

00001

FEDERAL SUBSISTENCE BOARD MEETING

SPECIAL ACTION REQUESTS

Sheraton Hotel
Anchorage, Alaska
August 15, 2000

BOARD MEMBERS PRESENT:

Mitch Demientieff, Chairman (Telephonically)
Ida Hildebrand, Bureau of Indian Affairs
Judy Gottlieb, National Park Service
Gary Edwards, U.S. Fish and Wildlife Service
Jim Capland, U.S. Forest Service
Gene Terland, Bureau of Land Management
Keith Goltz, Solicitor

00002

P R O C E E D I N G S

1
2
3
4

(On record)

5 CHAIRMAN DEMIENTIEFF: Okay, we'll go ahead
6 and call the meeting to order. I'm going to ask Jim
7 Capland to help us out this morning for the morning
8 session. I just want to apologize for not being there, I
9 had every intention that that's where I was going to be
10 this morning, but we -- I don't know, you guys been
11 tracking the stories about tuberculosis victims coming home
12 from Sitka and we had one here yesterday and my duties as
13 Chief kind of superseded my duties as Chairman and I
14 apologize for that, but I'm going to ask Jim Capland if
15 he'd just help me out this morning. And I've got all the
16 information and everything here and I'll participate as
17 best as I can from where I'm at.

18
19 MR. CAPLAND: Yeah, we're glad to, Mitch.
20 Why don't we go ahead and begin then with the first
21 request, which is from N.A.T.I.V.E., Incorporated, that the
22 Federal Subsistence Board authorize a permit for the
23 harvest of 24 coho salmon for cultural and educational
24 purposes.

25
26 Before we begin the staff analysis presentation
27 from Cal Casipit, let's go around the Board table here so
28 folks on the line know who's present. Rod, do you want to
29 start?

30
31 MR. SIMONS: Yeah, my name is Rod Simons,
32 I'm with Fish and Wildlife Service and I serve on the Staff
33 Committee in the field of fisheries.

34
35 MR. EDWARDS: Good morning, I'm Gary
36 Edwards, Assistant Regional Director for Fish and Wildlife
37 Service and serving on the Board today on behalf of Fish
38 and Wildlife Service.

39
40 MS. GOTTLIEB: Judy Gottlieb, National Park
41 Service, Board member.

42
43 MR. RABINOWITCH: Sandy Rabinowitch,
44 National Park Service, Staff Committee to the Board.

45
46 MR. GERHART: Bob Gerhart, National Park
47 Service.

48
49 MR. TERLAND: Gene Terland, representing
50 Fran Cherry, Board member BLM.

00003

1 MR. GOLTZ: Keith Goltz, Office of the
2 Solicitor.

3
4 MS. FOX: Peggy Fox, Fish and Wildlife
5 Service, Office of Subsistence Management.

6
7 MR. BOYD: Tom Boyd, Fish and Wildlife
8 Service, Office of Subsistence Management.

9
10 MR. CAPLAND: Jim Capland, Forest Service
11 Board member.

12
13 MR. THOMPSON: Ken Thompson, Forest
14 Service.

15
16 MS. HILDEBRAND: Ida Hildebrand, sitting in
17 for Niles Cesar, BIA.

18
19 MR. CAPLAND: Okay. And on line, who's
20 present with us today? Mitch Demientieff, Chairman. Who
21 else? Terry, are you there?

22
23 MR. HAYNES: Yes, I am, Mr. Chairman.

24
25 MR. CAPLAND: And would you give your name
26 and affiliation, please?

27
28 MR. HAYNES: Terry Haynes, Department of
29 Fish and Game in Fairbanks.

30
31 MR. CAPLAND: Yep. How about you, Cal?

32
33 MR. CASIPIT: Cal Casipit, I'm the
34 Subsistence Staff Biologist for the Forest Service in
35 Juneau.

36
37 MR. CAPLAND: Okay. Stanley Ned.

38
39 MR. NED: Here.

40
41 MR. CAPLAND: Okay, sir. All right, Cal,
42 with respect to this request from N.A.T.I.V.E.,
43 Incorporated, why don't you go ahead and do the staff
44 analysis, please?

45
46 MR. CASIPIT: Sure, no problem. We did
47 receive a request from N.A.T.I.V.E., Incorporated of Sitka
48 to harvest 24 coho salmon for educational and cultural
49 purposes from the Nakwasina River. On June 19th and 22nd,
50 I contacted Mr. Littlefield to verify his request and he

00004

1 stated that he would like to add the Katlian River to that
2 request in case coho salmon were not available in the
3 Nakwasina. Federal waters involved are within the Tongass
4 National Forest.

5
6 Existing sport fishing pressure on the Nakwasina
7 River is considered to be moderate. However, the area is
8 becoming more popular for stream fishing by guided non-
9 residents. There are no specific harvest data for
10 Nakwasina River from ADF&G Statewide Sportfish Harvest
11 Survey.

12
13 There are annual foot escapement counts conducted
14 on Nakwasina River. In the staff analysis you can see the
15 table in there that shows the count for the past 20 years
16 or so. Basically the five year mean average '94 and '98
17 was 495 coho salmon. Again, these are peak footage
18 escapement surveys, they aren't necessarily counting every
19 last fish.

20
21 In 1999 because of high water and some storm event,
22 Fish and Game conducted a snorkel survey and a foot survey
23 in 1999 and they came up with a count of 291 adult coho.
24 During the fall of '99, as well, Fish and Game was
25 capturing and examining coho salmon in Nakwasina River for
26 coded-wire tags and during that work in all of '99 they
27 collected and examined 411 coho salmon. So the escapement
28 into Nakwasina, for '99 anyway, was at least 411 fish.

29
30 The purposes of Dog Point Fish Camp is to enable
31 the transmission of traditional knowledge and practices
32 from generation to generation. They bring in elders from
33 the community to teach youngsters how to harvest and
34 process salmon. In this case it's going to be coho salmon.
35 And, as with any other harvesting of other resources, it's
36 not a matter of just acquiring food, but it's the activity
37 of preserving, too, that has moral and spiritual components
38 as well.

39
40 Our preliminary conclusion is to support the
41 proposal for the Dog Point Fish Camp to harvest 24 coho
42 salmon from the Nakwasina River and/or Katlian River from
43 September 15th to October 31st, 2000 using one or more of
44 any of the following types of fishing gear: beach seine,
45 gillnet, spear, gaff and rod and reel.

46
47 This is justified because we feel the amount of the
48 harvest isn't that great, where basically you're looking at
49 four sport fish limit, 24 coho salmon out of this four
50 sport fish limit, and we come up with that we're going to

00005

1 have to restrict the non-subsistence users to accommodate
2 this request [sic].

3

4 And that's all I have, I'll be happy to answer
5 questions.

6

7 MR. CAPLAND: Okay. Does anyone have a
8 question for Cal?

9

10 (No audible responses)

11

12 MR. CAPLAND: Okay, let's move to public
13 testimony, is there anyone here who would like to testify
14 on this, either in person or over the phone?

15

16 (No audible responses)

17

18 MR. CAPLAND: Okay, how about the
19 representative from ADF&G, I think we have Mary Peat
20 listed.

21

22 MR. HAYNES: Mr. Chairman, this is Terry
23 Haines, I don't believe Mary Peat is on line this morning,
24 so I'm prepared to comment on this proposal. The
25 Department does not support this Special Action Request,
26 primarily because we're not certain that the Federal Board
27 has the authority to issue this type of permit. The current
28 Federal subsistence regulation for the Southeastern Alaska
29 area indicates that permits will not be issued to take
30 chinook or coho salmon for subsistence uses. They can be
31 incidently with gear operated under terms of a subsistence
32 permit for other salmon.

33

34 So I guess we would ask if the Board is intending
35 to implement this Special Action Request, what the
36 authority would be for doing so. And an alternative,
37 should the Board not be able to address this request, the
38 request does appear to meet the guidelines for a Department
39 educational fishery permit that's provided for in 5 AAC
40 93.210, so we would recommend that the proponent consider
41 submitting an application to the Department of Fish and
42 Game for an educational fishery permit.

43

44 Thank you.

45

46 MR. CAPLAND: Yeah, thank you for your
47 comments. Keith, can you give us any help with this issue?

48

49 MR. GOLTZ: Yes, I think the regulation
50 Terry refers to has application to general subsistence

00006

1 permits, but there is authority in a different section of
2 our regulations, and Bill might have to help me with this
3 because I forgot my glasses and these are mighty small
4 numbers. But I think it's in Section 10,D,5,iii, and what
5 is says is a one-time or annual harvest for special
6 purposes, including ceremonies and pot latches. We would
7 consider this that type of special purpose and that would
8 be the authority for this Special Action Request.

9
10 MR. CAPLAND: Thanks, Keith. Bill, do you
11 have anything to add to that?

12
13 MR. KNAUER: (Shakes head in the negative)

14
15 MR. CAPLAND: Okay. Ida.

16
17 MS. HILDEBRAND: Mr. Chairman, if you're
18 through with your process I'd like to make a motion.

19
20 MR. CAPLAND: We're not quite done yet, we
21 have just a couple of other comments first.

22
23 MR. CAPLAND: Keith, people may not have
24 heard you because you were a little ways from the
25 microphone. Cal, did you hear Keith?

26
27 MR. CASIPIT: Yeah, I did, kind of.

28
29 MR. CAPLAND: Okay, maybe.....

30
31 MR. CASIPIT: It has to do with our -- the
32 parts of the regs that allow us to allow takings for
33 ceremonials and cultural purposes, correct?

34
35 MR. CAPLAND: Yes. How about you, Terry,
36 did you hear his reply?

37
38 MR. HAYNES: I'm trying to find the section
39 in the regulations, I couldn't hear all the numbers.

40
41 MR. CAPLAND: Okay. Keith, maybe you could
42 get a little closer to this little round microphone and see
43 if you could repeat that. Thank you.

44
45 MR. GOLTZ: Terry, can you hear me now?

46
47 MR. HAYNES: Loud and clear, yes.

48
49 MR. GOLTZ: What kind of regulation copy
50 are you looking at?

00007

1 MR. HAYNES: I'm looking at your codified
2 Federal Regulations.

3
4 MR. GOLTZ: Okay. Go to page 1290.

5
6 MR. HAYNES: Okay.

7
8 MR. GOLTZ: In the middle column, sub iii,
9 it's a lower case Roman iii.

10
11 MR. HAYNES: Okay.

12
13 MR. GOLTZ: Got it?

14
15 MR. HAYNES: Thank you very much.

16
17 MR. GOLTZ: Okay.

18
19 MR. CAPLAND: Okay, thank you, Keith, for
20 filling that in, I appreciate it. Any further comments,
21 Terry?

22
23 MR. HAYNES: No. Thank you for the
24 opportunity to comment.

25
26 MR. CAPLAND: You bet. How about Regional
27 Council Chair, do we have anyone on line for Bill Thomas in
28 discussion?

29
30 (No audible responses)

31
32 MR. CAPLAND: Okay. Staff committee
33 recommendation.

34
35 MS. FOX: The Staff Committee recommends
36 that we adopt the Special Action Request. As stated by
37 Cal, the request is supported by the educational and
38 cultural needs of rural residents for Southeast Alaska and
39 by the precedent of the Board's issuance of similar permits
40 in the past to this same organization. The proposed
41 harvest is low and not expected to have any measurable
42 effect on escapement or conflict with existing sport
43 fishing activities.

