

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME II

7
8 Wrangell, Alaska
9 September 28, 2011
10 9:00 a.m.

11
12
13 COUNCIL MEMBERS PRESENT:

14
15 Bertrand Adams, Chairman
16 Timothy Ackerman
17 Michael Bangs
18 Michael Douville
19 Donald Hernandez
20 Harvey Kitka
21 Cathy Needham
22 Nielson
23 Patricia Phillips
24 John Yeager
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30 Regional Council Coordinator, Robert Larson

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P R O C E E D I N G S

(Wrangell, Alaska - 9/28/2011)

(On record)

CHAIRMAN ADAMS: Good morning everyone. I hope your evening was a real nice one. Now, that Glen and Mr. Kessler are here we can go ahead and get this meeting going.

(Laughter)

CHAIRMAN ADAMS: If Glenn will go take a seat.

(Laughter)

CHAIRMAN ADAMS: How are you doing this morning, Glenn.

(Laughter)

MR. CHEN: Good morning, sir.

CHAIRMAN ADAMS: We'll go ahead and get this meeting started. And, Bob, do you want to give us an update on the field trip, please.

MR. LARSON: Mr. Chair. Our plan is the boats are ready to go and we're going to depart Reliance Harbor at 11:30, we'll be back by 1:30 and we'll need to get a sack lunch and the best place, I think, is from the grocery store just across the street, Bob's IGA, they have a nice deli section back there that will make you a sandwich. I think we need to break here sometime shortly after 10:00 in order to be down there shortly after 11:00 so we could actually leave at 11:30, we don't want to be leaving late. There's tide issues and those sorts of things. I would guess that it would take us maybe half an hour or so to go from the boats, when we get back at 1:30, back into this room and so I wouldn't anticipate that we would be able to reconvene before 2:00. We will have some vehicles so we don't have to walk down there although it's not very far to walk.

CHAIRMAN ADAMS: Okay, so we'll just play it by ear and see how soon after 10:00 o'clock we can recess and then go ahead and get ready and let's go

1 ahead and set the target for 2:00 a.m. to reconvene.
2 Okay.
3
4 MR. LARSON: Okay.
5
6 MR. KITKA: 2:00 a.m.?
7
8 CHAIRMAN ADAMS: Yeah.
9
10 (Laughter)
11
12 CHAIRMAN ADAMS: Well, we were talking
13 here earlier, you know, about reconvening after dinner
14 last night and going until breakfast but.....
15
16 MR. LEIGHTON: You almost have to.
17
18 (Laughter)
19
20 CHAIRMAN ADAMS: But no one would agree
21 with me so, you know, that's how much pull I have.
22 Anyhow I recognize a couple new faces in the building,
23 the gentleman right behind Ron there, would you please
24 introduce yourself, please.
25
26 MR. HOLEN: My name is David Holen and
27 I'm from Anchorage and I'm with the Department of Fish
28 and Game. I'm the regional program manager for
29 southern Alaska, Subsistence Division.
30
31 CHAIRMAN ADAMS: For the state of
32 Alaska?
33
34 MR. HOLEN: Yes.
35
36 CHAIRMAN ADAMS: Okay, thank you. And
37 who's the gentleman behind Susan over here. Do I know
38 you?
39
40 MR. CHESTER: Dennis Chester with the
41 Forest Service.
42
43 (Laughter)
44
45 CHAIRMAN ADAMS: Oh, of course you are,
46 yeah. And this gentleman over here.
47
48 MR. CASIPIT: Cal.....
49
50 (Laughter)

