State, with all the players, we need to get together and discuss this and see whether we can come to some consensus or not, and hopefully before next year.

CHAIRMAN DEMIENTIEFF: You know we do have some responsibility on our side of it. And Wini, I don't know what you feel about this, but maybe if we had co-Chairs, with the RAC and the Forest Service. Go ahead, Ken.

MR. THOMPSON: Yes, thank you, Mr. Chairman. I have been given the lead Staff responsibility for implementing this. And as you know and as Wini's pointed out, we've had a number of hurdles, some of those being legal hurdles which we discovered late in the year, which we had to have addressed and try to overcome. We believe we've worked through those hurdles. There are some participant questions. I can say for sure now that we have worked through those legal hurdles and we will have a cooperative management planning process that will involve the Council, it will involve the Federal managers, key stakeholders, the State and that will be implemented. The scoping part of this planning process will be implemented very shortly.

As to assigning lead on this, I would suggest that you let us follow through on that and assure you that there will be co-equal -- co-equal representation in this planning process involving the Council and involving the key stakeholders.

That's kind of where we are now.
CHAIRMAN DEMIENTIEFF: Well, all I'm saying is that, you know, I understand that administratively we have to have, you know, we obviously have to be involved in putting this together both organizationally, everything. But all I'm saying is that in deference to the Regional Council resolution is that we should seriously consider having them co-Chair with Forest Service. I mean I think that's reasonable. You're talking about somebody who can get the people that -- the local users to the table, we would leave that up to the Regional Council. Okay, now, you're talking about your -- obviously the agency has to be involved to get the agency people there and to do the organizing, okay. But I'm just saying that I think it's important that we consider the request and that we -- whoever is the lead person for Forest Service, that also has equal weight with whoever the Regional Council designates to be there. Because that's equally important.

MR. THOMPSON: Mr. Chairman, I may not be entirely capturing what the intent of your concern is but I could assure you that this cooperative management planning process, there will be equal voices, I mean that's the whole point of the cooperative management planning, is that everybody has an equal voice in trying to craft a solution. And no matter how we structure this administratively there will be Regional Council representation in this process that will have very effective total -- equal representation in this process. How it's led is something that I would urge you to leave to us managers to consider in the context of some of the legal challenges that we've faced this past year, primarily FACA, FACA related challenges.

MR. BISSON: Mr. Chair, I guess the question I would have is, you know, is the timing. Would you expect there to be significant progress by the time the RAC meets this fall?

MR. THOMPSON: Yes.

MR. BISSON: Or by the time we meet in December so that if things aren't going well we can provide some stronger direction to make sure this is resolved before this time next year?

MR. THOMPSON: Yes, absolutely.
MR. BISSON: Can there be a reporting back to this Board in terms of where you are in the process periodically?

MR. THOMPSON: We can report as often as you wish.

CHAIRMAN DEMIENTIEFF: What I'm getting at is when you're actually conducting your meetings, okay, and I'm getting at having co-Chair responsibilities during the conduction of the meetings. Okay. So that whoever is the lead person -- I'm assuming it's going to be somebody from Forest Service, that whoever that lead person is, somebody's going to run the meeting, it's not just going to go willy-nilly, at that time, you know, you should have a Regional Council co-Chair situation, and that way the Council is fully involved. And I understand what you say about equal representation. But I'm just saying somebody's going to conduct the meeting. I mean, you know, myself, serving as Chairman, sometimes when I teleconference I've called upon Niles or I've called upon Judy to help me out, you know, even though I was on line 100 percent of the time, but, you know, that is a strong message to the request that the Regional Council is making. And so when you're actually conducting the meeting, then there are two Chairs basically.

That's what I'm getting at.

MR. THOMPSON: Yeah, Mr. Chairman, I hear you. I hear your concern, what you want accomplished. What we've recognized at this point is this is, of course, a very controversial issue. Traditionally, in these cooperative management planning processes, we tend to, when you have an issue like this, that's so heated, you try to get a third-party in dependent party, in other words, a contractor who actually facilitates the planning process and then the interested parties, us, the State, the Council, the key stakeholders sit at the table as co-equals and that facilitator actually directs that planning process.

That's how we think -- if we characterize this to all of the interested stakeholders we're most likely to achieve success. We're most likely to find common ground among the interested parties as opposed to the Forest Service sitting up there in control or somebody else as being perceived as the lead who is somehow or another directing some objective they personally have.
That's kind of what we have in mind as a planning concept.

CHAIRMAN DEMIENTIEFF: Wini.

DR. KESSLER: And of course, in co-op management planning the group tries to come up with solutions, develop recommendations, but those go to the Council to be considered and dealt with and evaluated. It doesn't, in any way, parallel or supplant the Council. It is trying to help to give the Council the benefit of these deliberations, this work. And so certainly it will be very important, you know, we don't have the details worked out, it will be very important to have the benefit of the Council's wisdom, involvement and help with that, but ultimately it is their legal role to take and consider the results, the recommendations and so on.

So I almost sense that maybe there was a thought here that somehow this group was going to diminish the authority of the Council or something and I just wanted to assure that wasn't the case at all. It's meant to be a helpful exercise to try to find some solutions through more extensive work and deliberations, that's what it's intended to do with a wider range of viewpoints.

CHAIRMAN DEMIENTIEFF: Who's actually doing the planning for Forest Service, try and put this together?

DR. KESSLER: Who's got the responsibility?

CHAIRMAN DEMIENTIEFF: Who's the lead person?

DR. KESSLER: Well, the responsibility, the regional forester directed the Tongass National Forest supervisor to do this and.....

CHAIRMAN DEMIENTIEFF: Put together the planning group?

DR. KESSLER: I'll maybe let Ken answer that, he's a little closer to it.

MR. THOMPSON: Yes, Wini's on the right track. Mr. Bachor, Denny Bachor, the regional forester has assigned this task to the Forest supervisor. That
was done back early last winter. Subsequent to that, we've identified primarily some FACA, Federal Advisory Committee Act constraints on Federally-sponsored planning processes. And it took us awhile to weave our way through that and to figure out how, if -- if we had to have a Federally-led process and if the Board were to utilize this information, how would it have to be orchestrated through this planning process and we've got answers to that now. We think we're ready to launch and not run into those FACA problems.

But we will insist on having a process which, one, is to design to maximize the potential success of bringing to the Board some recommendations that all interested stakeholders will buy into and most likely will be facilitated by a professional planning facilitator who does not have a personal interest in this process.

CHAIRMAN DEMIENTIEFF: Thank you. John, you had a comment. Robert.

MR. SCHROEDER: Mr. Chairman, this has been kind of a thorny and frustrating process of going through figuring out how we might do anything with deer on Prince of Wales, of course, but also the planning effort. But I think we may benefit from just a slight amount of discussion on this in that there are two -- there are kind of two branching ways to go from my understanding and from talking -- being involved in discussions so far.

Under FACA, FACA covers a large number of government committees that advise the Federal government on regulatory and management issues, not only dealing with fish and wildlife. Many of these committees are much like the Regional Advisory Councils, in that, they're made up of volunteers or people who serve a small amount of time -- devote a small amount of their time and energy to these things, and they require someone to actually go out and do a lot of the work, to come back to them with information that they need and to provide direction to a FACA committee. The structure under FACA, as I understand it, and from the training that Fish and Wildlife Service sponsored last September, is that, the normal way of doing this is through a subcommittee process and the subcommittee reports back to a main committee. There are some administrative things that take place in forming a subcommittee under FACA. If my recollection is correct from our training last September,
the body that forms the FACA committee needs to approve of the subcommittee, so there is an action there. It isn't something that simply takes place. And we'd have to check the administrative things that occur there.

So that's a branch that we believe works in terms of FACA. There may be other approaches that don't go that route, however, FACA's pretty clear that if Federal dollars are involved in developing recommendations to a Federal agency, that FACA does apply.

So that's my understanding of the situation.

Under this -- the same structure that we follow with the Regional Advisory Councils applies to the subcommittees, in that various reports are needed, various disclosures take place, meetings, there are requirements about having open meetings, et cetera, et cetera and those are fairly familiar and routine in government and we're not treading -- we're not plowing new ground there, in that, there are thousands and thousands of FACA committees and subcommittees around the United States.

I hope that provides a little bit of clarification.

CHAIRMAN DEMIENTIEFF: Okay. Well, it's clear anyway that there is a request. John.

MR. LITTLEFIELD: Thank you, Mr. Chair. I guess I need to explain what the feelings of the Regional Advisory Council are. Yesterday when I talked - I talked only about .805(a)(3)(a) when I talked about the duties of the Council, the actual authority granted under ANILCA, and that was the review and evaluation of proposals, and I've mentioned that several times.

And I specifically said I wasn't going to talk about B, C and D. Well, I'm going to talk about B and C right now, because B says and I'll read it.

This is an authority of the Regional Advisory Council. It is the provision of a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife within the
C. The encouragement of local and regional participation pursuant to the provisions of this title in the decision-making processes affecting the taking of fish and wildlife on the public lands within the region for subsistence uses.