44
45 MR. CAPLAND: Okay, thank you, Peggy.
46 Board discussion. Any comments from the Board at this
47 point?

48
49 (No audible responses)

50

00008

1 MR. CAPLAND: All right, the Chair would
2 entertain a motion then.

3
4 MS. HILDEBRAND: Mr. Chairman.

5
6 MR. CAPLAND: Yes, Ida.

7
8 MS. HILDEBRAND: On behalf of Niles I make
9 the following motion. I move to support and approve the
10 request of the Native American Traditional Indian Value
11 Enrichment, Inc. of Sitka to take 24 coho salmon from the
12 Nakwasina and Katlian Rivers with beach seines, gillnets,
13 spears, gaffs and/or rod and reel between September 15 and
14 October 31 of 2000 for their Dog Point Fish Camp.

15
16 MR. CAPLAND: Thanks, Ida, is there a
17 second?

18
19 MS. GOTTLIEB: Second.

20
21 MR. CAPLAND: Okay. Board discussion on
22 the motion?

23
24 (No audible responses)

25
26 MR. CAPLAND: Sensing your desire to vote,
27 all those in favor please say aye.

28
29 IN UNISON: Aye.

30
31 MR. CAPLAND: Opposed, nay.

32
33 (No opposing responses)

34
35 MR. CAPLAND: Motion passes.

36
37 Okay, let's move to the next request which is from
38 the Bristol Bay Regional Council that the Federal
39 Subsistence Board establish a moose season in Unit 17(A).
40 First we'll have the staff analysis from Dave Fisher.

41
42 MR. FISHER: Thank you, Mr. Chairman, my
43 name is Dave Fisher, I'm a wildlife biologist for the U.S.
44 Fish and Wildlife Service, Office of Subsistence
45 Management.

46
47 As the Chairman said, this Special Action would
48 establish another fall temporary.....

49
50 MR. CAPLAND: Dave, hold on just a second,

00009

1 if you wouldn't mind.

2
3 MR. FISHER: Okay.

4
5 MR. CAPLAND: Can you folks hear Dave as
6 he's speaking, you folks on the phone?

7
8 MR. SAMUELSEN: Yes, this is Robin
9 Samuelsen, Bristol Bay RAC.

10
11 MR. CAPLAND: Thank you.

12
13 CHAIRMAN DEMIENTIEFF: This is Mitch, I can
14 sure hear.

15
16 MR. CAPLAND: Great, thanks. Go ahead,
17 Dave.

18
19 MR. FISHER: Thank you, Mr. Chairman. This
20 Special Action submitted by the Bristol Bay Regional
21 Council would reestablish another temporary fall Federal
22 moose hunting season for Subunit 17(A). This season would
23 be August 20th to September 15th, one bull by State
24 registration permit and would align with the current State
25 season for the subunit.

26
27 And this Special Action is a result of the Bristol
28 Bay Regional Council not being able to take action on their
29 recommendation to support a deferred proposal. This
30 deferred proposal was submitted in 1998 and I'll refer to
31 it as Proposal 98-59. They couldn't take action because
32 the proposal was not included in the Federal Register when
33 proposals were sent out for public comment. And the
34 Council felt they wanted to establish a -- provide a fall
35 Federal season, so this is why the Special Action was
36 submitted.

37
38 Proposal 98-59 would have established that fall
39 subsistence season for the subunit and it was deferred
40 pending completion of a moose management plan for Subunit
41 17(A). The draft moose management plane was presented to
42 the Council and was endorsed by the Council. And the draft
43 moose management plan contains guidelines when seasons will
44 open and/or close, depending on estimated moose
45 populations. For example, when the population is below --
46 up to 300, there would be no season; from 300-600 there
47 would be a fall season; and from 600-1,100 we would
48 initiate a winter season. The Regional Council will
49 probably reconsider this deferred proposal at their fall
50 and/or spring meeting, so it will come up again.

00010

1 A little bit of biology on this moose population.
2 The season was closed in 1981 due to low populations and it
3 remained closed for about 16 years. The Board of Game and
4 the Federal Subsistence Board both established a season in
5 1997. The Federal Subsistence Board established a Special
6 Action for a one-time season and the Board of Game
7 established a parallel season and there has been a State
8 season since 1997.

9
10 The population has started to increase in the early
11 '90s, 1994 we had an estimated population of around 84 and
12 that climbed up to over 500 in 1999. And I just talked to
13 the refuge here a few days ago and they did do some surveys
14 here in March and they actually counted around 425 animals
15 at that time. So the population has increased, therefore,
16 we're able to provide a season.

17
18 That, basically, is all I have, Mr. Chairman,
19 unless there's some questions.

20
21 MR. CAPLAND: Does anyone have questions
22 from the Board for Dave?

23
24 (No audible responses)

25
26 MR. CAPLAND: How about folks on the phone,
27 any questions?

28
29 (No audible responses)

30
31 MR. CAPLAND: All right. Moving to public
32 testimony, anyone who would like to testify on this?

33
34 (No audible responses)

35
36 MR. CAPLAND: Okay, no one for public
37 testimony, how about comments from ADF&G. Terry.

38
39 MR. HAYNES: Thank you, Mr. Chairman, we
40 have no problems with this Special Action Request. We
41 would point out that whether or not it is approved, hunters
42 will be able to hunt under the State permit on both State
43 and non-State lands, so net effect of the Special Action
44 Request is simply to adopt and implement a Federal
45 regulation to parallel the State regulation. We have no
46 problem with this request.

47
48 MR. CAPLAND: You know, Terry, how much we
49 like to parallel with State regulations.

50

00011

1 MR. HAYNES: Yes, sir.

2
3 MR. CAPLAND: Thank you very much. Any
4 questions for Terry?

5
6 (No audible responses)

7
8 MR. CAPLAND: All right. How about
9 Regional Council Chair comments?

10
11 MR. SAMUELSEN: This is Robin Samuelson,
12 Vice Chairman, Bristol Bay RAC. We concur with Dave
13 Frazier's [sic] comments and would recommend to the Board
14 do pass.

15
16 Thank you.

17
18 MR. CAPLAND: Okay, thank you. Staff
19 Committee recommendations, Peggy.

20
21 MS. FOX: Thank you. The Staff Committee
22 recommends that the Board adopt the Special Action Request.
23 This Special Action would align Federal subsistence
24 regulations with current State regulations and would help
25 eliminate confusion for rural residents which often exists
26 when there are two sets of hunting regulations for the same
27 unit. The moose population has continued to increase and
28 reestablishing this fall moose hunt for qualified Federal
29 subsistence hunters is within the guidelines specified in
30 the moose management plan.

31
32 MR. CAPLAND: Anything else, Peggy?

33
34 MS. FOX: No. Thank you.

35
36 MR. CAPLAND: Questions for Peggy anyone?

37
38 (No audible responses)

39
40 MR. CAPLAND: All right. Board discussion.
41 Any purpose in Board discussion at this point?

42
43 (No audible responses)

44
45 MR. CAPLAND: Okay, I'm available for a
46 motion.

47
48 MS. HILDEBRAND: Mr. Chairman.

49
50 MR. CAPLAND: Ida.

00012

1 MS. HILDEBRAND: Mr. Chairman, on behalf of
2 Niles I move that the Board accept this request for a
3 temporary moose hunt in 17(A).

4
5 MR. CAPLAND: Is there a second?

6
7 MS. GOTTLIEB: Second.

8
9 MR. CAPLAND: Okay, discussion on the
10 motion?

11
12 (No audible responses)

13
14 MR. CAPLAND: All right, sensing your
15 desire to vote, all those in favor please signify by saying
16 aye.

17
18 IN UNISON: Aye.

19
20 MR. CAPLAND: Opposed, nay.

21
22 (No opposing responses)

23
24 MR. CAPLAND: Motion passes.

25
26 Okay, let's move on to the request from the Koyukuk
27 River Tribal Task Force on Moose Management that the
28 Federal Subsistence Board limit the harvest of moose in
29 Units 21(D) and 24. Pete DeMatteo, staff analysis.

30
31 MR. DeMATTEO: Mr. Chair, the best way to
32 approach this is to give you a little background
33 information which led to the staff analysis before you.
34 The Alaska Department of Fish and Game in 1999 implemented
35 a planning process for moose management in Unit 21(D) and
36 24 based on public concerns and also agency concerns for
37 the moose population and also the harvest in that area.

38
39 They initiated a planning process and also a
40 planning team which involved advisory committees, both
41 rural and non-rural members, four members for the Western
42 Interior Regional Advisory Council and also there was wide
43 participation between Federal and State agencies, and also
44 members of the Office of Subsistence Management.

45
46 A draft management plan, which spans the years 2000
47 to 2005 came out of this planning process which is under
48 public review. Also proposals to change the regulations
49 for that area for moose seasons was also submitted to the
50 Board of Game. The Board of Game adopted revisions of

00013

1 these proposals in March 2000 and the Federal Board, excuse
2 me, adopted revisions of Proposals 47 and 48 this past
3 regulatory year. I mention this because these two proposed
4 revisions mirrored the Board of Game action from two months
5 before that.

6
7 This is the first time in 10 years that the Federal
8 regulations mirror the State regulations for that area,
9 probably 99.9 percent. The reason why I mention this is
10 because the effectiveness of this plan for moose in that
11 area, one measure of it is how well the harvest sticks to
12 management guidelines and it also is a measurement of how
13 easily we can keep the regulations aligned through the
14 public process. So it'll take several years to measure the
15 outcome of the effectiveness of this plan.

16
17 The status of the moose population, I have no new
18 data to offer you at this time. I made a presentation back
19 in May to the Board that was based on surveys that were
20 conducted last November and the population is still
21 considered where it was at. There was a decline in
22 productivity, in production in the population which
23 precipitated the proposal that were submitted by the
24 refuge, which were Proposals 47 and 48. And that was to do
25 away with all cow harvest. And, of course, we had a
26 revision of that, which was a compromise to the current
27 regulations, which is a reduction in cow harvest. So,
28 therefore, I have no new population data to offer you.

29
30 The staff recommends that the plan be allowed to go
31 for several years because there's been wide scale
32 involvement between the Federal agencies and also the
33 Council. And it is a solution to an ongoing concern for
34 high level of harvest and also that the local folks felt
35 that they're not getting their allocation.

36
37 And with that, I'll stop there.

38
39 MR. CAPLAND: Okay. Thanks, Pete. Any
40 questions for Pete from the Board?

41
42 (No audible responses)

43
44 MR. CAPLAND: Okay, let's move on and do
45 public testimony at this time. Let me cover the folks who
46 are here in the room currently and then we'll move to the
47 people on the phone. I know there are several people who
48 are calling in. So let's start first with Michael Walleri.
49 Mr. Walleri. Is it Walleri, sir or Walleri?

50

00014

1 MR. WALLERI: Oh, any old name.

2

3 (Laughter)

4

5 MR. CAPLAND: I'm sorry, say that again.

6

7 MR. WALLERI: My mother called me Walleri.

8

9 MR. CAPLAND: Okay, Walleri, sorry.

10

11 MR. WALLERI: But I'll respond to anything.

12

13 MR. CAPLAND: And you have to press the
14 button in front of you. There you go, thank you, sir.

15

16 MR. WALLERI: Thank you. I appreciate the
17 opportunity to talk to you this morning. I'd like to give
18 a little bit of different -- a little bit more background
19 into how we got here with this request.