1 CHAIRMAN ADAMS: Cal, okay.
2
3 MR. LEIGHTON: New people everyday, uh.
4
5 CHAIRMAN ADAMS: Yeah, exactly.
6
7 (Laughter)
8
9 CHAIRMAN ADAMS: Okay, we'll go ahead
10 and get started. Before we do anything else, though,
11 folks, I want to have, you know, Mike, if you would
12 come over here, please, and stand right here.
13
14 (Laughter)
15
16 CHAIRMAN ADAMS: Mike has been a
17 longstanding member of the Regional Advisory Council,
18 and personally I always appreciate, you know, his
19 comments and his support and on behalf of the
20 government we want to offer this to you as an
21 appreciation for your dedication to the subsistence
22 issues in Southeast Alaska. And then here is a
23 certificate of appreciation and it's presented to:
24
25 Mr. Douville: In recognition of his
26 contribution to the Federal Subsistence
27 Management Program as a member of the
28 Southeast Alaska Subsistence Regional
29 Advisory Council for the years 2000 to
30 2010.
31
32 And it's submitted by the Federal
33 Subsistence Board signed by Tim Towarak.
34
35 So, Mike, congratulations.
36
37 MR. DOUVILLE: Thank you very much.
38
39 MR. LARSON: Hold it up so I can get a
40 picture, hold it up so we can see it there. All right,
41 there we go, oh, yeah, that's a good one.
42
43 (Applause)
44
45 CHAIRMAN ADAMS: Speech.
46
47 MR. DOUVILLE: This is the most fun
48 I've had in the last 10 years.
49
50 (Laughter)

1 (Taking Photographs)

2

3 CHAIRMAN ADAMS: Okay, folks yesterday
4 we were on WP12-01 and we went through the process of
5 hearing, you know, everyone, you know, make their
6 comments and so forth and we are now in deliberation.
7 So at this time, too, you know, we can still keep the
8 thing open for questions, okay, and if you have a
9 question, you know, of anyone who had testified
10 previously feel free to call on them and we'll take
11 care of that.

12

13 So, Cathy, did you have something.

14

15 MS. NEEDHAM: I did, thank you, Mr.
16 Chair. Yesterday when Mr. Leighton was up on tribal
17 comments I had had a question and didn't get a chance
18 to ask him and I was wondering if I could call him back
19 up to ask him a question.

20

21 CHAIRMAN ADAMS: Yes.

22

23 MS. NEEDHAM: Thanks. Mr. Leighton, I
24 noticed under -- you had the handout that provided
25 regarding tribal consultation and Organized Village of
26 Kasaan had given comments back on proposals and you had
27 come up to testify yesterday, and the one thing that I
28 read on there, is that, one of the reasons why the
29 Organized Village of Kasaan opposed this proposal was
30 that they believed that further consultation with the
31 tribe was needed with respect to customary and
32 traditional rights to subsistence. And my question
33 essentially is, is when you guys went into tribal
34 consultation with the Federal Subsistence Board, did
35 you only just talk about the proposal in general or did
36 you talk about customary and traditional bartering and
37 trading specifically to deal with bear claws? Do you
38 feel that that meaningful tribal consultation actually
39 happened with regard to that piece of it?

40

41 MR. LEIGHTON: I wasn't there at that
42 tribal consultation, Rick Peterson was there. But I
43 was concerned over the way the project was put
44 together, there was even questions here on the people
45 that were presenting, presenters. What is going to
46 happen, what would you -- what would you do this -- and
47 I think that it's bad to put something in, and when
48 you're not sure of the outcome when you're presenting
49 it, what is really the outcome going to be, how is it
50 going to affect people or users in general. And I'm

1 thinking, and we talked a little bit about this late
2 last night, but I was thinking that this here is going
3 to legalize the sale of the products. But who is going
4 to gain on this. Who is going to be the main gainer of
5 being able to sell these and is this going to open up
6 the illegal trade further in this. In other words, a
7 person -- if I was a person that was going to go out
8 and poach, I would go out and shoot the one bear and
9 tag it, and then I would go out and shoot 10 more bears
10 and use that tag to sell the other 10 more bears.