Those two sections clearly say that this is in our court. The Regional Advisory Council is where this stuff is supposed to be taken care of and that's why we had asked in Hoonah, and we're going to need -- as Dr. Schroeder said, we're going to need action from the Federal Subsistence Board to say, okay, we'll set up this committee and run with it. And it can be formed exactly as the Forest Service says, with all of the players involved and treated equally. But it needs to be run by the Regional Advisory Council, that's what our charge is. That's our duties. And that's where we're coming from as a Regional Advisory Council and why we wanted this.

DR. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: So if we did it that way we could have had this done, this work done this last year, basically. Go ahead, I'm sorry, Wini.

DR. KESSLER: Well, there's a couple ways to look at it. I mean it's a very complex issue, the deer situation in Unit 2. The Council has tried very, very hard to solve this problem and part of it is constraint, just the time they have in the meetings, the time they have to work on it. The idea of seeking a solution, a cooperative process was recognition that it's going to take a lot of time and people and investment and work and bringing in a wide range of views to offer to the Council, a range of information, a range of views, ways of looking at it, potential solutions, biological dimensions, social dimensions, a lot of things, to make that available to the Council. And in no way supplants or replaces what the Council's doing so in no way diminishes, it's brought to the Council as a resource.

We've explored a couple ways to set this body up. One is a legally -- looks to be legally acceptable with respect to FACA is to set it up as a subcommittee of the Council. And John has spoken to, from their view, a number of factors that speak in favor of that.
All along though has been also the view that there's a lot of experience and some very good success within the state of Alaska on processes such as these, cooperative management processes, they have tended to be led by the State, they have a great deal of experience there. And so there's different ways to set it up.

At this point, we are going forward now with a contract, our intention is to let a contract with a neutral third-party to get a good understanding of what the expectations are of the different parties, affected parties, what their expectations might be with respect to the result that's desired, not the outcome so much but the types of products that would result from the process. Some testing of the waters to get some sideboards on the solution space, the level of commitment to buy into solutions.

I think that is going to give us a lot more information about the most appropriate way to proceed and structure this. Once we have that information from those who are going to be a part of it, or potentially a part of it, and certainly those who are affected, with respect to their expectations the sideboards they see about the potential solutions, then I think we can be better informed about exactly how to proceed with this.

I would be very uncomfortable being, at this point, locked into one approach. Would not advise that until we have this information.

CHAIRMAN DEMIENTIEFF: Anyway, so I -- you know, I will do nothing to slow the process down. If this thing is ready to go, I think the message is strongly received by Forest Service, that the Regional Council people need to be heavily involved in the process, in the planning process, okay. I will do nothing to slow this process down. This train is leaving the station. I will do one thing to speed it up and I will insist that our Board has monthly work sessions and I want a report on the progress of this working group at every one of our work sessions, it will be on our agenda. Tom, you got that?

MR. BOYD: Got it.

CHAIRMAN DEMIENTIEFF: Okay. I want a monthly report on where it's going and the Regional
Council be heavily involved with that.

We're going on to Proposal No. 10.

MR. BRELSFORD: Mr. Chairman, at risk of trying your patience for just a short second. I think one of the things we want to achieve in the cooperative management plan is, in fact, to bring the State Boards into concert with us. We've struggled today to provide subsistence opportunities within the authorities of the Federal system. What we're looking for is both the State and the Federal systems working in concert. So I think we want to conclude this item by expressing appreciation for the efforts of the State to recognize the subsistence priority that the Federal Board is responsible for and to look forward to this shared effort on cooperative planning recognizing that the State Board can help us, we can all help each other do the best work on Prince of Wales Island.

I thank you for the indulgence.

CHAIRMAN DEMIENTIEFF: Okay. Staff analysis.

MS. REECK: Thank you, Mr. Chair. Members of the Board. Regional Council Chairs. My name is Jill Reeck. I'm a Forest Service biologist working out of Ketchikan and I'll be presenting Proposal WP03-10 for Mr. Alyusious, the lead author who could not be here. The proposal is located under Tab J beginning on Page 729 of your proposal book.

Proposal 10 was submitted by the Southeast Regional Advisory Council and it deals with wolves on Unit 2. The proponent wishes to increase opportunities for rural hunters by extending the wolf hunting season into the peak of the deer season.

Unit 2 subsistence wolf hunters hunt wolves opportunistically mainly during the deer season and only infrequently hunt solely for wolves. The current wolf hunting season of November 15th through March 15th begins after many of those wolf hunters have ceased their deer hunting activities.

The proponent feels that an earlier season would allow for greater utilization of the wolf resource and increase the harvest of wolves by hunters.
Wolf hunting seasons and limits within Unit 2 have historically been more liberal than the current Federal regulations and a detailed summary of Unit 2 wolf regulatory history is provided in your proposal book in Table 1 on Page 735.

I'm going to make a note that the majority of the wolf mortality in Southeast Alaska is human caused.

Conservation concerns have been raised over the past about the viability of wolves within Southeast Alaska and even more specifically within Unit 2 because of the intensive management that has gone on there. The current regulations within Unit 2 were implemented in response to the overharvest issues that had occurred in the past. In order to maintain population viability a harvest quota was implemented in the recent past to ensure that only a percentage of the Unit 2 wolves are harvested. This quota is based upon Alaska Department of Fish and Game population estimates and extensive research information from Dr. Dave Person regarding the sustainable rates of wolf mortality in areas where deer are the primary prey of wolves. His research focused on Prince of Wales Island, which is the main portion of the proposal area.

The current harvest quota is 30 percent of the preseason population estimate or approximately 90 wolves. Currently, all wolves taken in Unit 2 under a Federal or State regulation permit must be sealed by an authorized representative of Alaska Department of Fish and Game within 30 days of harvest. Of this trapping and snaring accounts for the greatest percentage of the human-caused wolf mortality in Unit 2. On average, hunting accounts for only 22 percent of the recent harvest. And if you'll refer to Page 737, Table 2 in your proposal book you can see percentages by years because it does vary a bit.

Extending the hunting season would provide additional harvest opportunity to subsistence hunters and it may increase the proportion of hunting mortality as compared to trapping. Wolf hunting tends to occur earlier in the season than trapping and therefore there is a potential that subsistence trapping could be impacted by an emergency closure if the harvest quota is reached prior to the end of the season. However, unless a substantial number of wolves were taken during that early season, it is unlikely that a closure would occur.
early enough in the season to have a significant impact on subsistence trappers. Furthermore, a large number of the trappers are also hunters who would be hunting under this proposal.

Federally-qualified subsistence users have accounted for 81 percent of the wolves sealed between 1991 and 2001, therefore, there would also be minimal impact on non-rural users under this proposal.

Extending the hunting season earlier in the fall has brought up questions about pelt primness. But information from Southeast Alaska suggests there is variation in the degree of prime pelts of wolves throughout the season and the time at which primness occurs. Furthermore, in discussions with various users suggests that pelt primness may be less of a factor in determining the value of wolf pelts to subsistence hunters. Rather, what is important is the opportunity to harvest one of these animals that would not otherwise be available under the current regulations.

The resulting product is a rug or a tanned hide that has considerable personal value regardless of its commercial value.

In addition, wolves are also used in a variety of other ways. Wolf parts are used in various types of regalia and are used in various traditional, cultural and ceremonial functions and activities.

In summary, extending the wolf season would provide additional opportunity to subsistence wolf hunters with minimal impacts on other users. Population data suggests the current wolf harvesting practices and levels do not threaten viability within Southeast Alaska or specifically within Unit 2. Additional wolves taken during the extending hunting season should not affect the overall wolf population for four reasons.

1. Hunter harvest is only a small portion of the total human caused wolf mortality.
2. Although the season would be extended, the five wolf limit would remain in effect, and that is unchanged from current regulations.
3. Additionally a combined
Federal/State harvest quota will be set prior to the hunting and trapping season. Again, this is currently set at 30 percent of the estimated population.

4. Sealing requirements enable in-season harvest monitoring which would allow State and Federal managers to close the hunting and trapping seasons, if necessary, when the harvest quota is reached.

Thank you. This concludes my presentation.

CHAIRMAN DEMIENTIEFF: Thank you.

Summary of written public comments.

MR. SCHROEDER: Mr. Chairman, we have two written public comments, both oppose.

One from the Defenders of Wildlife. States that Prince of Wales Island wolf kills have historically been high. They note that a cap of 30 percent of the population has been put on harvest. In 1999 the State implemented a closure by emergency order when 90 wolves were killed in this area. The harvest in 2000 was similar reaching the upper limits of acceptability. Pelts hold little or no value in early fall and pup vulnerability to trapping is high during this time and could injure long-term population goals. They point to extensive and continued forest removal and road building creating better access for hunters and trappers. And believe that liberalizing the season is biologically unsound.