20

21 My name is Mike Walleri, I'm an attorney in
22 Fairbanks and I represent the Koyukuk Tribal Task Force on
23 Moose Management, which is a group of villages within GMU
24 21 and 24 on the Koyukuk River. And it is the village
25 councils or tribal councils that formed this organization
26 in the spring of 1999. What brought it into existence was
27 a meeting in Koyukuk of these villages with the U.S. Fish
28 and Wildlife and ADF&G staff, raising the concerns that
29 Mr. DeMatteo mentioned, and that is declining moose
30 population, increased harvest in the area.

31

32 The meeting was -- the purpose of the meeting was
33 to really address concerns by the villages in a request
34 that they made to the ADF&G and U.S. Fish and Wildlife to
35 engage in a co-management planning process to address the
36 problem. The State of Alaska rejected -- ADF&G rejected
37 that proposal and in its place they had a counterproposal,
38 which was to form a hunting group made up of a wide variety
39 of interests, including representation from Kenai hunters,
40 Fairbanks and urban hunter groups, to try and come up with
41 a plan. The hunters' group included members of the people
42 resident in the villages also that organized the task
43 force.

44

45 And so I may confuse you with some of the different
46 organizations, but just to clarify it, when I'm talking
47 about the task force I'm talking about the Tribal Task
48 Force, the villages. When I'm talking about the hunters'
49 group I'm talking about the organization organized by ADF&G
50 to provide planning into this planning process. And, of

00015

1 course, the draft plan is the plan which has not been
2 finalized, but is kind of a working draft that was
3 developed by the ADF&G as a result of the hunters' group
4 meetings and involved the agency participation that
5 Mr. DeMatteo talked about.

6
7 In response to the State's organization of the
8 hunters' group, the Task Force filed a lawsuit, organized
9 and filed a lawsuit in State court arguing that the numbers
10 that were being used by the ADF&G overestimated the
11 population and underestimated the harvest. That lawsuit
12 was filed in the summer of 1999, I represented the Task
13 Force on that. The case was dismissed by Judge Green, it
14 was in State court, for failure to exhaust administrative
15 remedies in that the Task Force had not made a proposal to
16 the Board of Game. So effectively, and part of the State's
17 argument at the time was this hunters' task force was
18 developing a plan and that the State wanted an opportunity
19 to present the hunters' plan to the Board of Game and have
20 the Board of Game take a thorough and comprehensive view of
21 the planning process and take action.

22
23 Essentially what that amounted to was Judge Green
24 remanding the Task Force back to the Board of Game, which
25 followed shortly in March. At the same time a couple of
26 other things were happening, and that is that the hunters'
27 group process continued and the net result was this plan
28 resulted. And all of this came together in Fairbanks at
29 the March Board of Game meeting, and the result was this
30 revision of the hunters' plan by the Board of Game.

31
32 Essentially the main points -- there are two main
33 points about what happened at the Board of Game. The first
34 is that in the past registration hunt -- what I mean by
35 that is if you wanted to hunt in the general hunt in the
36 area you simply signed up and that -- and you registered
37 for the hunt. And that registration hunt was eliminated
38 and replaced with a drawing hunt with permits. In other
39 words, you had to apply for the permit, the drawing was
40 made and if you received -- if your name was drawn you
41 basically got a hunting permit in the general hunt.

42
43 There are no restrictions in the general hunt
44 outside of the Koyukuk Controlled Use Area. The Koyukuk
45 Controlled Use Area is primarily the main body of the
46 Koyukuk National Wildlife Refuge that's bordering the
47 Koyukuk River and certain State lands outside the refuge
48 and the village lands, ANCSA lands, for Huslia. They
49 include both GMU 21(D) and 24. This is very important
50 because the permits that are being used or being authorized

00016

1 here are permits that can be utilized in either 21(D) or
2 24. This is very important. I'll talk about why this is
3 important a little bit later on in my presentation.

4
5 The Board authorized 400 permits which is
6 substantially more than ADF&G biologists or anybody had
7 suggested would be a prudent harvest level in the area.
8 ADF&G responded and, of course, they had advised the Board
9 they were going to do this, with authorizing 258 permits
10 for use in the Koyukuk Controlled Use Area. It's important
11 to understand that that 258 permits allows 258 hunters into
12 the Koyukuk Controlled Use Area. The area within 24 and
13 21(D) outside the controlled use area is unlimited, and
14 that is something that -- so that basically it's only 248
15 permits, it's only 258 permits within the controlled use
16 area.

17
18 What the Task Force is requesting the Board to do
19 today is to limit the harvest of moose in that portion of
20 21(D) within the controlled used area to 315 moose, so it's
21 not suggesting limitations outside the refuge, it is not
22 suggesting a refuge-wide limitation, it's only requesting a
23 limitation of 315 moose within that portion of GMU 21(D)
24 within the Koyukuk National Wildlife Refuge, which is the
25 southern portion of the controlled use area. The reason --
26 what that translate into is about 164 -- excuse me, I'll
27 strike that.

28
29 The Task Force is also asking for the Board and the
30 U.S. Fish and Wildlife to monitor harvesting in GMU 24
31 within the Koyukuk National Wildlife Refuge and to limit,
32 it if becomes necessary, only to 253 hunters total within
33 -- or non-subsistence or non-rural hunters within that
34 portion of the Koyukuk National Wildlife Refuge. This is a
35 very surgical proposal and it is designed to take the most
36 limited and restrictive action to protect the conservation
37 goals of the moose population.

38
39 In the staff report before you the request is
40 characterized as a request for the purposes of providing
41 subsistence opportunities. And I want to apologize to the
42 Board because in writing this thing I got a little bit tied
43 up in the details and forgot to say what it is that we were
44 trying to do. We're not trying to create a subsistence
45 opportunity here. What we're attempting to do is limit the
46 harvest for the purposes of protecting the viability of
47 moose population in the area. This is not an allocation
48 request, this is a conservation request. And I want to
49 emphasize that, this is not allocation request, it is a
50 conservation request. The long-term goal, of course, is to

00017

1 protect continued subsistence uses. But in terms of this
2 Emergency Action what we're asking is for a limitation in
3 the harvest to protect the viability of the current level
4 of moose population in the area. It is a conservation
5 action.

6
7 Why are we asking for it? The reason we're asking
8 for it -- or excuse me, is basically to preserve the
9 current level of moose in the area. Now, I'm going to bore
10 you with a lot of details, and I apologize for that, but
11 it's unavoidable under the circumstances, but I want to
12 clarify something about the data I'm going to be talking
13 about. This is not our data, this is not the Task Force
14 data, the data that we are using, and this was a decision
15 made by the Task Force as a practical matter, was that in
16 the presentation of this advocacy the purpose was intended
17 to use the data provided by, and agreed to, by the ADF&G.
18 Now, historically, the village have taken a more
19 conservative view and have criticized ADF&G data, saying
20 that it is overestimating the population and
21 underestimating the harvest in the area.

22
23 Much of that debate occurred in the 1999 and pretty
24 much came to an end in March. And what happened in March
25 was that the -- and I want to emphasize and thank the
26 Federal agencies for this, that the ADF&G revised the
27 population estimates it had been using in the area downward
28 and that is primarily a function of U.S. Fish and Wildlife
29 biologists and the cooperative surveys that have been done
30 by the Federal government in the area to more accurately
31 assess the population. And I really want to thank the U.S.
32 Fish and Wildlife Service for that because, as you will
33 note, and it is not contested, that the reductions in
34 population estimates for the area were reduced somewhere
35 between 15 and 30 percent from prior estimates, and this
36 occurred in March. So that what we're basically saying
37 here is that sometime before March of 2000 the population
38 in this area has reduced somewhere in the neighborhood
39 between 15 to 30 percent. And nobody is really arguing
40 that anymore.

41
42 Now, if you're wondering about just taking my word
43 for it, don't. Take a look at Exhibit A, which is a sworn
44 affidavit by the ADF&G biologist in the area telling what
45 the population estimates were in December of 1999 and then
46 take a look at the hunters' plan and you'll notice this
47 population declined. This is not a hyperbole, this is
48 what's happening in the area and it's documented in your
49 packets.

50

00018

1 Now, what do we agree on? Well, we agree on some
2 pretty scary statistics that's happening in the Koyukuk.
3 First of all, as the staff report that you have before
4 indicates, there have been decreases in indicators in all
5 of the trend count areas in GMU 21(D). There's been
6 decreases in indicators of all -- in all trend count areas.
7 Now, the analysis provided to you is actually a very good
8 analysis of that trend count data in your staff reports.
9 There are some problems with it, however, and I just wanted
10 to point that out. And that is that the comparability of
11 the data between the trend count area -- there is no
12 comparability of the data between the trend count areas
13 because they're talking about different indicators in the
14 staff report.

15
16 In some cases they're talking about cow:calf
17 ratios, they're talking about bull:cow ratios, they're
18 talking about yearly recruitment and other indicators in
19 those trend count areas. But what's important in the
20 information that you have before you is that in --
21 regardless of what the indicators are that you're looking
22 at, or that -- and the indicators differ from area to area,
23 but that at least one indicator in each trend area
24 indicates a decline, in some fashion, of the moose
25 population in that trend count area.

26
27 Secondly, what we agree on is that the total
28 population estimate is in decline within the area. And
29 that that decline is somewhere in the neighborhood of 15 to
30 30 percent. Now, this is a very healthy moose population
31 that we're talking about. There's no question about that.
32 This is a healthy moose population. What we're trying to
33 do here is prevent this healthy moose population from
34 turning into a Tier II situation where you have to go in
35 and even impose higher restrictions in the area. But the
36 population adjustments that were made in March clearly
37 indicated a 15 to 30 percent reduction.

38
39 Another point that we agree on in terms of the data
40 is that there are substantial increases in hunters in the
41 area. And this is documented on page 8 of the hunters'
42 plan that was produced by the State. There have been 200
43 -- there's a 265 percent increase in the non-local hunter
44 use of the area in the last 10 years. There is a 630
45 percent increase in non-resident hunting in the area.
46 These are large numbers, these are very large numbers and
47 they show a tremendous increase.

48
49 Now, what you hear in the villages oftentimes is
50 that what is happening is that much of this increase in use

00019

1 spiked in 1996 and it really has to do with hunting
2 practices coming out of Fairbanks. If you take a look in
3 the early '80s and move outward from Fairbanks, you start
4 seeing a decline in population in the areas. For example,
5 we started to see a decline in the Minto Flats which went
6 into Tier II, which I'm sure you're aware of and which this
7 Board has had to deal with a couple of times. And as you
8 go further out, the moose population has declined though
9 time, for example, Nowitna and around the Tanana area,
10 we've seen declines in population.

11
12 What we're seeing right now is the beginning of
13 that trend occurring in the Koyukuk River, which is the
14 next major moose population going outside -- following the
15 river system outside of Fairbanks, and that's what's going
16 on. I'm not sure everybody agrees with that, but what they
17 do agree with it is that there's this tremendous spike in
18 non-resident and non-local hunting pressure in the area.

19
20 Additionally, what is agreed to is that the harvest
21 has increased by 232 percent. The human harvest has
22 increased by 232 percent in the last 10 years, that's noted
23 on page 23 of the plan. And finally, that there is an
24 increase in predation and it's primarily due to an increase
25 in wolf population and that wolf population has increased
26 between 1994 and 1999 by 17 percent. That's also
27 documented in the plan at page 6.