11
12 I mean if they're going to have -- if
13 they say this is going to help them, and I was talking
14 to the law enforcement guy there and he says, yeah, but
15 we will have -- if that person brought up and we caught
16 him, where is your information or where is your tag or
17 where is your number on this, they says then we would
18 sit down there and we would put that number in the
19 system, if that number keeps on popping up and the
20 magic number was 11 or -- actually he said 11, but I
21 think he meant 21, or, you know, because they have rear
22 claws, too, but whatever, but if that person was to
23 bring 20 claws in and have that number and he comes
24 back through and they submit that number in the system
25 and it comes back through and they wait until that
26 eleventh deal for them to spark interest, that person
27 there would have had nine illegal bears that he sold
28 legally, or the parts, and I think this here system
29 here is probably flawed, automatically, the way it's
30 written. I don't see where it's going to help. I see
31 where there's going to be confusion. And like I was
32 saying, I have enough problems going through the
33 airport and if I have my bear claw necklace on and I
34 walk through there and I -- I don't know.

35
36 I was talking to him also and they
37 says, well, you know, how are we going to get that tag.
38 I'm going to bring it to Juneau or I'm going to bring
39 it to Ketchikan, I'm going to go into the Fish and Game
40 place and say, here, I'd like this tag, well, where'd
41 you get it, well, it was given to me, well, where'd
42 they get it, I don't know, well, they won't tag it. So
43 I think it's going to open up some problems. And I
44 think maybe this here should be maybe deferred so that
45 maybe we could take a closer look at it, you know, I
46 mean there's a lot of things that are out there,
47 outside of the state of Alaska I could see where maybe
48 some of our traditional regalia was sold that had these
49 parts on it and then those people are going to go ahead
50 and try to sell it, but I could see where they're not

1 going to be able to get that item properly sealed or
2 tagged or identified.

3

4 So that's -- did I answer your
5 question?

6

7 MS. NEEDHAM: Well, my question, I
8 think, was more related to the actual tribal
9 consultation piece of it. I guess when I look at this
10 proposal and when I look at your guys' comments and it
11 says that it's going to interfere with customary and
12 traditional rights to trade and barter, I'm wondering
13 if there was any real discussion when you guys did your
14 tribal consultation and I guess I understand you
15 weren't the person representing the council at that
16 point in time in that.

17

18 MR. LEIGHTON: I wasn't there.

19

20 MS. NEEDHAM: So I was just wondering
21 how much meaningful tribal consultation may have gone
22 into this particular issue. But that's okay. If you
23 don't know that's all right.

24

25 MR. LEIGHTON: I really don't know.

26

27 MS. NEEDHAM: Okay.

28

29 MR. LEIGHTON: I couldn't answer that
30 because I wasn't present, and they could have went
31 intensively on it on one portion but I don't think that
32 it was all completely covered. I really don't see
33 where it was all completely covered. And I think you
34 saw here when you asked your questions and, you know,
35 there's a lot of grey area, and that's what was
36 presented by the presenter. So I think that, in
37 itself, would.....

38

39 CHAIRMAN ADAMS: I would like to have
40 Pippa come up, if she could, and he brought up a real
41 good subject and that was, you know, what happens to
42 the seal or the tag after it's been used. It seems
43 like we talked quite considerably about this at the
44 work shop and so maybe you can answer this and maybe
45 satisfy Ron's concern about, you know, those tags being
46 used over and over again.

47

48 MS. KENNER: Mr. Chair. Are you
49 referring to the certificate?

50

1 CHAIRMAN ADAMS: Yeah.

2

3 MS. KENNER: The actual paperwork that
4 goes -- the tag -- the tag generally will go on the --
5 the actual physical tag would go on the pelt and so I
6 think you're talking, and then that tag has a number on
7 it and that number goes at the top of -- has paperwork
8 attached to it and the idea being in this new proposed
9 system, that that paperwork would be copied. It would
10 either be copies that you'd ripped off that as you
11 wrote on the first one, it would press through the
12 others or a Xerox copy, maybe, would then follow the
13 claws as they were used and possibly sold.