Similar comment from Alaska Wildlife Alliance. Says that making the season earlier would increase the amount of wanton waste. Wolves are not eaten, wolves are not marketed for their trophy value, their only recognized value as far as harvesting of wolves is concerned has to do with their pelt and it does not become prime until about December, which is why trappers begin harvesting them in earnest at that time. Fish and Game record show that almost all taking of wolves by trappers occurs from December onwards, even though the State allows them to be taken much earlier. Except in those circumstances where control programs have been authorized, hunting of wolves at a time of year when the pelt has little or no value, not only serves no
purpose, it contributes to lost opportunity for those who do not value the resource.

Mr. Chairman, that concludes the written public comments.

CHAIRMAN DEMIENTIEFF: Thank you. We have one request for additional public testimony. And that would be Karen Deatherage. I don't see her, I haven't seen her this morning. Karen Deatherage.

MR. BOYD: I haven't seen her either.

CHAIRMAN DEMIENTIEFF: Okay. We'll move on, Regional Council recommendation.

MR. LITTLEFIELD: Thank you, Mr. Chair. The Southeast Alaska Regional Council recommendation was to support with a modification.

The Council amended the proposal and recommended that the hunting season for wolf in Unit 2 be opened on September 1st and to close on March 31st to conform with other wolf hunting regulations in Southeast Alaska. The Council heard from Staff that wolf pelts prime early in Unit 2 and that this earlier season would allow subsistence hunters take wolves that they might encounter while deer hunting.

Mr. Douville, who I consider to be Dr. Douville, because of his expertise, is among Prince of Wales Island's most expert wolf trappers, most of the numbers you see on these lists can be attributed to him, confirmed that the wolf pelts are often in good shape early in the season on Prince of Wales and that subsistence deer hunters wanted an opportunity to take wolves that they might encounter.

Wolves on Prince of Wales are managed under a harvest cap agreed on by both Federal and State of Alaska management agencies. This cap calls for closing the wolf hunting and trapping season when 30 percent of the estimated number of wolves in the population have been taken. Closures have rarely occurred.

The Council also amended the proposal to drop language that would delegate authority for the closing of the wolf hunting and trapping seasons to the Forest supervisor. The Council believes that it needs to
be involved in any closure action that would affect subsistence harvesting of this species on Prince of Wales Island. Federal Staff plan to clarify the procedures that would be followed to close the season when the harvest cap was reached.

Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thank you. Staff Committee.

MR. THOMPSON: The Staff Committee urges the Board to adopt Proposal 10 as modified, as recommended by the Southeast Regional Council.

The modified regulation would have the season begin on September 1st, would delete the 30 percent quota and would add a requirement to consult with the Southeast Council Chair. The modified regulation would read:

Unit 2 wolf hunting. Five wolves September 1st to March 31st. The Forest supervisor has the authority to close the Federal hunting and trapping season in consultation with ADF&G and the Chair of the Southeast Regional Council when the combined Federal/State harvest quota is reached.

Our justification for this recommendation is as follows:

Additional wolves harvested during an extended hunting season for rural residents would not appreciably affect the wolf population in the area since hunter harvest is a small part of the overall wolf mortality. Furthermore, although the season would be extended, the harvest limit of five wolves would remain unchanged. The combined Federal/State harvest quota will be set prior to the hunting and trapping season which is currently 30 percent.

Sealing requirements enable harvest monitoring so Federal and State managers can close the hunting and trapping seasons prior to excessive wolf harvest occurring. This will help ensure a healthy and viable wolf population while allowing for subsistence use.
Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.

Department.

MR. TITUS: Thank you, Mr. Chairman. The Department is neutral on this proposal as modified by the Interagency Staff Committee. This proposal will establish a Federal wolf hunting season in Unit 2 that opens three months earlier than the corresponding State season.

One of the comments I guess I'd like to make about that is it once again brings the State and the Federal seasons on Prince of Wales Island for, in this case for wolves, different between Ketchikan hunters and Prince of Wales hunters. So there will be more confusion in the regulations.

One reason given for providing additional opportunity in the Federal regulations is to facilitate wolf harvest during the fall hunting season. If the proposal as modified is adopted, Federally-qualified subsistence users will need to be reminded that additional wolf hunting opportunity in September, October, November applies only to Federal public lands. Timely harvest reporting may be required to ensure that managers can effectively monitor this hunt and close the season, if necessary, for conservation purposes. I'd like to remind the Board that this species was petitioned to the U.S. Fish and Wildlife Service for listing under the Endangered Species Act back in the early ‘90s and that's where the harvest cap guideline came from through the cooperation of the Board of Game, the U.S. Fish and Wildlife Service, the Forest Service and the Federal Board.

Retention of the 30 percent harvest cap is an essential management tool that will be effective only if used by State and Federal management agencies in concert as a trigger for closing the wolf hunting season. As such, we really urge that the authority be delegated down to the Forest supervisor. As you know my area biologist has the authority to close this season in a very timely way and we would ask that the Federal Subsistence Board grant that authority to the lowest level line officer within the Forest Service that they're comfortable with so that timely action can be made in terms of closing this season.
Thank you.

CHAIRMEN DEMIENTIEFF: Administratively that would probably happen anyway, wouldn't it?

MR. THOMPSON: Mr. Chairman, I believe as Kim has pointed out, it's important to keep the authority at the lowest level possible. I believe it would be an option for the Board to further identify delegation down to perhaps a district ranger level on Prince of Wales who would probably be much more accessible, available for making these closure decisions, if necessary.

CHAIRMEN DEMIENTIEFF: Does that have to be done by Board action or is that something that can be done administratively, that's what I'm asking?

MR. BOYD: Mr. Chair, I think I would recommend a Board action to specifically delegate from the Board because the Board has the authority to do that and not the agencies, as I understand it.

CHAIRMEN DEMIENTIEFF: So, Ken, you're recommending district ranger Federal well, we'll advance this to Board discussion anyway.

Do we have a motion on the proposal.

Wini.

DR. KESSLER: I move to adopt Proposal 10 as modified by Staff Committee.

CHAIRMEN DEMIENTIEFF: Is there a second.

MR. BRELFORD: I second.

CHAIRMEN DEMIENTIEFF: We have heard discussion about modifying the proposal to delegate the responsibility to the district ranger in charge of Prince of Wales Island. And I think the Chair would welcome a friendly amendment to delegate that responsibility to the appropriate person. I think if I understand this right, district ranger, right?

DR. KESSLER: So would the preference be, instead of having the Forest super responsibility as currently worded, to replace that with delegation to the district ranger?
MR. Brelsford: To substitute one role for the other.

MR. Cesar: Mr. Chairman, why don't we just delegate it -- well, I don't know it depends on how specific you want it, I guess.

DR. Kessler: Yeah. Well, I mean we'll definitely work with the Board to make the delegation.

You know we've set it up so the responsibility is with the supervisor, but we've certainly commonly give delegated authority at the district ranger level. We do that with fisheries a lot. And we certainly would pursue that, we'd do that.

CHAIRMAN DEMIENTIEFF: That's what I was asking.

DR. Kessler: Yeah.

CHAIRMAN DEMIENTIEFF: Does the Board necessarily need to do this or can it be done administratively. And so if it can be done administratively, I'm entirely satisfied.

MR. CESAR: Well, I don't think so. I think we need to make a formal Board action delegating. The question I had is who do we delegate it to. That's the question I had for Forest Service.

DR. KESSLER: Uh-huh.

MR. CESAR: Who should the Board delegate this to?

MR. EDWARDS: Mr. Chairman, I mean if the Forest Service says that they're planning on doing this why don't we leave it as it is with the understanding that that's what they're going to do.

MR. CESAR: I'm only saying that because my learned lawyer on the left-hand of seat tells me that we should have a formal action from the Board.

CHAIRMAN DEMIENTIEFF: Dave.

MR. JOHNSON: Mr. Chairman, there are two district rangers on Prince of Wales Island. And a suggestion is to assign that delegation to the same ranger that has in-season authority for fisheries on
Prince of Wales Island, and that's Dale Kannen at Craig District.

CHAIRMAN DEMIENTIEFF: Works for me. Keith.

MR. GOLTZ: Yeah, the whole trick on Federal delegations is to make sure you're express. In other words, say what you want. There's been litigation in this area and generally the Federal agencies have gotten in trouble when they just assumed there was a delegation but actually made it. So my suggestion is whatever you want to do make sure you do it on the record.

CHAIRMAN DEMIENTIEFF: Gary.

MR. EDWARDS: I mean one way, couldn't we designate it to the supervisor or his designee?

MR. GOLTZ: That could be done, too. But then the supervisor has the responsibility to make sure it's an expressed delegation, a letter, a memo, or something like that.

CHAIRMAN DEMIENTIEFF: Or else he gets 30 lashes.

DR. KESSLER: We'll make sure that happens, we'll make that delegation in writing.

CHAIRMAN DEMIENTIEFF: Kim.

MR. TITUS: Thank you, Mr. Chairman. The State's recommendation is very much likes the Forest supervisor or his designee.

CHAIRMAN DEMIENTIEFF: So is there a motion to amend to add or his designee.

DR. KESSLER: I'll make that motion.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. CESAR: I'll second.

CHAIRMAN DEMIENTIEFF: Any further discussion.

(No comments)
Chairman Demientieff: All those in favor signify by saying aye.