28
29 Now, the staff recommends, has made three
30 criticisms or basically leveled three criticisms at the
31 proposal. And I want to address each one of those
32 criticisms. Essentially what the staff recommendation is
33 saying is that there are two reasons to reject this
34 proposal, the first is the Federal commitment to joint
35 planning between the Federal and State agencies in this
36 area. And that is a political goal. In other words, that
37 there should be joint planning. It's also a good goal, but
38 it has to be recognized that that's one of the reasons for
39 the staff recommendation here is that the Federal agencies
40 are committed to a joint planning process.

41
42 The second points that are made is that the numbers
43 of the proponents, in other words, the numbers that we've
44 submitted, are wrong. I'd like to address that first.
45 With regards to the numbers, the first issue that is raised
46 is this 65 percent and the staff analysis suggests that
47 there was confusion between the calf mortality rate of 65
48 percent and the total predator mortality rate of 65
49 percent. Everybody is right on this one. If you take a
50 look at the plan you'll see that, in fact, your staff

00020

1 analysis is correct, that there is a 65 percent calf
2 mortality rate. In other words, 65 percent of all calves
3 in the area die, and that is true. What is also true, and
4 there is no confusion about this, is that the total
5 mortality caused by predators in the area is 65 percent.
6 And that is documented at page 14. I want to emphasize,
7 there is no confusion here, the numbers are the same, and
8 this is not our figures, these are the ADF&G figures in the
9 planning report. It is a 65 percent mortality caused by
10 predators. In other words, 65 percent of all mortality is
11 by predator in the area. That shows a significant problem,
12 there's not a confusion, it's just a coincidence that the
13 two numbers are the same.

14
15 Secondly, the staff has questioned our use of 750
16 hunters allowed in the area under the State's plan. And
17 we've actually refined that data a little bit more. What
18 the staff analysis suggests is that we are not taking into
19 account the implementation of the restrictions and that is
20 not true. And let me run through the numbers for you
21 really quick. The total number of subsistence rural
22 hunters in the area are 294, the reason for that is that
23 there are 200 -- and the way you can calculate that and
24 verify that is that there's 209 moose harvested in GMU
25 21(D). The State subsistence report is attached as, I
26 believe, Exhibit D, states on page 2, the rural subsistence
27 harvest success rate is 71 percent. What that means is you
28 have 294 hunters, rural subsistence hunters in the area,
29 harvesting in 21(D). And that is, by the way, primarily
30 within the Controlled Use Area, that's why the Controlled
31 Use Area exists.

32
33 The general hunt permit allows 258 hunters into the
34 area, which gives you a total of 552 people, hunters in the
35 area. Now, where you come up with the total of 750. The
36 way you come up with the other 750 is one of the major
37 problems that the plan really doesn't address, and that is
38 the crossover from -- under the State system of people who
39 would normally hunt in the general hunt, but are not -- and
40 can go over to the State hunt, subsistence hunt, which is
41 unregulated in number. And what that boils down it is
42 something like this. What we do know is that there were --
43 in 1998 the non-local hunters were 121 and if you say all
44 of those local hunters who have been hunting -- non-local
45 hunters, in other words, the urban hunters, who have been
46 hunting in the area since 1988, if all of those people
47 participated and they would qualify under a Tier II system,
48 under the State system. If all those people participated
49 you'd have 673 hunters in the area.

50

00021

1 If all of the non-local but resident hunters that
2 hunted in the area last year came in, that is 321 hunters,
3 which means that you got 873 hunters in the area. The 750
4 number is a reactive -- the medium between those two, in
5 other words, if only half of the hunters who -- the urban
6 hunters switch over and go into the subsistence harvest
7 that they're allowed to under State law, if only half go
8 over, that give you 773 hunters in the area, and we're
9 estimating only 750.

10
11 So the problem here is the unknown, it's how many
12 are going to switch over. The number of state residents
13 who are eligible for a State subsistence harvest in the
14 area and do not have to use a general hunt, how many of
15 those people are going to switch over. We're saying that
16 the total comes to about 750. If you only take the medium,
17 you come up with 773, so I think that 750 is probably a
18 pretty good figure.

19
20 Now, the last criticism has to do with the staff
21 calculations that 200 moose will be taken by subsistence
22 users. That's simply wrong. Under the State system what
23 has been happening, and if you take a look at the State
24 Subsistence Division report you'll see that 209 moose alone
25 are taken in by the villages in the area, forget the urban
26 subsistence hunters all together that are allowed to hunt
27 under the State plan, 209 are taken by subsistence now. So
28 what -- and I have to say State -- or your staff analysis
29 is correct, this 200 figure is what the State is figuring
30 for the total subsistence harvest in the area, at least
31 that's what they told your staff. The problem is that if
32 209 alone are used by the rural villages, if there is
33 anybody, if there is any urban crossover at all into the
34 subsistence hunt that 209 figure is going to go up, not
35 down. So what it means is that if your staff analysis is
36 correct, the subsistence allocation that the State has
37 already provided is less than the historical subsistence
38 use in the area by the village alone.

39
40 Now, the biggest problem with the staff analysis,
41 frankly, has to do with the number -- allocation of moose
42 that are being -- or the number -- the total harvest
43 allocation. If you take a look at your staff report you'll
44 see that the State is saying that there the target is 368
45 moose that's going to be harvested in the area. Now, I
46 understand that what they're talking about is 368 in the
47 hunting season and that their -- but there's another 50
48 moose in there. And the reason there's another 50 moose in
49 there is take a look at Exhibit C that was included in your
50 packet. This was not prepared by us, this was prepared by

00022

1 Mr. Strout, the ADF&G biologist in the area. And what he's
2 using is a 418 harvest level, that's what he's looking at,
3 not 386, he's looking at 418. That's over a hundred what
4 we're talking about, that's over 50 what you guys, what the
5 State has reported to you, but that is the 7.5 percent
6 harvest rate that they're talking about, is 418 for the
7 annual harvest out of that area.

8
9 Now, if you take this 368 that your staff is using
10 and you subtract out -- take a look at C, the conservative
11 estimate that the State is using for total subsistence,
12 that's urban and rural under the State system is 250 moose.
13 If you take the 368 that your staff has reported to you as
14 the harvest goal, you subtract out 250 moose, which is what
15 the State says is a subsistence harvest for both urban and
16 rural in the area, you come out with 118 moose left, which
17 translates to 180 permits under a 65 percent success rate.
18 That's over a hundred permits less -- that's around a
19 hundred permits less than what is being issued here.

20
21 So any way you cut this, any way you cut this,
22 there's an overharvest if you just take a look at the
23 numbers. If you take that 386 number and you say, okay,
24 we're only go to -- we're not going to take -- Mike, we're
25 not going to take your word for wanting 315, we're going to
26 take what the State told us, 386. What that translates to
27 is only 180 permits and, frankly, that's better than a poke
28 in the eye and we'll take that. So if you want to hold the
29 State to their -- to what they told you as their target
30 harvest, we'll take that, that's 386. But what it means is
31 that you got to reduce down the number of permits to 180.
32 But we would like to see closer to 315 in terms of 21(D).

33
34 The second issue that has been raised is the policy
35 to foster the cooperation in this area between the Federal
36 and State agencies, and we support that. In fact, it was
37 the villages that first proposed a cooperative management
38 program between the Feds, the State and the tribes. But
39 what has happened is that that process that people are
40 talking about has not really been all that successful. Let
41 me give you a couple of examples.

42
43 The proposal -- the plan that you have before you
44 is a little different than what the hunters' group actually
45 endorsed. The hunters' group actually endorsed a more
46 restrictive plan. But what is interesting is that when the
47 plan came out, major participants in the program, primarily
48 the Kenai hunters and the Fairbanks hunters' groups,
49 through the Fairbanks Advisory Council, rejected the plan
50 and disavowed it. There is no consensus from the urban

00023

1 hunters on this plan. What's more interesting is that what
2 the plan proposed originally and what was accepted by the
3 hunters' group was five percent harvest rate, a five
4 percent harvest rate.

5
6 Now, the biologists in the area, and it's actually
7 in the report, you'll see, on page 8 of the planning
8 report, propose that the maximum sustained yield of harvest
9 in the area was 6.5 to seven percent. What the plan
10 proposed on page 22 is a seven to eight percent harvest
11 rate. In other words, above what the plan identifies as
12 the maximum sustained yield harvest level.

13
14 Lastly, what the Board of Game authorized was 400
15 permits, which takes you into the nine to 10 percent
16 harvest level. And that's not what's being proposed, but
17 the plan here does not -- what the Board of Game has done
18 and what ADF&G has proposed to the Board and the Board
19 accepted is not what the plan called for. In fact, there's
20 is a very critical question of what is the harvest level
21 that you want?

22
23 Again, the hunter group approved five percent, the
24 biologists said a maximum level is 6.5 to seven percent,
25 the plan proposes seven to eight percent and the Board
26 authorized nine to 10 percent. That's not a consensus
27 process. If you're going to go with saying let's use -- if
28 we're committed to the idea of a consensus based process,
29 what that means is going back to the five percent level
30 that was the consensus of the group, not the nine and 10
31 percent that the Board approved.

32
33 So while I accept the idea that it is important to
34 have consensus, let's be real about the fact of whether or
35 not you have consensus. It is dishonest, intellectually
36 dishonest, to simply declare that there's consensus when
37 the majority participants in the process have repudiated
38 the process and that the consensus that was reached earlier
39 in the process has been disavowed and higher rates of
40 harvests are being implemented.

41
42 When we talk about going back to 315, what we're
43 talking about is five percent, that's all we're asking for.
44 So if you're interested, if the policy goal it to commit to
45 a consensus process and the consensus is five percent,
46 doesn't the policy mandate that you use the five percent
47 instead of a rate of harvest that has been inflated by one
48 particular agency?

49
50 And so we would ask that -- and we'd like to point

00024

1 out that our request here is not a radical request. We
2 understand there are major implications, and it is a
3 difficult request, we understand that. But the simple fact
4 is, is that if the two things that the proposal is being
5 criticized for, one, that it doesn't reflect consensus,
6 that's not true. The consensus is five percent, not 7.5 to
7 eight percent. And, secondly, the numbers here should be
8 biologically based, everybody is talking about sound
9 science. Well, sound science says you don't even go over
10 seven percent in this area. That's what's in the report.
11 And they're authorizing a 7.5 percent harvest.

12
13 So I guess from the biology, and I'm not a
14 biologist, all I know how to do is read and maybe a little
15 bit of math, but the biology here says that the State is
16 engaged in an overharvest. The consensus process says that
17 everybody agreed to a lower harvest. If those are the two
18 drivers behind rejecting this, I'd contend that neither one
19 of them are valid.

20
21 If you have any questions I'll be glad to answer
22 them.

23
24 MR. CAPLAND: Are there questions from the
25 Board for Mr. Walleri?

26
27 MR. EDWARDS: Mr. Chairman.

28
29 MR. CAPLAND: Gary.

30
31 MR. CAPLAND: I guess, to say the least,
32 I'm somewhat confused. You've put out an awful lot of data
33 and information, and a lot of it is kind of hard to -- not
34 necessarily hard to follow, but hard to reconcile. I guess
35 in the process, and somebody help me out here, are we going
36 to get a -- will some folks respond to his comments?

37
38 MR. CAPLAND: Yeah, there'll be opportunity
39 for both ADF&G to respond and Staff Committee to respond,
40 plus additional public testimony.