14

15 So you're referring to that paperwork?

16

17 CHAIRMAN ADAMS: Yeah, then you
18 mentioned ripping those tags off, you know, and I think
19 what his concern is, is there a danger of those being
20 used over and over again by a hunter?

21

22 MS. KENNER: Is there a danger of a
23 hunter taking the ones that he has?

24

25 CHAIRMAN ADAMS: One tag and then using
26 it over and over again.

27

28 MS. KENNER: One piece of paperwork and
29 copying it himself and using it over and over again?

30

31 CHAIRMAN ADAMS: Yeah, uh-huh.

32

33 MS. KENNER: It's a system that isn't
34 in place now and there was a talk about this at the one
35 meeting that I was at and I assume is it did come up
36 over and over again. What Larry Van Daele
37 hypothesized, what he thought would happen, is that,
38 there would actually be an electronic recording. For
39 instance, right now, if you go and get a harvest ticket
40 for a moose and then you report, that goes into -- that
41 immediately goes in -- in the Federal system it
42 immediately goes into a database, in the State system
43 there's a bit of a lag time and then later someone can
44 look that up, and that different -- the -- the Federal
45 enforcement and State enforcement would be sharing this
46 information in a database -- well, someone said, well,
47 what if it happened at night, then you'd make a phone
48 call and you could instantly see where that bear was
49 harvested. If someone came through with this
50 paperwork, let's say, at the airport, you could

1 instantly, almost instantly see where the bear was
2 harvested and the history of the tracking system with
3 those claws.

4
5 How many times -- how many copies there
6 were of that certificate and what they were -- and
7 specifically what they were tracking, who owned it and
8 where it was going.

9
10 MR. LEIGHTON: But -- could I, through
11 the Chair.

12
13 CHAIRMAN ADAMS: Sure, go ahead, Ron.

14
15 MR. LEIGHTON: If I was to present a
16 claw with a specific number off of a legal bear that
17 was tagged, would you know for sure, 100 percent, that
18 that there claw actually came from that specific bear?

19
20 MS. KENNER: I'm feeling a little
21 uncomfortable with the hypotheticals, I guess you could
22 only answer no.

23
24 MR. LEIGHTON: Okay, thank you.

25
26 CHAIRMAN ADAMS: Okay. Well, thank
27 you. Thank you for bringing those issues up, Ron,
28 appreciate your comments.

29
30 Cathy, do you have any more?

31
32 MS. NEEDHAM: I have one other
33 question. Prior to deliberation, I noticed in part of
34 our process, there are other -- this is a statewide
35 proposal and there are other Councils that have already
36 met and I'm wondering if we could find out from the
37 Councils that have already met, if we know what
38 decisions that they made regarding the proposal?

39
40 CHAIRMAN ADAMS: Do we have any
41 information on that Robert, is it in the book?

42
43 MR. LARSON: No, it is not in the book.
44 Well, actually I made a note in my book, and there's
45 been two previous Councils that have addressed this
46 question. Give me two seconds to get to my notes. The
47 Seward Peninsula, their Council supported the proposal
48 and the Kodiak/Aleutians opposed the proposal. And I'm
49 not 100 percent sure why Kodiak/Aleutians opposed it.
50 Pippa was there and I think she could probably tell us

1 why.

2

3 CHAIRMAN ADAMS: Sure, Pippa, go ahead.

4

5 MS. KENNER: Thank you, Mr. Chair.

6 Yeah, I was at the Kodiak/Aleutians meeting and there
7 was some discussion of this proposal and there's a
8 table in the analysis that shows what different regions
9 and different management units allow within the context
10 of the sale of bear parts in handicrafts. And in Unit
11 8, specifically Kodiak Island, they do not allow the
12 sale of brown bear parts made into handicrafts, and
13 they don't think that brown bear parts incorporated
14 into handicrafts should be sold.