IN UNISON: Aye.

Chairman Demientieff: Those opposed, same sign.

(No opposing votes)

Chairman Demientieff: Motion carries.

We now have the main motion before us as amended, is there any further discussion.

(No comments)

Chairman Demientieff: Hearing none. All those in favor of the motion as amended please signify by saying aye.

IN UNISON: Aye.

Chairman Demientieff: Those opposed, same sign.

(No opposing votes)

Chairman Demientieff: Motion carried.

Proposal No. 10 has been adopted, let's go to No. 11.

Mr. Schroeder: Mr. Chairman, I'll be presenting -- Bob Schroeder will be presenting this proposal. Chuck Parsley is the main author. Proposal WP03-11 is found on Page 743 and subsequent pages in your Board book. This proposal would remove the motorized vehicle restriction for harvesting marten, mink and weasel within the Northeast Chichagof Controlled Use Area.

This proposal was before the Regional Advisory Council and the Federal Board in the last cycle and it was deferred on the recommendation of the Southeast Regional Advisory Council until a meeting could be arranged with Federal Staff, trappers and State of Alaska managers to come up with a consensus solution for how marten might be managed in this area.

The Northeast Chichagof Controlled Use Area is delineated in a map and the write up on your screen. The State season in Northeast Chichagof...
Controlled Use Area is December 1 through December 31. The remainder of Unit 4 is open for trapping December 1 to February 15th. Trappers operating under State regulations may use motorized vehicles in Unit 4 including the controlled use area. There are no limits on the number of animals that may be taken under either State or Federal regulations. All marten pelts must be sealed.

Federal public lands comprise approximately 96 percent of Unit 4 all of which are administered by US Forest Service. Federal lands comprise about 86 percent of the Northeast Chichagof Controlled Use Area. The residual amount is Native corporation land.

All rural residents are included in the customary and traditional use determinations for marten, mink and weasel in Unit 4.

The regulatory history for marten in this area has a number of area closures, emergency orders and other management actions that have been taken over the past 10 or 15 years to protect the marten population. Specifically the trapping season was closed in 1991 and '92 because of -- excuse me, it was closed in 1990/91 because of concerns about depleted marten population. The current Federal ban on subsistence in Federal Subsistence Regulations banning motorized use came into effect when the season was reopened in 1991/92.

Marten naturally inhabits the mainland of Southeast Alaska on many islands. They were transplanted to Chichagof Island in the early 1950s. This transplant may be a new introduction or it may have simply supplemented the existing population of marten on that island. The quantity and quality of winter habitat is thought to be the most limiting factor for marten in Southeast Alaska. Due to lower snow accumulations, habitats at lower elevations have higher value for wintering marten. Coastal habitats and riparian areas have the highest value followed by upland habitats below 1,500 feet in elevation. Old growth forest have the highest value because they intercept snow providing cover and denning sites and provide habitat for prey species used by marten. Dispersal between islands is limited, but marten are very mobile on land. Marten are easily trapped and can be overharvested. Road, and there are an extensive number of roads in this area, in the Northeast Chichagof Controlled Use Area provide additional access.
for trappers and may result in increased harvest.

Marten populations were at a reduced level in Northeast Chichagof in areas with road access in the early 1990s. Recent monitoring by Fish and Game indicates that marten populations have recovered. The primary factor in the furbearer population increase was probably an increase in food availability due to some high deer winter mortality in 1998 and 1999. Additionally, marten track long-tailed voles population cycles as well.

Table 2 and 3 provide information on harvest levels and who participates in the harvest of marten trapping in this area. Primarily, most of the harvest that takes place in this area is by local trappers. In some years there is interest in other trappers going into that area. The overall harvest level in years where there has been any harvest has varied quite a bit from a high of 341 animals taken in '96/97, a low of 19 sealed animals in '93/94 and as I mentioned the season was closed in 1990 and '91.

The Southeast Regional Subsistence Advisory Council discussed this proposal last year, as I said, and did the deferral to see if a consensus approach could be reached. On October 11th, 2002, the State management biologist, Dave Johnson, Chuck Parsley from Forest Service, Dave Belton from the Hoonah Indian Association and several local trappers attended a meeting at Hoonah to discuss issues connected with this proposal. A monitoring strategy was agreed upon, it would maintain the current Federal season and allow for motorized vehicles use in the Northeast Chichagof Controlled Use Area and the remainder of Chichagof Island as well. Fish and Game and Forest Service biologists plan to monitor the harvest to ensure that overharvest does not occur and conservation of the resource is provided. The intention was that trappers would be encouraged to submit their skinned marten carcasses to the local Forest Service office. The management goal under this compromise solution was to maintain the percentage of total of males harvested below 55 percent, more importantly the monitoring would make sure that the ratio of total young of the year to adult females would not fall below four to one.

So in order to ensure that overharvest did not occur, Forest Service and Fish and Game biologists plan to monitor the harvest and determine the
sex and age ratios of the harvested animals.

And at that same meeting the State and Federal wildlife managers in concurrence with the Hoonah Indian Association and area trappers agreed that managers would close the trapping season when sex and age ratio thresholds were exceeded.

In looking at the effects of the proposal, the current Federal regulation is more restrictive than the State regulation regarding access to trapping sites in this area. Specifically motorized use is not allowed.

The Federal season is longer than the State season so in that respect it's less restrictive.

Removing the restriction would allow motorized vehicles to be used and as a result increased access for subsistence users would be provided.

Subsistence trappers would be able to trap for two and a half months and be able to use motorized land vehicles, while trappers operating under the State regulations would continue to have a one month long season and be able to use motorized access at that time.

The existing season, Federal season December 1 to February 15th will remain in effect. The main action would be to allow motorized land vehicles for the taking of marten, mink and weasel during the entire season and this would be similar to the regulations that apply to State side for the State's shorter trapping season.

Mr. Chairman, that concludes our analysis.

Mr. Chairman, that concludes our analysis.

Thank you.

Written public comments.

Mr. Chairman, was comment included by error in here. We have no written public comments on this proposal.

Okay, thank you.

Regional Council recommendation.

Thank you, Mr. Chair.
The Southeast Regional Council’s recommendation is to support with modification. Unit 4 marten, mink and weasel were to be all rural residents, no limit, December 1st to February 15th, with the addition of the amendment, the Forest Supervisor may close the Federal trapping season for marten in consultation with the ADF&G when the sex and age ratio thresholds are exceeded. Total males harvested below 55 percent and total young of the year ratio, adult female falls below four to one.

This area was closed from motorized access some years ago. At its wildlife meeting in 2002, SERAC requested the Forest Service, Hoonah Indian Association and ADF&G to meet with trappers in Hoonah and develop a consensus management approach. Staff from the Forest Service, ADF&G and the Hoonah Indian Association and local trappers met in Hoonah on October 11th, 2002 to work out a consensus approach for managing trapping in this area. At this meeting the Federal and State of Alaska biologists agreed that monitoring age and sex ratios of trapped martens would provide them with an indication of the effect of trapping on the marten population. When age and sex thresholds were exceeded, the Federal managers would close the Federal trapping season. Trappers agreed to provide the reporting and biological samples needed to track the age and sex thresholds.

The preliminary conclusion reflects this consensus. The Council accepted the Staff conclusion including wording to establish age and sex thresholds with minor editorial corrections.

The Council was puzzled by ADF&G’s verbal and written commitments at the Ketchikan meeting opposing this proposal since the ADF&G area management biologist Jack Whitman participated in the October 11th, 2002 meeting and helped draft the suggested language and supported the solution to this management issue. This was somewhat distressing to the Council that this was a supposedly consensus agreement that everybody agreed it, it was presented to us and then they backed out of it. Hopefully that won’t happen on U-2 deer so we were a little bit disturbed that the Hoonah Indian people were treated this way, Hoonah Indian Association.

CHAIRMAN DEMIENTIEFF: Staff Committee.

MR. THOMPSON: Mr. Chairman, the Staff Committee recommends Proposal 11 be deferred. We
reviewed additional marten harvest information recently available from last years sealing records that was not available for consideration by the Southeast Regional Council when they formulated their recommendation.

The Staff Committee recognizes that State and Federal managers and users met to develop a consensus proposal as requested by the Board last May and has been referred to here in this testimony and agreed on a liberalized access provision and in-season harvest monitoring program. However, the more recent data indicate very high marten harvest levels occurred this last winter. When combined with the cyclic nature of marten populations and the expectation for a declining marten population, State and Federal managers anticipate a conservation concern to develop during the 2003/04 season.

As a result the Staff Committee concluded that the liberalized regulations requested in the proposal are not appropriate. And that the current access restrictions should be maintained. The Staff Committee recommends deferring Proposal 11 to enable State and Federal managers, the Council and local trappers to review the additional information about marten populations and to determine if some modification of the access restrictions and in-season monitoring is appropriate given the expected decline in the marten population on Northeast Chichagof Island. The existing vehicle restriction provides the most effective way of avoiding excessive harvest of marten, short of closing the season entirely.