41
42 MR. EDWARDS: Do we have anybody from the
43 refuge on the phone?

44
45 MR. CAPLAND: Is there anyone from the
46 refuge on the line?

47
48 (No audible responses)

49
50 MR. CAPLAND: Not currently, but we could

00025

1 probably -- if you wanted to, we could take a short recess
2 and arrange for someone to be one, if you wanted to, Gary.

3
4 MR. EDWARDS: Well, I guess the only
5 problem with doing that is it would be pretty difficult to
6 respond to without hearing, you know, all the statements
7 that obviously were just made.

8
9 MR. CAPLAND: You bet. Anything else? Any
10 other comments from the Board, or questions for
11 Mr. Walleri?

12
13 (No audible responses)

14
15 MR. CAPLAND: Thank you very much, sir.

16
17 MR. WALLERI: Appreciate it.

18
19 MR. CAPLAND: Okay. Let's move then to
20 Darrell Vent, Senior. Darrell, are you here, sir? Thank
21 you.

22
23 MR. VENT: Good morning, my name is Darrell
24 Vent, I'm here representing the rural perspective on this,
25 from the Huslia Tribal Council and also from the Koyukuk
26 River Basin Moose Co-management Team we've been working
27 with.

28
29 The way I see things compared to what Mike Walleri
30 has given you is, I guess, pretty much basically the same,
31 but he explains it in a lot more detail than what I could
32 explain to you in. But there's certain things that we
33 consider when we're, you know, living there in the village
34 and it's basically subsistence. It's our need, we live on
35 it. We buy things from the store, it's a high price we
36 have to pay. Employment, we don't have employment.
37 There's welfare. So we got a lot of things to consider
38 here when we're considering our subsistence needs, that's
39 where everything has got to be met.

40
41 We're depending on this moose, now if we get cut
42 back on this moose, we're depending on fish, we're
43 depending on caribou, we depending on the bear, the wolf,
44 all these animals that we work with. These animals live in
45 life cycles, depends on how high you keep one, how high one
46 gets and then we have to learn how to limit, as very well
47 was stated. We limit our wolf and bear so our moose can
48 grow. But if we start getting more overhunting these
49 animals will start to disappear because of overharvest.
50 And I guess you can see from what his point of view is,

00026

1 that overharvest will do because of the Minto Flats area,
2 Nowitna, all the way up along to Allakaket and Hughes area.

3
4 We had a documentary with my grandfather, Joe Betis
5 who, you know, went out hunting but he couldn't catch a
6 moose because there's none in the area now. It's been, you
7 know, been hunted by our people, maybe predators, so the
8 area has a different geography, it's harder to get moose.

9
10 And also, like, in the McGrath area where they're
11 having a real difficult time because catching these animals
12 is harder and maybe there's overharvest of moose, I have no
13 idea what's up, you know, what they figure is around their
14 area, I'm just talking for our area, but just trying to
15 give you examples of what could happen.

16
17 You know, we want to work with the people, we want
18 to work with, like, this co-management agreement with the
19 State and the Federal government and the villages would get
20 together and talk and try to agree on something. We've
21 been in opposition all along. Maybe it's about time we
22 started to work together to get this productivity of moose
23 up where it could sustain all hunters. But our agreements
24 haven't been the same. We argue, argue and it is not
25 success to any kind of agreements if you keep arguing.

26
27 Okay. Now, just to address some of the problems
28 we're seeing right now, the Three Day Slough, Dog Slough
29 area and up around the Dog Key area, we're seeing
30 increasing predators which means we're not the only
31 predators out there hunting these moose. And it's
32 increasing them, it's increasing us also because we're low
33 on fish. We had the summer kings, I guess we consider dog
34 salmon and all sort of fall chum we have to depend on
35 besides this moose. Now, if we get a low incoming fish,
36 that means we have to hunt moose a higher number, too. So
37 we're getting cut back and everybody else is getting cut
38 back, we just don't all see as the same concerns because we
39 never expressed at this village level before. This is the
40 first time I ever came out to a meeting with the Federal
41 Subsistence Board here. And it's good to put my point in
42 view in while I have a chance.

43
44 Okay. This decline in moose can also be considered
45 from not only success rate of calves, we see it as the
46 breeder bulls. Now, what the breeder bulls does for us in
47 our area is -- we don't hunt those, we leave those because
48 they give you strong calves, which will have a success rate
49 of survival. I guess it's the survival of the fittest is
50 how you'd see it. And we know wolves are the best at the

00027

1 survival of the fittest, they have a better success rate
2 than any other animal. And we're just giving them that
3 success by providing them with this, you know, killing off
4 these big bulls and having the cows and the calves -- all
5 these animals are declining. So, I guess, the way Mike
6 Walleri is more complicated than I can tell you, it's just
7 we know what's going down by what we see. We have to
8 observe in order to survive and now we're seeing real
9 declines and we're worried.

10
11 In order to stop the problem you have to learn to
12 manage in the area, so this 21(D) had declines in Three Day
13 Slough and Dog Slough and they want to increase the type of
14 controlled use area to be hunted. I don't know if that's
15 the answer to the problem, but that's what's been
16 recommended and we do not see that as an answer to a
17 problem by including bigger areas to resolve that problem,
18 it should be managed from somewhere -- we have to start
19 from somewhere. And that's our issue right there, to
20 restrict that, to start from somewhere and try to resolve
21 the problems between all three.

22
23 I think that's pretty much what I got here for a
24 remark, so I thank you for your time.

25
26 MR. CAPLAND: Okay. Thank you, Mr. Vent.
27 Any questions from the Board for Mr. Vent? Judy.

28
29 MS. GOTTLIEB: Thanks for your testimony
30 here. I was wondering if you had been part of the working
31 group that was established?

32
33 MR. VENT: There was a Koyukuk River Tribal
34 Task Force before I started and we had to -- we went in and
35 we started working together, that was the start of the
36 group. I started when the Koyukuk Basin Co-management
37 Group came in, I became vice chair and the treasurer. So
38 my representation is from the Village of Husila, which is
39 the main area of concern right now. I mean Hughes, there's
40 Allakaket, Bettles, there's all these different villages
41 that participate in this group.

42
43 MR. CAPLAND: Okay. Any other questions
44 for Mr. Vent?

45
46 (No audible responses)

47
48 MR. CAPLAND: Okay, thank you, Mr. Vent.
49 Moving then to Stanley Ned. Mr. Ned, are you on?

50

00028

1 MS. LOLNITZ: This is Loretta Lolnitz.
2 Stanley Ned has stepped out for a minute. If I could -- if
3 you would allow me a few minutes on your agenda to speak
4 before he comes back in, I would appreciate it.

5
6 MR. CAPLAND: Of course, please go ahead.

7
8 MS. LOLNITZ: My name is Loretta Lolnitz, I
9 am from Koyukuk. I'm also the chairperson for the Koyukuk
10 River Tribal Task Force and I would like to take this time
11 to thank the Chair, Mitch Demientieff and the Federal
12 Subsistence Board for allowing us time on your agenda to
13 hear our Special Action proposal.

14
15 You have heard the technical aspects of our
16 requests from Mike Walleri, on the conservation request,
17 the current liability of the moose population and what we
18 want, to preserve the current level of moose population and
19 that we used the data by ADF&G, and that we do have a 265
20 (phone cut out) increase in hunters in the past 10 years
21 and a 635 percent non-local increase in the past 10 years.
22 You've heard all that, so I'm going to stay away from that.

23
24 First of all, I'm from Koyukuk, born and raised
25 there. My husband and I have five children. We live a
26 subsistence lifestyle, like most everyone else in the
27 villages around there. And I have hunted and trapped
28 myself, personally, the first 210 miles of the Koyukuk,
29 most of my 42 years. I'm an Indian woman with a college
30 education who chooses to live in the village.

31
32 And to begin with, our group has held meetings
33 since 1997, after seeing the increase of non-local moose
34 hunting and the decrease of moose in Unit 21 and Unit 24 on
35 the Koyukuk River. In January '98 we formed our Tribal
36 Task Force, including Evansville, Allakaket, Alatna,
37 Hughes, Huslia and Koyukuk. I testified on behalf of this
38 group to the State Board of Game's March meeting this
39 spring. So did the Native Alaska ADF&G hunters' group.
40 That particular group was formed sometime in the spring of
41 '98, it consisted of guide hunters' and urban hunters,
42 there were no tribal representation input on record for
43 them. There was also no support from the Fairbanks
44 Advisory Board on their plan.

45
46 In Hughes, in April, we met with the Tribal Task
47 Force and agreed to place a Special Action proposal before
48 you. And at that point we were still willing to work with
49 ADF&G and we did realize that (phone cut out) placed upon
50 us because we just had not met the failure to exhaust State

00029

1 administrative remedies.

2

3 I'll go into a little bit of why we formed and what
4 we're doing at this point. The Koyukuk Tribal Council,
5 last fall, created a tribal patrol consisting of three
6 boats because over the years we saw too many neglect with
7 the moose hunting on the lower Koyukuk River. We've got
8 documentation at our tribal office through pictures,
9 journal reports, microcassette records and I, myself, spent
10 10 days up the Koyukuk River in one of the boats. And our
11 documentation includes a lot of, what you call, gray meat,
12 a lack of trooper patrol follow-up on reports, headless
13 carcasses of bear and moose and also just moose meat laying
14 in various areas on the Koyukuk River banks. There were
15 big boats at every bend, there was a lot of gas storage on
16 lands that were not to have gas storage. We also know of
17 illegal guiding. We also know that there were small
18 numbers of big game hunters reported by guide hunters. We
19 also have trash, pictures of trash, pictures of trespassing
20 on our lands and boats coming out from further up the
21 Koyukuk River out of Huslia and further up, up by North
22 County, at the Ellis Cabin Checkpoint. We know that there
23 were a lot more hunters than the number given by ADF&G.

24

25 With all that and the increase of wolves, moose is
26 declining in a very sharp downhill drop. And I just would
27 like you to consider this Special Action report. And I
28 thank you for your time and I'd like to say that Stanley
29 Ned is in the room now. So if there are no questions I'd
30 like to turn it over to him.

31

32 MR. CAPLAND: Thank you, Ms. Lolnitz. Does
33 anyone here on the Board have questions?

34

35 (No audible responses)

36

37 MR. CAPLAND: Okay. Mr. Ned, are you
38 there, sir?

39

40 MR. NED: Yes, I am. I think I'll turn it
41 over to Larry Edwards up in Alatna, he'll pretty much cover
42 what Lori and Mike has already said and Darrell Vent,
43 Senior, basically that the moose population is going down,
44 you know, in light of the trapping gone and the fish is
45 almost on the extinct list, and we're going to start
46 depending more on the other resources, basically the moose
47 and the caribou and the bear. So I think with that I'll
48 just turn it over to Larry.

49

50 MR. CAPLAND: Thank you, sir. Mr. Edwards.

00030

1 MR. LARRY EDWARDS: Yes, thank you for your
2 time, and I want to thank Mitch and the rest of the Board
3 members on this. I concur with everything that Mike
4 Walleri had gone through in our great concern of
5 mismanagement in GMU 21 and 24. The Department of Fish and
6 Game has too much influence on the Federal management on
7 Federal lands it seems like right now.