15

16 CHAIRMAN ADAMS: Okay, thank you. Mr.
17 Hernandez.

18

19 MR. HERNANDEZ: Thank you, Mr.

20 Chairman. I wanted to ask some questions about the
21 actual sealing process and I don't know who would be
22 best to address those questions.

23

24 CHAIRMAN ADAMS: That would be Pippa and
25 if Jennifer wants to come up, I think she can offer
26 some input as well.

27

28 MS. KENNER: Thank you, Mr. Chair. Mr.
29 Hernandez. I just want to remind you that within
30 Federal regulations we do request that the sealing
31 process be done through the State sealing process and
32 we don't have a separate process. So this relies on
33 State policies and how they see it.

34

35 MR. HERNANDEZ: Yes, thank you, Pippa.
36 So I was aware of that, there is no Federal sealing
37 process so this would require that, you know, Federally
38 subsistence qualified people would have to go to the
39 State of Alaska to have their hides sealed, which is
40 probably a concern to the Council here about how this
41 whole process is going to work and whether people are
42 going to want to have to do that and what the
43 inconveniences might be and, therefore, and so what are
44 -- and I just want to know about Southeast Alaska. I
45 know, you know, in various places in the state it's
46 going to be a different issue with people, so we'll let
47 other Regional Councils deal with their situations, but
48 for Southeast Alaska, if, you know, a person living out
49 in a rural area, say, Hoonah, Angoon, Pelican, places
50 like that where, you know, there are brown bears and

1 you go out and harvest a bear and you want to get it
2 sealed by the State, you know, how easy of a process is
3 that, you know, these folks aren't going to want to
4 have to go to Juneau or Sitka to get something sealed,
5 are there -- now I know in my community, Point Baker,
6 one of the smallest communities, there is a State
7 sealer who can seal a black bear, I don't know how, you
8 know, how common that is throughout the region, if all
9 these villages have the capability to get things sealed
10 locally or -- do you know the answer to that question?
11

12 MS. YUHAS: Through the Chair. I do
13 not know all the specifics on the sealing and that was
14 part of my respectful listening at some of these, there
15 are some folks that specialize in that and all I can
16 really do is parrot some of the things that I heard at
17 the meetings, having not gone through the process,
18 where been too far away from a sealer before, I am told
19 that you can notify the Department that you have a need
20 for sealing and then they are aware that you're trying
21 to get it sealed so it's not like you're just sitting
22 on something with no intention to seal it, if you're in
23 one of these areas where it's more difficult and they
24 can help put you in touch with someone who can seal,
25 who might not be immediately in your area, but that --
26 I'm told by enforcement and the folks that do our
27 sealing, that we try to work with people when we're
28 notified.

29
30 CHAIRMAN ADAMS: Pippa, go ahead.

31
32 MS. KENNER: Thank you, Mr. Chair. I'd
33 like to add to that. There was a lot of discussion
34 about it. And, you know, right now there's some pretty
35 remote areas where you're required to seal and those
36 systems require that you have a relationship with the
37 wildlife biologist through the village council or
38 through your city, phone calls are made or some record
39 is made that this bear was taken and the next
40 convenient time you go ahead and get it sealed. I've
41 been a sealing authority in Dillingham.

42
43 Also there was concern from State and
44 Federal Staff about this and discussion amongst the
45 members of the working group about having a tribal
46 authority be the sealer and appointing sealers, having
47 Federal sealers, kind of expanding the system, which
48 has probably been needed for awhile, if you really want
49 to track the harvest of brown bears this way.
50

1 CHAIRMAN ADAMS: Anyone else, please.
2 Thank you, ladies, you're excused. Jennifer, would you
3 turn off that light there for us, please.

4
5 MR. DOUVILLE: Mr. Chairman.