The number of marten harvested by subsistence users in January and February, however, is small and does not represent a conservation threat, hence, the Staff Committee does not recommend eliminating the January/February portions of the existing Federal season.

Staff Committee believes that adopting the Southeast Regional Council recommendation at this time could likely violate recognized principles of wildlife conservation.

Thank you, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Thank you.
MR. TITUS: Thank you, Mr. Chairman. The Department supports deferral as recommended by the Interagency Staff Committee. The Department agrees that the Staff and the public need to review the available information to determine if the current access restrictions in the Northeast Chichagof Controlled Use Area and in-season monitoring strategies should be modified.

A high marten harvest of 351 from this area in 2002/2003 complicates implementation of the action sought in this proposal and in my opinion strongly suggests changes to both State and Federal marten trapping regulations that might be needed.

One of the subjects that we've been approached and I've provided copious amounts of testimony on this subject and have met with Staff repeatedly since the RAC meeting about this current marten regulation is, in my opinion, there's both issues with regard to the State trapping season and the Federal seasons that may or may not need modification here, but basically what happens is the trappers out there pick the -- those things that are the most liberal under both regulations within which to operate. And at the time when those consensus agreements were struck by my area biologist, quite frankly my research staff with eight years of work over there were not consulted and their conclusions are different from that.

We're certainly not opposed to in-season management. I'm not entirely convinced that the Forest Service recognizes how expensive in-season management will be to conduct and all things being equal it may be best to have a short season without in-season management that you know you can continue over time rather than potentially different type of regulations that are, one, very expensive to the agency and two, don't provide predictability to the trappers both in Hoonah and in Tenakee. And so I think we need to make another run at this.

The other thing that I guess I would like to speak to is access is everything with regard to marten and in most of the Lower 48 marten are either threatened or endangered as a species. They're extremely easy to trap as this Board knows and the high trapping this year leads us to question whether we should have an emergency order sometime this summer to close the trapping season next fall and we haven't fully explored that yet, but
that's certainly an outcome. The trapping is just as
high -- the take is just as high now as it was nine or 10
years ago when an emergency order was in effect.

How in-season management can work and how
effectively it can work and how much money the Forest
Service wishes to spend to do in-season management, I'm
not sure at this time.

The other thing that the State would very
much like to see is an access analysis. We've requested
and we think is integral to this. The Tongass Forest
Plan has large conservation old growth reserves that are
presumably unroaded and would limit access in that area
to trappers by the fact that there aren't roads in them.
And it's my belief from working there that some of the
old growth reserves, in fact, have roads in them. So the
question is how does all of that fit together, to, one,
provide ample opportunity for trappers out there, two,

stability over time in terms of how they trap and three,
whether they would prefer in-season management and how
much that would cost to implement that relative to marten
and getting those carcasses and doing that in a timely
way, and four, whether there should be a voluntary or
mandatory sort of program. Currently if a trapper
chooses not to comply with that they don't have to.

So you know I think there's some more
questions out there.

And I guess the final issue is, really,
in my opinion there needs to be, potentially from a
conservation standpoint some possible fixes on the State
side so that there's consistency in the regulations here
and that the trappers can't play one system off the
other.

I guess one of my staff did an analysis
just last week with regard to this and showed some very
interesting things that happened relative to enforcement.
For example, the Federal ban on access was interpreted by
both law enforcement parties over there through the early
1990s as the Federal ban on access was pushed over into
the State side of things. So trappers were basically
told they couldn't use the road for trapping even though
they could and for a number of years they just believed
that and that's what happened so none of this came
forward as an issue. That changed a few years ago when
the local Fish and Wildlife Protection Officer left and a
new one came in town. And it's really thrown a bit of a
ringer into the whole thing.

So we'll see where we end up on this one.

Thank you.

CHAIRMAN DEMIENTIEFF: Okay, thank you.

John.

MR. LITTLEFIELD: Mr. Chair, I think this is a perfect example of Interagency Staff Committee and ADF&G having submitted reams, literally reams of information after the Regional Advisory Committee held their meeting. I've seen most of this stuff because it's been copied to me but it was not presented at the Regional Advisory Committee. And furthermore, I note for the record that the marten are an imported species. And they have virtually wiped out the hooters. I don't hear them anymore. I heard them when I was a kid, you know, spruce grouse and stuff, we don't hear them anymore. Ptarmigan, small birds. And I don't believe you can trap those marten out of existence.

So I'd like to see this deal go through for one year. It's not going to hurt anything for one year. It's self-limiting. You can't trap them all and I don't think anybody says that they can. And it was a deal made with the users. And I'd like to see it proceed and if the State wants to present four or five more reams of information, I suggest that the proper place to do that is at the next meeting.

Thank you.

CHAIRMAN DEMIENTIEFF: Board discussion.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: I think we've seen this in a few examples where there has been information that's come up post-RAC meetings and I think we, in general, need to think of a better process to loop the RAC back into those updated information or discussions that take place with Interagency Staff Committee.

But the second question was either for the Department of Forest Service. And that has to do with, so what are the impacts of high trapping in 2002 to
the 2003 populations? I just don't know enough about the marten life cycle to know that answer.

MR. TITUS: Thank you. I've spoken with my marten research biologist about that and the likely scenario is trapping the -- the marten population has been significantly depleted. You can -- based on radiotelemetry studies on this place, not from somewhere else, over 80 to 90 percent of the radio-tagged martens can be caught by the trappers in a 30 day season. So the likely scenario is there will not -- if things remain at the status quo, there will likely be a much lower trapper harvest next year with assuming the same effort. There's just fewer marten out there.

CHAIRMAN DEMIENTIEFF: With regard to in-season management, that question was raised by the State and maybe Forest Service can respond to that or Staff or somebody.

MR. JOHNSON: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yes.

MR. JOHNSON: I think the place to go back to is the drawing board on the planning process. Meet with the Hoonah Indian Association, the district wildlife biologist for the Forest Service and then representatives from the State and discuss what these implications have.

At this point if you'll look at the table on Page 754, if effort was to remain the same, following 341 marten that were taken in '96/97, 74 marten were taken the following season but I have no idea if it was the same amount of effort or -- but that's at least one piece of information.

Thank you.

MR. EDWARDS: Mr. Chairman, one thing I'm trying to understand is that, at least, both by Staff and the State, certainly not by the RAC, there does appear to be a conservation concern. And it's my understanding that the Staff Committee was trying to respond to that based upon their recommendation of deferral. But at the same time the State is still going to go forward, at least, currently, right, with access during December which is the critical month. So if the State continues down that road, what affect will our action have?
MR. TITUS: If the Federal Subsistence Board does nothing or defers, then basically what will happen is those trappers aren't -- can now -- essentially they will trap under the State season in December which will give them access. In other words, there's been a reinterpretation about the way this works, and so they will have access -- they will use road access during December and then on January 1st, they won't have access.

The likely scenario is that there won't be any marten. They will go out there, set their traps using road and boat access and all the people doing the road trapping will hit it very hard in early December the traditional way that marten trapping occurs everywhere in the state for three weeks or so and then their trapping will fall off in terms of their success and most of them won't trap in January anyway.

MR. EDWARDS: Well, then why would the State continue to allow that if there is a conservation concern?

MR. TITUS: The State's been unable to get a road access passed through the Board of Game.

CHAIRMAN DEMIENTIEFF: So basically a deferral doesn't disenfranchise subsistence trappers anyway; is that my understanding?

You know, I understand that information does need to -- this doesn't necessarily need to go on the record, but I understand we were very close to an agreement on this issue, and then the discussions fell apart at the last minute. You know, I -- I don't know, what's the pleasure of the Board anyway?

MR. EDWARDS: Mr. Chairman, in order for further discussion, I would move that we would accept the Staff Committee's recommendation to defer.

CHAIRMAN DEMIENTIEFF: There's a motion. Is there a second.

DR. KESSLER: I'll second.

CHAIRMAN DEMIENTIEFF: Discussion.

MR. EDWARDS: Mr. Chairman, in making that motion, at least, my understanding is that
recognizing that there is a conservation issue and we're
taking the responsible action to address that.
Unfortunately it does not appear that the State may
follow suit and I guess we still ought to be doing the
right thing if it's a conservation issue.

CHAIRMAN DEMIENTIEFF: Well, I don't
think it's a real conservation issue to defer a proposal,
given the fact that the opportunity is still there for
subsistence trappers to trap under the State regulations.
Deferral, again I understand we were very close to
working out a consensus by all the above, so we are not -
by deferring we are not disenfranchising subsistence
trappers. That's clear.

And, you know, given the fact that we
were very close to having a complete agreement, I guess I
don't really have a problem accepting the deferral and
hoping that we can get back on track in getting everybody
lined up again. But again, I point out that we are not
disenfranchising subsistence trappers at this time
because they still have access under the State
regulations.

So I don't have a problem with us going
back to the drawing boards on this one, too.