8
9 So allow me to get right to the point. First, we
10 saw GMUs along the road system get all totally mismanaged
11 by the State Department of Fish and Game in the '70s and
12 then more pressure was put on to all species due to the
13 lack of balance in the circle of life. In living with our
14 land damaged resources, okay, after a hunter increase
15 within the last 15 to 10 years of 265 percent ADF&G
16 regulations of 50-inch racks or better is only killing off
17 the breeders of moose, therefore, weakening the moose and
18 off balancing the bull:cow ratio, so we need to do
19 something about the regs, 50-inch (phone cut out) tines or
20 more. What it's doing is changing the animals, once you
21 change them right there, as has happened over in Canada,
22 it'll go back to the original ecology.

23
24 And also they're setting regulations with
25 infrequent moose count. In this case it was proven after
26 the litigation court case that we had filed with -- against
27 the Department of Fish and Game, within months we got a new
28 report that was one -- showing that there was actually one-
29 tenth of the number of moose that they were writing
30 regulations on, therefore, overharvesting big time.

31
32 And also with -- everyone is aware of the fact that
33 we have a very big increase of predation, not only by
34 wolves, although wolves take their share, you also have
35 black bears and brown bears taking moose along the Koyukuk
36 River drainage and up here around Allakaket/Alatna we have
37 like a lot of grizzly coming down from the Gates of the
38 Arctic, up in the mountains hunting in this area now. It
39 has been ongoing, but not quite in this number. It's
40 up-bound due to regulations that you have to live by in
41 that area which is taking only one big animal every four
42 years, you know.

43
44 And due to -- I know you have heard some of this
45 before from Mike Walleri and Darrell, but bear with me for
46 a minute because I couldn't really make out what they were
47 saying in their testimony to you. So due to the fish
48 disaster that we saw on the make for many years, yet the
49 concerns that we had were not heard, let alone even
50 considered valuable management tools or information by

00031

1 State Department of Fish and Game. People out here should
2 know because we live with the animals and on the animals
3 and we know when they are in danger of depletion, so we
4 comply and we take less.

5
6 But the way the law stands today, on the Federal
7 level, it calls for more drastic cuts due to the number of
8 moose that we do actually have and the predation that's
9 going on as I speak. Subsistence priority has to be number
10 one priority and recognized and reflected in the regs that
11 we comply with in Federal land in GMU 24 and 21. Okay.
12 When you start talking about putting more strain on
13 species, in this case moose, due to the lack of -- or to
14 offset the loss of fish on the Yukon River and its
15 tributaries, just does not make sense as far as sound
16 management technique is concerned.

17
18 What we have been seeing -- the effect we have been
19 seeing is that happens and then you start depending more on
20 other species, as pointed out by prior speakers on this
21 issue. And it's going very, very fast, it's escalating to
22 a point where drastic measures have to be taken now,
23 otherwise we will be in deep, deep trouble in a very short
24 time.

25
26 So, therefore, we should change regulations on
27 other species as well as similar to the one -- more similar
28 to the one that they have in the Gates of the Arctic around
29 Anaktuvuk Pass, which reads that three sheep can be taken,
30 no more than one lamb, not restricting you to the 7/8th
31 curl that we have to comply with in the other parts of the
32 same country along John River and the Alatna River. I, for
33 one, noticed that a lot of people are going up there for
34 other resources because of the low moose count, so we are
35 doing our part in trying to make sure that we do have moose
36 in the future as we have known them to be in the past.

37
38 And we all know that from our studies and our
39 research that we have been doing since - for the last few
40 years, it seemed like a short anyway, that the practice of
41 taking cows as well as bulls is a very good management
42 technique, so that should be looked at when we start
43 looking at different changes in the regulations as we see
44 them in the book today.

45
46 You know, it saddens me a lot to hear our lawmakers
47 publicly state that rural Alaska, primarily Natives, have
48 to change lifestyle. They was talking about sustaining the
49 dependency on renewable resources, in this case, it's fish
50 and game. I'm sorry, but there's just no alternative. We

00032

1 live that way, that's us. So we have to be recognized in
2 that manner and also that we really do need to get into the
3 management of our resources because I believe we have
4 valuable information that we could share with everyone else
5 to ensure that we have a healthy lifestyle across the
6 board.

7

8 So, again, I want to thank everyone for your time.
9 Thanks.

10

11 MR. CAPLAND: Thank you, Mr. Edwards. Are
12 there Board questions for Mr. Edwards?

13

14 (No audible responses)

15

16 MR. CAPLAND: Okay. Let's move to
17 Mr. Pollock Simon of Allakaket.

18

19 (No audible responses)

20

21 MR. CAPLAND: Mr. Simon, are you there?

22

23 (No audible responses)

24

25 MR. CAPLAND: Okay. How about Jerold
26 Oldman of Hughes? Mr. Oldman.

27

28 MR. OLDMAN: Yes, this is Jerold Oldman.

29

30 MR. CAPLAND: Please go ahead, sir.

31

32 MR. OLDMAN: I'd like to thank the Federal
33 Subsistence Board for public testimony. It's a good thing
34 that the Federal Subsistence Board is limiting outside
35 hunters around the Koyukuk River to 453, but I feel that
36 number is a little too high. It's a tiny moose population.
37 Without the fish source on the Koyukuk River, we have to
38 rely on the moose for our subsistence food. There is so
39 little fish that are supposed to be our fish resource for
40 next year and years after that on the Koyukuk River at
41 Hughes, which is very sad to see.

42

43 Thank you.

44

45 MR. CAPLAND: Thank you, Mr. Oldman. How
46 about Mickey Stickman of Nulato?

47

48 (No audible responses)

49

50 MR. CAPLAND: Mickey Stickman, are you on

00033

1 the phone?

2

3 (No audible responses)

4

5 MR. CAPLAND: Okay, thank you. How about

6 Benedict Jones?

7

8 MR. JONES: Yeah, this is Benedict Jones,

9 Koyukuk.

10

11 MR. CAPLAND: Please go ahead, sir.

12

13 MR. JONES: Yeah, I go with Mike Walleri
14 and the rest of that group talked about, but what I just
15 thought about lately, that due to the fish population going
16 down this year, the disaster fishing, what's going to
17 happen in the next two years is that the bears are going --
18 predation is going to increase because the lack of fish in
19 the creeks for them to harvest, so this is going to
20 increase the predation on the moose calf and other -- it'll
21 increase the reduction on the moose quite a bit on the main
22 streams of the Koyukuk River.

23

24 Thank you.

25

26 MR. CAPLAND: You're most welcome. Any
27 questions for Mr. Jones?

28

29 (No audible responses)

30

31 MR. CAPLAND: Anyone else on the line for
32 public testimony?

33

34 MR. SAM: Yeah, Ron Sam, Alatna.

35

36 MR. CAPLAND: We'll get to you in just a
37 second, Ron, if you wouldn't mind. Let's hear, first, then
38 from the ADF&G representative. Terry Haynes, are you
39 there?

40

41 MR. HAYNES: Yes, thank you, Mr. Chairman.
42 The Department supports the Staff Committee recommendation
43 to not support this Special Action Request for reasons
44 specified in the justification. You were given an overview
45 of the Koyukuk River moose planning process in a report
46 presented by Randy Rogers at your spring meeting and he
47 characterized the planning process, I think, pointed out
48 that this is a process that's still underway, the plan is a
49 draft plan, there may be changes made to it. But that
50 considerable time has been invested in this process by

00034

1 State and Federal agencies, advisory committee members,
2 several representatives from the Western Interior Regional
3 Council and, as in all cooperative management efforts, you
4 attempt to reach consensus, you attempt to find the middle
5 ground, you attempt to find the visions and actions that
6 everyone can live with, whether or not everyone is in total
7 agreement with them.

8
9 And we think, at this point, the regulations that
10 are currently on the books for Unit 21(D) and 24 that were
11 adopted by the Board of Game and that are similar in the
12 Federal regulations, we believe that they reflect
13 recognition of a lower moose population, that we have
14 safeguards in place to protect and ensure that there's not
15 an increased harvest. We have an emergency order ready to
16 be implemented should monitoring of the hunt during this
17 fall season indicate that an excessive harvest is
18 occurring.

19
20 We believe that changing the playing field by
21 implementing this Special Action request at this stage of
22 the game would seriously complicate administration of the
23 hunt this season. This hunt will be, again, monitored very
24 closely and we will initiate an emergency closure to the
25 State season in the Koyukuk Controlled Use Area, if
26 necessary. Should that happen, that would not affect the
27 current Federal subsistence seasons that are in place in
28 those areas. So actions by the State, should it be deemed
29 necessary, would not affect the local Federally qualified
30 subsistence users.

31
32 So we believe that this cooperative planning effort
33 and the results that were agreed to need an opportunity to
34 work and if changes need to be made there'll be
35 opportunities to do that and to ensure that the moose
36 population is not subjected to overharvest and that we can
37 hopefully take additional steps in the future to ensure
38 that we don't have a significant reduction in the
39 population there.

40
41 So again we would recommend the Board not support
42 this Special Action Request and honor the work that went
43 into this cooperative planning effort and that we allow
44 this season to move forward and be reminded again that the
45 Department is prepared to take actions to reduce the
46 harvest by closing the season on an emergency order basis,
47 if necessary.

48
49 Thanks for the opportunity to comment.

50

00035

1 MR. CAPLAND: Okay. Thank you, Terry. Any
2 questions from the Board for Terry? Gary.

3
4 MR. EDWARDS: This is Gary Edwards, Fish
5 and Wildlife Service. What would be the triggering
6 mechanisms, then, for any kind of emergency action you
7 might take?

8
9 MR. HAYNES: Mr. Chairman, the trigger
10 would be monitoring the harvest at the check station and if
11 we determine that, you know, harvest is increasing and
12 occurring at a rate that would potentially jeopardize
13 remaining under the ceiling, we would take steps to
14 implement emergency orders. I can't give you a precise
15 number or figure, but just recognizing that we have
16 experienced staff who have been monitoring this hunt over
17 the years and that they'll have a sense of when it would be
18 appropriate to close that season down.

19
20 MR. EDWARDS: Thank you.

21
22 MR. CAPLAND: Any other Board questions for
23 Terry?

24
25 (No audible responses)

26
27 MR. CAPLAND: Okay, Terry, thank you very
28 much. Now, Mr. Sam, Regional Council Chair.

29
30 MR. SAM: Yes, thank you, Mr. Chairman, can
31 you hear me?

32
33 MR. CAPLAND: Not very well, can you please
34 speak up, sir?

35
36 MR. SAM: Okay, how's this now?

37
38 MR. CAPLAND: Much better, thank you.

39
40 MR. SAM: Okay. First of all, I would like
41 to thank you for the opportunity to speak. First of all, I
42 would like to commend the Koyukuk Tribal Task Force for
43 their conservation efforts and their feelings and their
44 testimony. But I think I honestly feel that this is the
45 first year that we will put the Koyukuk Working Group Five-
46 Year Plan into effect and I would really like to see its
47 work and see it if succeeds, in what way. And I believe
48 that emergency closure under the watchful eyes with about
49 65 percent success harvest that we can put that emergency
50 closure in place. I really feel that this can work and

00036

1 this Five-Year Working Group Plan was passed with the help
2 of Tanana Chiefs before the Board of Game.

3

4 And, again, I'd like to (phone beep) and as far as
5 predation goes, it is included within the plan that we open
6 the grizzly bear every regulatory year to cut down on
7 predation. I believe that around the Koyukuk River the
8 only reason we have a fairly stable, even though it has
9 declined, a fairly stable moose population because we do
10 harvest black bears and grizzlies. Under the plan, I think
11 that we opened up the regulatory years to every year, one
12 bear every year, instead of one every four years. And we
13 have been making quite an effort to cut down on the wolf
14 population because they are really abundant within middle
15 and upper Koyukuk River.

16

17 And I would really like to see this Five-Year Plan
18 work, I mean, put into effect and see how far we can go
19 with our conservation efforts through this fall hunt,
20 because this would be the first time that we could really look
21 at numbers because it's taken quite a few years, but I
22 honestly feel that we will cut down on outside hunting this
23 year.

24

25 Thank you.

26

27 MR. CAPLAND: Thank you, Mr. Sam. Any
28 questions for the Council Chair? Yeah, Judy Gottlieb.

29

30 MS. GOTTLIEB: Ron, this is Judy from
31 National Park Service. I appreciate your testimony today
32 and I know, at least, a couple of members from your
33 Regional Advisory Council were part of that working group;
34 is that correct?

35

36 MR. SAM: Thank you, Judy. Yes, we had
37 Mickey Stickman, Benedict Jones as voting members of the
38 Koyukuk River Working Group. And Jack Reakoff and myself
39 sat in on every meeting that the working group met, every
40 meeting, we didn't say much.

41

42 Thank you.

43

44 MR. CAPLAND: Okay. Any further questions
45 for Mr. Sam?

46

47 (No audible responses)

48

49 MR. CAPLAND: Okay, there being none, let's
50 move on to the Staff Committee recommendation. Peggy.

00037

1 MS. FOX: Thank you, Mr. Chair. The Staff
2 Committee recommendation is to not support the Special
3 Action Request. The Staff Committee recommends the Board
4 continue its support to the ongoing planning process for
5 moose on the Koyukuk River and the continued participation
6 by Western Interior Regional Advisory Council members and
7 the Federal agencies. This planning process includes
8 ongoing conservative management objectives that favor local
9 opportunity and the moose population.

10
11 Current State and Federal regulations follow
12 management guidelines established under the draft Koyukuk
13 River Moose Management Plan. The draft plan was developed
14 by Fish and Game with the assistance of the Koyukuk River
15 Moose Hunters Working Group, which includes members of
16 local and non-rural State Fish and Game Advisory Committees
17 and the Western Interior Regional Advisory Council. The
18 Fish and Wildlife Service Division of Refuges and Wildlife
19 and the Office of Subsistence Management, along with the
20 Bureau of Indian Affairs, the Bureau of Land Management and
21 the National Park Service directly participated in this
22 planning process.

23
24 While the proponent requests the closure of the
25 refuge to non-subsistence hunting or limit the number of
26 State general hunt permits that are valid on the refuge,
27 current management objective prescribe a reduced number of
28 non-local hunting permits. Further restrictions placed on
29 the State permit system might be achieved, if necessary,
30 through the ongoing cooperative planning process.

31
32 The new and more restrictive State and Federal
33 regulations substantially reduce cow harvest in the Unit
34 21(D). Current harvest restrictions should facilitate an
35 increase in calf production and yearling bull recruitment
36 resulting in the stabilization in the declining population
37 tend within the proposal area.

38
39 An analysis of the effects of the Five-Year Draft
40 Plan will have on the resource and local subsistence
41 harvest will require future assessment.

42
43 Thanks.

44
45 MR. CAPLAND: Okay. Board questions for
46 Peggy?

47
48 (No audible responses)

49
50 MR. CAPLAND: Okay, thanks, Peggy. Board

00038

1 discussion. Any further thoughts or questions for staff or
2 anyone? Gary.

3 MR. EDWARDS: I guess, as I said earlier,
4 I'm still somewhat confused and probably have more
5 questions than I do answers. I guess I'm just a little
6 concerned that we seemed to be sort of more focused on the
7 planning process than we are the substance and the
8 realities as to what's taking place with the populations.
9 And I guess I'm still particularly interested in what,
10 let's say maybe, what the staff's view is on the 315
11 permits. Because I'm also confused whether it's 368, 386
12 or 415, I've heard those three numbers, I don't have a clue
13 which is the right number. And I do know that we have a
14 proposal, you know, to focus on 315, which, at some point
15 seems to me, is part of the issue, so I guess I'd just
16 maybe like a response from staff, if possible.

17
18 MR. CAPLAND: Okay. Pete DeMatteo.

19
20 MR. DeMATTEO: Yeah, Mr. Chair, the staff
21 analysis is based on probably 10 years of population data
22 that was squeezed down into, you know, biological analysis
23 which certainly can't cover everything. But the current
24 allocation is based on the current population level of
25 moose. And what the plan prescribes is that that be like a
26 sliding scale, if the number of moose increase, of course,
27 they would be more allocated for hunter harvest and vice
28 versa. At the current level there's an estimation of
29 slightly less than 6,000 moose. And if you look at the
30 prescription in the plan it calls for, at that level, a
31 seven percent harvest allocation for hunters, which comes
32 out to 418 moose available.

33
34 The plan subtracts 50 of those for the winter
35 season, which is in February, and there's also an aligning
36 Federal season there as well. That leaves 168 moose for
37 the drawing permit holders. The drawing permit holders is
38 also made of 28 local residents who elected to put in for
39 drawing permits, it was their prerogative, and they did.
40 If you subtract 168 from the remainder, that leaves 200
41 permits left for resident hunters who can hunt under
42 registration permits, they do not have to compete for
43 these.

44
45 If you take the 200 and the 28, there's 228 moose
46 available for the resident hunts. If you look at the local
47 resident harvest for that area since 1983, it ranges from
48 95 to 215. And, of course, we can't predict what that will
49 be for this year, but if the median is about, say, 150, and
50 I'm pulling that from the air, certainly there is some slot

00039

1 [sic] there. Also, you have to take into consideration
2 that the Department of Fish and Game has taken measures in
3 the past couple of years to cut back on the number of non-
4 local hunters through harvest restrictions. They've been
5 successful with that. With the current harvest
6 restrictions, current regulations and the number of permits
7 that are available, we should see less participation of
8 hunters in that area.

9
10 One concern is, and you've heard this from
11 Mr. Walleri, that there is a possibility of a run on
12 registration permits by non-local residents who did not get
13 a drawing permit, and they could show up at the mandatory
14 check station and get a registration permit. That is why
15 the Department of Fish and Game is ready to issue an
16 emergency order to shut down the season, if that should
17 happen, to protect the management guidelines, which are
18 prescribed under the plan. At the time the Federal season
19 would still be opened to the residents of Units 21(D),
20 Huslia and Ruby and then the residents upriver in 24.

21
22 If I just may say that in calculating the
23 allocation for hunters what happens is first the biologist
24 who computed this in (indiscernible - phone noise) first
25 track the known predation rate, which just happens to be 65
26 percent, and then the allocation for hunters is taken out.
27 In other words, if there's 418 moose harvested this year
28 there's not going to be 65 percent more animals taken out
29 by predation, the predation is already factored in. It
30 just so happens that the predation rate and the harvest
31 rate happens to be at the same level. And if you review
32 the proponent's proposal those numbers are interchanged and
33 misleading, I'm afraid.

34
35 The 750 hunters that the proposal alludes to, these
36 are old figures and the proponent is concerned that you'd
37 see that many hunters up there this year. And that that
38 level of competition would not favor local harvest
39 subsistence. Considering the cutbacks and the number of
40 permits and the restrictions it is highly, highly unlikely
41 that that could happen, highly unlikely, because we've seen
42 a scale-down of the number of hunters in that area in
43 recent history. But, again, there are safeguards in place.
44 Monitoring of the harvest within season because of the
45 mandatory check station and also the emergency order is in
46 place.

47
48 Thank you.

49
50 MR. CAPLAND: Okay. Thank you,

00040

1 Mr. DeMatteo. Gary.

2

3 MR. EDWARDS: Just maybe a follow-up to
4 that. So, okay, now I do understand then that we're saying
5 that the 418 is the figure which we think that biologically
6 the population could withstand a harvest.

7

8 MR. DeMATTEO: For this year.

9

10 MR. EDWARDS: Which is 103 animals
11 different from what is being suggested in the petition and
12 recommended in the petition. So from your input and from
13 the refuge and all, we do feel then that 418 is an
14 acceptable harvest level given the biologics [sic] of the
15 situation?

16

17 MR. DeMATTEO: Yes, the refuge and the
18 Department of Fish and Game are confident that at 418 that
19 that fits the management guidelines and it fits within the
20 sustainable level of the -- for the population.

21

22 MR. EDWARDS: Okay, thank you.

23

24 MR. CAPLAND: Further questions?

25

26 (No audible responses)

27

28 MR. CAPLAND: Is there a motion?

29

30 MR. EDWARDS: After trying to sort through
31 all of this, I'll make a motion that we go forward and
32 support the Regional Advisory Council as well as the staff
33 recommendation. I guess I would encourage us that we do
34 look at this closely and the -- what takes place and are in
35 a position, certainly, to kind of revisit this issue next
36 year if it warrants it.

37

38 MR. CAPLAND: And your motion, then, is
39 that this not be approved at this time; is that correct?

40

41 MR. EDWARDS: That's right. I support the
42 RAC's recommendation as well as the Staff Committee to not
43 approve it, yeah.

44

45 MR. CAPLAND: Okay. Is there a second?

46

47 MR. TERLAND: I'll second.

48

49 MR. CAPLAND: It's been seconded.

50 Discussion of the motion? Yes, go ahead.

00041

1 MR. MATTHEWS: Just a point of
2 clarification. There is no Regional Council recommendation
3 before the Board. Those are individuals that were part of
4 the planning process, so there is no Regional Council
5 recommendation.

6
7 MR. CAPLAND: The Council Chair was on
8 record as.....

9
10 MR. MATTHEWS: Yes, but we didn't have a
11 public meeting, those are individual comments, there's been
12 no public meeting.

13
14 MR. CAPLAND: Okay, thank you. Nice
15 clarification, thank you. Gary.

16
17 MR. EDWARDS: That's fine.

18
19 MR. CAPLAND: Okay. Any further
20 discussion? Ida.

21
22 MS. HILDEBRAND: Mr. Chairman, I have a
23 problem with -- I believe Gary addressed it earlier that we
24 seem to focus on process and not on the reality of the
25 situation of subsistence users in the area and I plan to
26 vote against the motion. While I have had previous
27 comments that were favorable to the working group that
28 produced the draft plan, since that time -- when the plan
29 was presented to the Council I objected to the fact that
30 there really wasn't any direct wolf predation measure and
31 that the plan basically preserved moose for the purposes of
32 feeding wolves and bears and not for the subsistence users
33 and I still have the concern.

34
35 I'm also concerned that since the last Board
36 meeting and the last Regional Council meeting the decline
37 of salmon species that these people rely heavily upon for
38 60 percent of more of their foods has basically been non-
39 existent, so that does place a greater demand on other
40 resources as has been stated by various people testifying.
41 The concern that this population, although healthy, is in
42 decline had been expressed for a number of years. The
43 added concern that if all other subsistence resources are
44 declining there has to be more drastic and evident measures
45 to ensure that this last resource, so to speak, isn't also
46 beyond preservation and becomes an 804 closure.