DR. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

DR. KESSLER: Yes. I intend to vote in
favor of the deferral. I think it's really the necessary
and prudent thing to do in light of there's new
information which would suggest a conservation concern
exists or is near. The biologist wants to see that new
information and dissect it and analyze it and understand
it better, but again we have a timing issue. The
information came in, again, after the Council had its
deliberations. It suggests that we need to be concerned
with the future of this resource and this wouldn't be a
good time to put additional pressure on it. I think
deferring is the prudent thing to do until we can work
through this and better understand the possibilities.

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

MS. GOTTLIEB: Another question then.
What if we did allow or we did remove the restriction for motorized access just for the month of December, then that's consistent with the State regulation and then keep it closed the other months. I'm not entirely clear why we would be more restrictive than the State. I understand conservation reasons, but I don't -- I'm just trying to figure how incrementally we would be any different by following that route.

MR. JOHNSON: Mr. Chairman, currently under Federal regulation the January portion is closed but the State, you can still harvest under State regulations.

CHAIRMAN DEMIENTIEFF: Ron, you had something.

MR. SAM: A quick question. Thank you, Mr. Chair. If this is an imported species, where does this concept to conservation issues, just for my clarification.

CHAIRMAN DEMIENTIEFF: Well, across the Board we address, you know, once the species is there it's there. We have imported species, you know, all around the state and we manage them as subsistence resources, so we do that across the board.

Any other discussion on the motion.

MR. CESAR: Mr. Chair, I'm not quite clear yet. What would be the practical effect of a deferral. Wouldn't there still be a subsistence trapping season this year, so what have we accomplished by deferral?

MR. EDWARDS: Well, I guess my view is that we don't accomplish anything. But one of our charges are to act when we think there's a conservation issue. We don't have any control over what the State does. Maybe by us setting the right example, maybe they'd be willing to follow suit. But I think it would not be in our best interest if we think there's a conservation issue then to not address it, whether it has an effect or not. At least it makes me feel good.

MR. CESAR: Yeah, and I think that's our charge is to act when there is a conservation issue. And I guess I wasn't sure from the Staff, are they declaring this a conservation issue, is that what we're dealing
DR. KESSLER: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Yes.

DR. KESSLER: I do see that there's an effect here. Because were we to vote to remove the ban on motorized, we'd be putting in place an increased, significantly increased pressure on the resource. If we had indications that the resource could sustain that, that'd be no problem with that. But we have some evidence now that the resource is in a potentially precarious position so at this time it wouldn't be prudent to allow that access. So we're not removing the opportunity to trap, we're just removing the additional access.

MR. CESAR: Yeah, and I understand that part of it. Now, it's a little clearer to me. The question that I had and I guess it's been answered there is, in fact, a conservation issue here and that's what's being told to me.

MR. THOMPSON: Yes, that's correct.

MR. CESAR: And then I think that really kind of limits or narrows our choices, in my mind, anyway, because that is the essential charge that we have. And so I would vote to defer.

CHAIRMAN DEMIENTIEFF: 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.

We now have before us the consent agenda items and
The Chair would entertain a motion to adopt Proposals 40, 41, 13, 17, 20, 21(a), 21(b), 22, 23, 29, 30, 34, 31, 32, 35, 36, 39, 43, 44, 45, 46, 48, 49, 50, 51, 53, 3, 4, 6, 7, 8, 15, 16, and 55.

MR. CESAR: So moved, Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Is there a second.

MR. EDWARDS: Second.

MR. CESAR: Question.

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

IN UNISON: Aye.

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

We have two small reports, you guys want a short break?

(Board nods affirmatively)

CHAIRMAN DEMIENTIEFF: Yeah, it shouldn't take very long for the rest of it so we'll just take a little break.

(Off record)

(On record)

CHAIRMAN DEMIENTIEFF: We'll call the meeting back to order. I would just like to note for the record that we have a memorandum from the State to Marianne See from Lance Nelson dated April 15th, 2003, subject, Federal bag limits for non-Federal hunters, and I'm going to enter this into the record and so I'll give it to the recorder and it will be in the record.

Okay, other business, administrative correction. Judy.
MS. GOTTLIEB: Thank you, Mr. Chair. I just wanted to bring to the attention to the Board and ask that you consider a permanent change in a date having to do with the Batzulnetas culture camp moose permit that we have in effect, and this is, of course, within Wrangell-St. Elias Park near -- or within Katie John's area.

Under the current Federal Subsistence regs, one moose may be taken by the culture camp, making a small change in the date of this already approved permit hunt would provide the camp operators and the National Park Service with an additional tool for addressing the degraded condition of the access route to the camp site. There would be no effect on the moose population and the quota, of course, remains unchanged. The harvest of the moose for this educational camp is already permitted under our regulations and occurs solely on National Park Service lands within Unit 11 and 12 and it's carried out by two hunters from Chistochina or Mentasta Village, the villages who organize the camp.

Our specific change would be to modify the hunt dates from the current June 20 to 30, to June 20 to July 31. And the reason is, for those of you who were on the trip last year out there, the condition of the trail gets severely degraded by water and if we have this a little bit later it's going to lessen the impact to the trail and delaying the camp so that the ground might have a chance to dry out which certainly would be a useful approach and make the experience a lot more pleasant.

So I wanted the public to hear this and we would like this change to be permanent, so, therefore, move to the Board that we permanently change the allowable date for the hunt from June 20 to 30 to June 20 to July 31.

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

MR. CESAR: Second.

CHAIRMAN DEMIENTIEFF: Okay, it's been moved and seconded. Any discussion.

(No comments)

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

CHAIRMAN DEMIENTIEFF: Those opposed, same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Okay. Western Arctic Caribou Herd Management Plan. I read this thing last night and it's a heck of a piece of work. Who's going to lead us, John Trent.

MR. TRENT: Good morning, Mr. Chairman.

Thank you for the opportunity to be here. I'd like to introduce my colleagues who have worked very hard on the Western Arctic Caribou Herd Cooperative Management Plan. Willie Goodwin has been working with the Caribou Working Group for years and, of course, you know him as a former RAC Chairman from the Northwest Arctic RAC. Willie's not actually on the Caribou Working Group but he's influenced us in many ways and he will have a brief statement.

Our whole presentation is intended to be brief and to the point and to encourage you to pass this resolution supporting the plan.

I would also like to introduce Mr. Phil Driver, who has been a master guide in Alaska for many years and is the voting chair on the Caribou Working Group representing the guiding industry. So they will both have something to say.

I did want to introduce myself, as well. I'm John Trent, a wildlife biologist with the Alaska Department of Fish and Game. I live in Anchorage but I mostly work up in the Northwest.

I spoke two days with Raymond Stoney on the telephone. He was unable to come here because of weather. Raymond is our chairman of the Caribou Working Group, and he was actually quite eager to be here to support this plan with you and he did say to me, and this is a quote, that it's very important to all of us that this resolution supporting the plan be passed. So I did want to pass that on. I'll just make a few short descriptive statements about this cooperative plan that you should all have in front of you. The audience, there are some copies of the plan out in the hallway. And then
I will read a brief statement by John Sheen who was unable to stay here to present and then Willie and Phil will speak briefly.

The Caribou Working Group consists of 20 voting chairs representing stakeholders, all the known stakeholders involved with using or valuing caribou in the Northwest Arctic and the Western Arctic Herd. The working group members who wrote this plan represent the 10 people who use and value the herd. No stakeholder group was excluded from participating. The plan provides guidelines for managing the herd. The working group is the permanent forum for reviewing work progress outlined by the plan identifying future needs, suggesting regulatory change and adjusting the plan as needed, and finally the plan encourages interagency coordination through a technical committee that will meet once a year and report to the working group.

So those are just some points that I wanted to make.

CHAIRMAN DEMIENTIEFF: John, I must be getting tired. That was the testimony of John Shoen?

MR. TRENT: I'm about to read John Shoen's testimony, yeah.

CHAIRMAN DEMIENTIEFF: Okay, go ahead.

MR. TRENT: Yeah. In fact, I'll go on to that if that's okay.

CHAIRMAN DEMIENTIEFF: Go ahead.

MR. TRENT: All right, this is Dr. Shoen's statement. John has been on the Caribou Working Group for several years and was the chair of the planning committee that developed the plan that you have in front of you. Here is his statement.

Mr. Chairman, and committee members, my name is John Shoen. I am the senior scientist for Audubon Alaska and serve as a voting chair of the Western Arctic Caribou Herd working group representing conservation interests. I also served as chair of the planning committee that developed the cooperative management plan for the Western Arctic Caribou Herd. This was a most rewarding experience for me. In my opinion everyone on the working group is pulling in the
same direction. Our common goal is the long-term conservation of the Western Arctic Caribou Herd. This herd is important to many people who depend on it for subsistence as well as others who value the herd in many ways. This plan represents an important blueprint for managing this herd as its population fluctuates naturally over time.

On behalf of the conservation community, I strongly endorse this plan and encourage the Federal Subsistence Board to lend your support to it as well.

Thank you.

So that's Dr. Shoen's statement, and I'll then.....

CHAIRMAN DEMIENTIEFF: John, before you go any farther.

MR. TRENT: Yes, sir.

CHAIRMAN DEMIENTIEFF: Somebody grab that letter and be sure to get it to the recorder because we need it in the record.