47
48 And for these reasons I speak against the motion.
49 I suppose it would help if there was absolute assurance
50 that ADF&G would immediately exercise their emergency

00042

1 closure or reconsider exercising the emergency closures
2 with even small numbers of non-resident hunters. And the
3 fact that ADF&G only relies on the count from Ellis Cabin
4 Checkpoint, and this Council and including the proponents
5 have suggested for a few years that there should also be a
6 counting cabin or a counting center on the upper Koyukuk
7 River because of the people that are coming in from the up
8 river areas and that hasn't been done, it was rejected by
9 the State. So the Ellis Cabin only counts those people
10 that come up through the lower river and not the people
11 that come down from the upper areas.

12

13 For all these reasons, I speak against the motion.

14

15 MR. CAPLAND: Thank you, Ida. Further
16 Board discussion of the motion? Judy.

17

18 CHAIRMAN DEMIENTIEFF: Yeah, Jim, this is
19 Mitch here.

20

21 MR. CAPLAND: Go ahead, Mitch.

22

23 CHAIRMAN DEMIENTIEFF: Just for me,
24 personally, it's real torn here with the recommendation of
25 the RAC Chairman, even though maybe they didn't have a
26 chance to have a Regional Council meeting on this, you
27 know, to go with the Staff Committee recommendation. But I
28 know this is going to be a different kind of year than we
29 folks on the river have had in a long time. I mean there's
30 no damn fish. And normally, I think you all have heard me
31 talk about it before, you know, it's basically 50 percent
32 moose and 50 percent salmon that we eat, our normal diet.
33 And this year we haven't had no king salmon, fall chums,
34 you know, there's silvers running with the fall chums, but
35 you can't be able to fish them if there's only a few fall
36 chums, because there's no way you're going to be able to
37 segregate them.

38

39 I'm just wondering what's going to make up the 50
40 percent of that diet? And maybe I'd ask that, see if Ronny
41 might have some comment with regard to that, because I'm
42 real concerned about that. Is Ronny still on line?

43

44 MR. CAPLAND: Mr. Sam, you still there?

45

46 MR. SAM: Yeah, this is Ron. Thank you,
47 Mr. Chairman. First of all, for your information we --
48 Mr. Pollock Simon was in attendance at these working group
49 meetings from Allakaket and Orville Huntington from Huslia,
50 and as I said, I commend the Tribal Task Force for their

00043

1 efforts and you pose one heck of a question. Hopefully the
2 caribou can migrate back to their regular route, which is
3 right through the village of Allakaket/Alatna and that's a
4 good part of that. And we do -- up here at Allakaket we do
5 -- Allakaket/Alatna we do get some whitefish in the fall,
6 but you've got to make a special effort for that this year,
7 I think, but again, you pose one heck of a question.

8
9 And thanks for the opportunity.

10
11 CHAIRMAN DEMIENTIEFF: Well, I guess, Ron,
12 as a follow-up to that, you know, and I'm not sure if we
13 have the information, but -- and I understand, I understand
14 the heavy dependence on whitefish, you know, that folks in
15 the Koyukuk River do, but -- and I know that the seining
16 that you guys do, I understand all that, but then, you
17 know, like here we get our whitefish incidental to the
18 salmon fishing. It's really hard for us to get whitefish
19 because we don't have seining opportunities, and I
20 understand that, but it's still -- it's a deep concern of
21 mine and yet I'm (phone cut out).

22
23 Where I'm torn, I guess, Ron, you know, and I agree
24 with your testimony that, you know, the working group has
25 put a lot of effort into this, the consideration of all
26 these things, but I'm still really concerned about this
27 year. And I'm concerned about conservation measures
28 because we're looking at the same situation that your
29 people are going to be in and that is the fact that salmon
30 is going to be absent from our diet this year, which means
31 that the use of moose or, in your case, caribou and bear
32 and other stuff, you know, it's going to be even more
33 important this year, you know, to get those. And that's
34 what I'm deeply concerned about and that's where I'm really
35 torn in this, Ron. And I'm not sure where I'm coming down
36 on all this stuff, but it's a real big concern for me.
37 I'll just leave that as a statement because I am truly
38 torn.

39
40 MR. SAM: Mitch, may I attempt to answer?

41
42 CHAIRMAN DEMIENTIEFF: Sure.

43
44 MR. SAM: Okay. Yeah, thank you, Mitch.
45 You know all this time we have so many regulations, so many
46 new ones that I think that we're finally blessed with the
47 Federal lands surrounding the Koyukuk River. You have the
48 Koyukuk National Wildlife Refuge, the Kanuti Wildlife
49 Refuge, so we do have Federal lands that protect our
50 subsistence needs uses and, hopefully, meets our needs.

00044

1 Again, like you said though -- I'm kind of mixed up because
2 numbers always give me some kind of a headache, but our
3 harvest has been constant and consistent year after year,
4 and we know this for a fact because we have door-to-door
5 ADF&G subsistence surveys year-round.

6
7 And I sure appreciate the time again, thank you.

8
9 CHAIRMAN DEMIENTIEFF: Yeah. I guess the
10 other thing that is a real deep concern for me, and it's
11 something that just really started happening here in the
12 last year or two, but I've heard the stories from people
13 all through your area, the area that you represent, you
14 know, both Western and Eastern, and I understand the
15 predation concerns for the first time. Last year for the
16 very first time the two moose that me and my party got last
17 fall, early in the season, were skinny and they were run
18 hard by wolves, that's why they were skinny, and, you know,
19 I get concerned because I know that's going on in the area
20 in question here. Just -- you know, that with no salmon, I
21 mean it just -- the conservative nature in me tells me to
22 be conservative, but yet I can't go against -- I'm arguing
23 the concerns of all the effort that has been put into this,
24 you know, in terms of the planning efforts, but those two
25 things, and they're definitely linked in my mind clearly,
26 the fact that there are going to be no salmon and the fact
27 that predation is getting to be worse and worse in all of
28 interior of Alaska, and I'm just deeply concerned about
29 voting for the motion. I'm just not sure I can at this
30 point, but that doesn't mean -- if the vote does come in,
31 Ron, you know, if -- I'm going to fall on one side or the
32 other and the more I'm thinking about it, the more I'm
33 thinking I'm going to have to vote against the motion, but
34 the reason I'm going to have to vote against the motion,
35 Ronny, is just for a conservative -- my conservative nature
36 and deep concern about food supplies for people in the
37 area. So I just wanted to let you know that, you know,
38 personally that, you know, because just the more and more I
39 think about it, the more and more I think I'm going to fall
40 on the side of conservatism and try to conserve some
41 resources because I know we're looking here at a long and
42 difficult winter and I don't see any difference in the area
43 in question, I just don't see any at all in what we're
44 going to be looking at, because we're just not going to
45 have any fish this year. So I just wanted to.....

46
47 MR. SAM: Yeah, thank you, Mitch. I
48 appreciate your concern and your feelings and, again, like
49 I said, I really appreciate the Tribal Task Force efforts
50 and conservatism, because like you said, we'll have to --

00045

1 we might even have to hunt harder to get moose, too. But
2 then, again, I appreciate all concerns, everybody's
3 concerns about this and whichever way anyone votes is no
4 hard feelings or anything, it's just a matter of trying to
5 do your best as we always try.

6
7 And, again, thank you all for your considerations.

8
9 MR. CAPLAND: Judy.

10
11 MS. GOTTLIEB: Ron, this is Judy again, I
12 was pleased to hear you mention that there are some
13 household surveys being done and I think that's something
14 I'd be interested in. I'm certainly very supportive and
15 concerned of what Ida and Mitch had to say about people
16 having subsistence opportunities and, hopefully, meeting
17 their needs, but I think it would be good to get some more
18 information from some of these studies or surveys to find
19 out if subsistence needs are being met. But I guess I'm
20 going to have to place my confidence in the process. I
21 appreciate the efforts that people have made on the one
22 working group. I think, Terry, it's going to be very
23 important for Fish and Game to really monitor closely, so
24 that if there are too many non-local residents applying
25 that this gets shut down quickly and that everyone stays in
26 close communication, the refuge, Ron, Fish and Game,
27 everyone who needs to be involved so that the situation can
28 be monitored and, hopefully, a fall meeting or even maybe
29 we could get a fall RAC meeting, perhaps there would be an
30 update and maybe the Board can have an update after the
31 fall season just to know how things are going also.

32
33 Thank you.

34
35 MR. CAPLAND: Thank you, Judy.

36
37 (Indiscernible - multiple voices on telephone)

38
39 MR. STICKMAN: Excuse me, Ron, this is
40 Mickey.

41
42 MR. SAM: Okay, go ahead, Mickey.

43
44 MR. STICKMAN: Yeah, I think it's important
45 for the Board to realize that even through the subsistence
46 level remains the same that for us to be successful out
47 there our efforts have to be increased not only in hunting,
48 but in fishing. It has increased slowly for the last 10
49 years that our hunter effort has to be increased for us to
50 be successful.

00046

1 MR. CAPLAND: Anything further, Mr. Sam?

2

3 MR. SAM: Thank you, Mr. Chairman. What
4 Judy was alluding to is that what we have in place has been
5 in place for a good three or four years, maybe longer, that
6 most of our communities along the Koyukuk and quite a few
7 on the Yukon, with the ADF&G, we have house-to-house
8 surveys done annually, so that's -- we need these numbers
9 to go before the Board of Game and your Board, too, that's
10 why we have that in place.

11

12 Again, thank you for the opportunity to speak.

13

14 MR. CAPLAND: Okay. Further comment,
15 Mitch?

16

17 CHAIRMAN DEMIENTIEFF: No, I've already
18 spoken my concern.

19

20 MR. CAPLAND: All right, sir. Any further
21 comment from the Board?

22

23 (No audible responses)

24

25 MR. CAPLAND: All right, sensing your
26 desire to vote, what we'll do is we'll do a roll call vote
27 to make sure we get this one right. Starting with
28 Mr. Edwards, how do you vote, sir?

29

30 MR. EDWARDS: Aye.

31

32 MR. CAPLAND: Aye. And Judy Gottlieb?

33

34 MS. GOTTLIEB: Aye.

35

36 MR. CAPLAND: Okay. Gene?

37

38 MR. TERLAND: Aye.

39

40 MR. CAPLAND: Ida?

41

42 MS. HILDEBRAND: No.

43

44 MR. CAPLAND: This is Jim Capland, I vote
45 aye. Mitch?

46

47 CHAIRMAN DEMIENTIEFF: I vote no.

48

49 MR. CAPLAND: Okay, the motion passes 4-2.

50

00047

1 Okay, Mitch, it's back over to you. We're ready
2 for a break, I think, sir. With my thanks to everybody
3 here, it was a difficult issue, we even got through the
4 numbers, I think, very successfully and thanks. Mitch,
5 what we're going to suggest to you, sir, that we stand down
6 for an hour and come back and restart our other meeting.

7
8 CHAIRMAN DEMIENTIEFF: Okay. What time is
9 it now, I don't have a watch on.

10
11 MR. CAPLAND: One now, we'll come back at
12 two.

13
14 CHAIRMAN DEMIENTIEFF: Okay, that'll be
15 fine.

16
17 MR. CAPLAND: All right, we're adjourned.

18
19 (Off record)

20
21 (MEETING ADJOURNED)

00048

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 02 through 47 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING and TELECONFERENCE, taken electronically by me on the 15th day of August, 2000, beginning at the hour of 10:30 o'clock a.m. at the Sheraton Hotel, Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 21st day of August, 2000.

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