MR. TRENT: We also have a written statement from Mr. Driver that you could enter as well when he's done.

That's it for me. I'll defer to Mr. Goodwin.

MR. GOODWIN: Thank you, John. Mr. Chairman, members of the Board. My name is Willie Goodwin. I'm the special assistant to the superintendent for the Western Arctic National Park Lands in Kotzebue.

The National Park Service has been heavily involved in formulating this plan. Dave Spirtes, the previous superintendent for Western Arctic Park Lands drafted the first plan for the one that's before you was amended over a number of meetings. Contributions by the Park Service has been noted throughout the years with its monitoring -- on monitoring the herd. Management of the herd has been carefully watched by the Park Service. And the herd traverses all the parks in Northwest Alaska.

And it's a resource that's important to all of the people in Northwestern Alaska, also other
parts of the state.

I was involved in some of the earlier drafts, the State draft that first came out, of course, we were, as local residents, somewhat opposed to it because there was hardly any public involvement in it. Also Manilaq Association at that time, right after the State draft came out took a stab at drafting a plan, and that was -- there was a lot of concerns by the Federal agencies, also State agencies with that draft so that was dropped. And I can't appreciate enough how much diligence John Trent has in this process. If it wasn't for him we wouldn't be this far. He got all the stakeholders involved, got the State money to have the meetings in Kotzebue and other parts of Alaska, involving other stakeholders. We had meetings in Nome, we had meetings in Anaktuvuk Pass, in Point Hope, throughout the range of the caribou herd.

And as a result we have a plan that's been approved by the stakeholders of the herd from all parts of the range, and especially the stakeholders that are heavily involved in it. It's something that, as a resident of the area, I want to see adopted. It's been adopted by the working group and if the Federal Subsistence Board adopts or supports the plan and then we'll present it to the State Board this fall in Kotzebue, it's something that at least gives us to look forward to.

Back in the early '70s when the herd crashed, we were caught unaware by the restriction of harvest levels, of regulations and it really affected the people in Northwest Alaska, and also the people that did business up there.

With this plan it won't happen like it did in the early '70s. As long as the monitoring of the herd occurs and the surveys are done, there are certain levels in this plan that certain things have to kick in and those will be followed through very closely by all of the stakeholders. So it's a plan that I am very happy that it's here. It's something that we can work with in Northwest Alaska. It's something that we can look forward to and be assured that the herd will be managed properly.

I urge you to support the resolution.

Thank you.
CHAIRMAN DEMIENTIEFF: The Chair would entertain a motion to adopt Resolution 03-01. I'm sorry, go ahead.

MR. DRIVER: Good morning, Mr. Chairman. My name is Phil Driver. I'm a professional hunting guide here in Alaska, I've been so for about 35 years. I represent the licensed hunting guides of this state on this group.

The main emphasis that was put to me by my constituents was to actively participate and organize into this group and try to come up with a working plan for management of caribou. A lot of people said at one time this group could never work, it was too diverse and too much personal agenda for us to work together. Well, this proves that they were absolutely wrong. The beauty of this whole working group was the fact that we did work together for the conservation of this caribou herd through the scientific information we had from the agencies and from the on the ground knowledge that was acquired by the hunters and people who use this herd.

I think we've done a wonderful job and I would urge you to approve this plan that we've come up with.

I thank you for your time.

CHAIRMAN DEMIENTIEFF: Thank you, very much. Grace.

MS. CROSS: Our RAC is very comfortable with this plan. We had reports on it and our area is very well represented.

Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. I must be in my adjournment mode, I'm starting to skip over people. We got a Staff Committee recommendation.

MS. FOX: We serve whatever you want to do. Okay, the Staff Committee consensus is to offer this resolution of support for the Western Arctic Caribou Herd Cooperative Management Plan for your consideration.

This is a non-binding resolution and the plan is a continuing work in progress. The working group's goal is to obtain support from the regulatory
bodies of the State and the Federal Subsistence Board.

This plan has been presented to the four affected Regional Advisory Councils, which are North Slope, Northwest Arctic, Seward Peninsula and the Yukon-Kuskokwim Delta. And as I understand, all Councils have had an opportunity to review this plan and I would suggest that we invite the Chair to seek their comments. Grace has already offered hers, I see the others aren't here, so I guess we'll just continue.

I'd like to also recognize John Trent on behalf of the Staff Committee for his personal dedication to this collaborative effort and for his ability to keep the goal in sight and orchestrate the document before you.

With that, I would like to read the resolution into the record, however, you do have it before you so I'll leave that your discretion, Mr. Chair.

CHAIRMAN DEMIENTIEFF: I think we just need to enter it into the record, everybody's had the opportunity to read it.

MS. FOX: Thank you.

CHAIRMAN DEMIENTIEFF: Okay, with that we're ready for.....

MR. CESAR: So moved, Mr. Chair.

CHAIRMAN DEMIENTIEFF: Move to adopt 03-01. Is there a second.

MR. EDWARDS: Second.

CHAIRMAN DEMIENTIEFF: Moved and seconded. Again, I'll just offer my personal comments. Ron, go ahead.

MR. SAM: Thank you, Mr. Chairman. While we aren't mentioned specifically, the Koyukuk River Basin really appreciates all the efforts that have been presented in the plan. We do have a representative on there and Willie did thank us for appointing him. And with that I'd just like to express Koyukuk River Basin's appreciation for providing us with all the benefits that comes our way as I mentioned before.
Thank you.

CHAIRMAN DEMIENTIEFF: Thank you. Go ahead.

MR. LITTLEFIELD: Thank you, Mr. Chair. Well, we're not affected here either but I would like to compliment you on your consensus approach and look forward to the same results in Unit 2, and are you guys available for deer. Thank you. Congratulations.

CHAIRMAN DEMIENTIEFF: Yeah, we'll just move that team down there. But I, too, just want to compliment everybody on their hard work. And this is another classic example and I think Phil's point of view about approaching this issue, you know, this can't work, too diverse, you know, and that's another classic example of getting the stakeholders to a table and things just work out. And that's how we've solved all kinds of thorny problems, and this is just another classic example of that. It's the most effective management tool that we have today in Alaska. And I just compliment you for that.

And with that we'll just go ahead -- oh, Taylor.

MR. BRELSFORD: Mr. Chairman, thank you, if I may. On behalf of the BLM, I'd like to make three observations regarding the plan.

First of all this planning effort has been groundbreaking in several respects. You have proved false the assertion in the literature that cooperative management only arises in a time of crises. This is a proactive plan looking ahead creating consensus in that fashion and it's required a great deal of commitment on the part of local people as well as all the agencies.

Secondly, this plan breaks new ground in its scale and diversity of stakeholders. We've not seen a plan that has to address concerns across nearly a fifth of the state of Alaska. The cultural diversity among the 40 subsistence reliance villages is quite significant and the stakeholder diversity, the group of people that have come together to look for the greater good, and this is really an extraordinary model that we want to draw a lot of lessons from.

The second thing that I'd like to mention
is that the BLM, nationally has undertaken a major initiative in the area of environmental conflict resolution or alternative dispute resolution. They are designing a web site to identify best practices in each of the states where the BLM is active and the Western Arctic Caribou Herd Plan will be one of the two Alaskan examples of best practices in the area of collaborative action and environmental conflict resolution.

And finally, I want to end on a note of hope for another challenge facing us, we are moving into an era where the Regional Councils will have a more diverse composition and I think we're a little tentative about how that's going to play out. I believe that the spirit of statesmanship and of problem-solving that's been demonstrated by the many stakeholders in the Western Arctic Caribou Herd planning effort shows that it can be done. People can rise to the occasion and find the common good.

So I share the Chair's comments that this is really quite a remarkable achievement and I applaud you.

Thank you. For the record.

For many of our public's information, this would be a second plan that has worked out so successfully. As many of you know the Federal Subsistence Board/OSM and ADF&G have created the Koyukuk River Moose Management Working Group and you approved the plan a couple years ago, that plan and its implementation has been very successful and I would like to commend both the Federal Subsistence Board, OSM and Alaska Fish and Game for creating that plan and making it work, too.

Thank you. For the record.

Further discussion.

(No comments)

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

IN UNISON: Aye.

Those opposed,
same sign.

(No opposing votes)

CHAIRMAN DEMIENTIEFF: Motion carries.

Thank you very much.

We have no other business -- oh, yeah, we do. God, I must be in my adjournment road. Okay, we have awards for customary trade individual recognition award.

These are the people, there are many individuals who assisted in the development of the regulatory language defining customary trade.

The Federal Subsistence Board initiated a process in the fall of 2000 and adopted the final rule at their January 2003 meeting. Throughout this process numerous meetings were held by various entities for the purpose to collect information which would assist the Board in developing the language necessary to clearly define the allowable levels for customary trade. Federal agency staff spent an enormous amount of time researching and compiling data making sure that the information provided at these meetings and to the Board was accurate and informative. Public members gave freely of their time and provided to be the vital link in accurately portraying customary and traditional practices pertaining to customary trade.

At times this process would prove to be highly controversial, arduous and divisive. Challenging the patience and energy of all of these individuals to continue in meeting the goals and objectives asked of them.

However, it was through their hard work and dedication that the Board was successful in developing regulatory language. Therefore, I strongly feel that it is important for the Board to recognize these individuals and acknowledge their hard work and dedication for a job well done.

Some of them are not here. Ralph Lohse, he was here yesterday so we gave him his letter and gift yesterday. Dolly Garza, we'll ship that off. Pete Abraham, he's here.

MR. BOYD: This is just a small token of
our appreciation but we thought maybe they could put it on their dashboard and fill it up with something warm.

(Laughter)

MR. ABRAHAM: Thank you. I don't know whether I deserve it or not, but it's a good cup.

(Applause)

CHAIRMAN DEMIENTIEFF: Robert Nick, Lester Wilde, Gerald Nicholak, Bert Griest, Chuck Miller, Mike Pakoktak, Della Trumble, she's here.

MR. BOYD: Thank you, Della.

(Applause)

MS. TRUMBLE: Thank you, Mr. Chair. I just want to make a statement in regard to this working group. For my own purposes and where I live, and statewide I have learned a tremendous amount from this working group and how people, in their respective areas do in their lifestyles and as far as their subsistence and I really appreciate being able to have been a part of it.

Thank you.

CHAIRMAN DEMIENTIEFF: Grace Cross is here.

(Applause)

MS. CROSS: Thank you, very much. It certainly was a learning experience. We started out with chaos and ended up with a product. I'm surprised you gave me a cup, thank you.

CHAIRMAN DEMIENTIEFF: And also Ray Collins from McGrath will be sent one. And finally, this one is a double gift. Bill Thomas was a member of that working group, in addition, we have another gift in appreciation since he was one of our original program Chairman and so we got a small little token of our appreciation for Bill's years of service as Chair of the Southeast Regional Advisory Council.

(Applause)
CHAIRMAN DEMIENTIEFF: We have letters of appreciation for all of the above, too.

Let me see, one other thing that I wanted to note is that we're losing a very valuable long-term member of our Staff Committee this year, Ken Thompson is retiring and I just wanted to acknowledge that we appreciate his work. He will be -- his replacement is next to him. We appreciate all of his long hours of work and I mean the Staff Committee does really work hard. And I just want to note that we appreciate that, Ken, thank you very much.

MR. THOMPSON: Thank you.

(Applause)

CHAIRMAN DEMIENTIEFF: I think I've covered all the bases. I don't think there's any other business so I'll give the RAC Chairs any parting shots. Della.

MS. TRUMBLE: Thank you, Mitch. I wanted to make a statement in regard to some recent work that was done on the Kodiak/Aleutians RAC and the Kodiak Advisory Council, Fish and Game in regard to the goat issue. They did put in a lot of time and effort and outreach to the public to come to a really good, I think, solution. I'd like to thank, not only them, but also the Staff members from the Federal side that have helped participate with that.

Thank you.

CHAIRMAN DEMIENTIEFF: I forgot to note that this is a one shot deal. Pete.

MR. ABRAHAM: I just want to thank you people here with you working and I work as an RIT back home and a RAC member at the same time. And it makes me proud to work with you people because we have a good connection now with the Native people out in the bush and they're beginning to understand what we're doing and what we're doing over here by gosh we're doing a good job and you guys best of all are doing the best job.

Thank you, very much.

CHAIRMAN DEMIENTIEFF: Thank you. Grace.
MS. CROSS: I want to thank everybody that is involved in helping to solve our fish and game problems up my way. People have been most cooperative and I really appreciate the Board for making changes for us when we need to. We hope that eventually with everybody working together our region's problems will become better.

Chairman Dementieff: Ronny.

MR. SAM: Thank you, Mr. Chair. As former Chairman Thomas so ably said recently, before you were Chairman we never used to have wars in Western Interior. But then I don't see Harry Wilde here, but I would just like to inform the Board that we have been meeting privately and we do expect a resolution to our problem. And while it may be premature, I do expect that we will by our joint meetings. And I would like to thank your efforts, Interagency Staff Committee efforts and your efforts in directing us in the right way.

Thank you.

Chairman Dementieff: John.

MR. LITTLEFIELD: Mr. Chair. I would like to thank the Board for helping me along on my first trip before you. I thoroughly enjoyed it. I enjoy these. I learn something every time I sit down here. And as well as the other -- listening to the other Council Chairs. Thank you very much for that opportunity.

I'd also like to thank you for recognizing in some small way, Mr. Thomas. I think he's done an admirable job for the people of Southeast in representing their interests and has been an advocate in the truest sense of ANILCA. And I've tried to follow that a little bit by asking you to give deference to the RACs as ANILCA requires and I believe he's asked you to before.

Thank you, very much, for this experience.

Chairman Dementieff: Thank you. Terry, you had a comment.
MR. HAYNES: Mr. Chairman, thank you. As always, the Department appreciates the opportunity to participate in this process and we appreciate the consideration given to comments and input that we provide. I appreciate the fact that Della brought up the Kodiak goat process because that is another example of how some of these contentious issues can get resolved at the local level and because that proposal was on the consent agenda, I wanted to make sure it did get some acknowledgement on the record so I appreciate Della bringing it up.

Thank you again.

CHAIRMAN DEMIENTIEFF: Board members, any parting shots.

MR. CESAR: Mr. Chairman, again, I learn something every time. And this time I learned I wasn't as good a parliamentarian as I thought I was.

(Laughter)

MR. CESAR: But I also, you know, know that if I were running this thing we'd be out of here a hell of a lot faster.

(Laughter)

MS. GOTTLIEB: Mr. Chair.

CHAIRMAN DEMIENTIEFF: Thanks for the dig, Niles.

(Laughter)

MS. GOTTLIEB: I'm not sure I agree with that. But I do want to thank everybody who made this meeting happen. We had some tough issues and I'm really pleased with the positive feedback from the RAC Chairs.

As we do say, our system is not perfect but I'm glad to hear maybe we're making a little bit of progress towards that goal and thank everybody for the work of what they've done to get us as far as we have.

CHAIRMAN DEMIENTIEFF: Taylor.

MR. BRELSFORD: Mr. Chairman, on Henry's behalf I'd like to convey to the Board a comment that he's made recently. Although he's relatively new to
Alaska I have heard him say that he considers the subsistence management responsibility one of the most exciting and challenging issues that he's faced in his career. And I know he was sorry to have to miss today. His responsibilities in the energy arena are really quite heavy at this point. But he holds this program in very high regard and I find that he is quite diligent in his prepa -- he asks very hard questions, I want you all to know, so I offer his words of appreciation.

Mr. Edwards: Mr. Chairman, I don't always leave these meetings feeling good about everything we did but I think in my mind I can leave this meeting feeling very good about the things we did.

Dr. Kessler: Yes. I'll follow that with saying that I believe we've made some significant progress on what are some of our thorniest issues and we've got a lot more work to do. But I just want to thank everybody for this progress we've been able to realize.

Chairman Dementieff: Okay. And in my closing remarks, I just have a word of caution for the Board. And there is a growing perception that the Staff Committee plays -- is driving the ship. In actuality, the Staff Committee works on consolidating the information necessary for us to make a decision from the proposal maker and from the input from the Regional Council. But there is one little note that I want to make and that is, somewhere along the line we got off track of moving the Regional Advisory Council recommendation, and how we used to do it is we used to move -- move the Regional Advisory Council recommendation -- as amended by the Interagency Staff Committee, and somewhere along the line we started moving the Interagency Staff Committee recommendation, which I think lends to that -- to the idea that maybe the Interagency Staff Committee is developing these recommendations. Well, they do work, each one of us has a Staff Committee member, each Board member, and they just do the work getting us prepared as individual Board members. So the next time we meet, I'd like to suggest strongly to the Board that we move the Regional Council recommendation and you can, you know, add as amended by the Interagency Staff Committee recommendations.

But that is the operating motivating factor for us. So if we just keep that in mind beginning -- we used to do it all the time and just, I don't know,
somehow we got away from it. But it was just one of the
things I thought about last night as we were preparing --
or as I was working on the Proposal No. 5 issue, it's
another thing that I thought and I was glad that we
finally got back to, you know, to -- because we use the
Regional Council recommendation as the basis to build off
of on the consensus. So we just need to get back to
doing that if we can, please. I think it sends the right
message to our Board members.

Keith, what?

MR. GOLTZ: I'd just like to thank the
working groups for putting the lawyers out of business.
Keep it up.
(Laughter)
CHAIRMAN DEMIENTIEFF: And anyway, in
closing I'll just say I do appreciate all the work, you
know, there's always lots of hard work that goes into
this and everybody does take the time to get prepared, to
get here and I just thank everybody that's involved with
the process and with that, we'll get out of here.

Adjudged.

(END OF PROCEEDINGS)
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 273 through 343 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME III taken electronically by Nathan Hile on the 22nd day of May 2003, 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 4th day of June 2003.

_________________________
Joseph P. Kolasinski
Notary Public in and for Alaska