6
7 CHAIRMAN ADAMS: Mr. Douville.
8 Standby.

9
10 MR. DOUVILLE: Thank you, Mr. Chairman.
11 My question is, I think you touched on it yesterday a
12 little bit, what happens to those claws that are
13 already out there that were legally taken, you know?

14
15 MS. YUHAS: Mr. Chairman. The
16 discussion was similar to not being able to have
17 something immediately sealed and I touched on that a
18 little bit yesterday. There was discussion, you might
19 have something at your home that was gifted and
20 regifted and you're at a point in time where you say,
21 I'd like to sell this, how would you go about this, and
22 there was discussion that you'd have to bring that
23 forward, have a conversation with the sealer and say,
24 look this is the story on this and they'd just have to
25 work with you.

26
27 In listening to the three working group
28 meetings that I attended, there was a lot of discussion
29 on the hypotheticals, there was a lot of discussion by
30 the working group that they're tasked with simply to
31 try and put a framework in place because people had a
32 desire to sell brown bear handicrafts. They chose not
33 to address some of the specifics because other items
34 were developing, just like the branding of the Alaska
35 artists and the methods for microchipping or marking or
36 having tear off tags versus Xerox copies, they chose,
37 and they discussed on the record, in the minutes, that
38 they chose not to be too specific to try and drive
39 other processes because they were tasked only with
40 finding a way to make it legal for artists to sell
41 these.

42
43 CHAIRMAN ADAMS: Anything to add,
44 Pippa, go ahead.

45
46 MS. KENNER: Thank you, Mr. Chair. Mr.
47 Douville. I think that one of the reasons why the
48 proposed regulation is crafted and worded the way it
49 is, because it includes a claw or claws that a person
50 brings forth and would like to have part of the sealing

1 process and have the certificate made for it. The
2 hypotheticals, where, well, what if I find some, or
3 what if I've had some and I decide to incorporate them
4 into a handicraft, well, what do I do then.

5

6 CHAIRMAN ADAMS: Go ahead, Tim.

7

8 MR. ACKERMAN: Yeah, thank you, Mr.
9 Chairman. Yeah, I am one of the recipients of some
10 bear claws that have been harvested off of bears here
11 in our family since the '60s, and I've got quite a
12 collection, since I'm an artist I do works in ivory and
13 bear claws, but I don't sell the bear claws yet
14 because, of course, that was totally illegal. But I
15 would be interested in going forward and making this
16 happen for me, because it would clear me, you know, of
17 anything that would -- suspicious actions on our half.
18 Wayne Price, who is currently over here working on the
19 Chief Shakes house, I had a conversation with him, he
20 is also an artist, he never incorporated an of the
21 brown bears claws in any of his artwork just because
22 the fact that it was illegal, and in a sense you could
23 say that the State law was so restricted that it was
24 harmful to the artwork that he was doing in a
25 traditional sense. We couldn't continue to do any
26 artwork that included bear claws because it was illegal
27 to even sell it, so he had multiple masks that he
28 wanted to do with the bear claws and stuff like that
29 and he was unable to do it because it's such a
30 restricted area.

31

32 But I would be very interested in
33 obtaining the permits and whatever necessary means to
34 clear, I, myself, the artist, and Wayne Price as an
35 artist and being able to incorporate this in his
36 artwork as well. I've worked in a museum before, if it
37 was me, I would -- like you say, make title to that
38 particular piece, all 20 claws, each claw has a number,
39 each claw will retain that title as each piece is
40 individually sold. If you sold all 20 at one time,
41 you'd have 20 titles for 20 claws, plus if I make any
42 handicrafts out of the bear hide, then if you have two
43 gloves, you have two more titles and then you make a
44 pair of boots, there's two more titles from that
45 particular bear. But everything should, like you say,
46 fall into the numbering sequence of whatever you make,
47 should retain that number, and then when you're done
48 with that particular piece and you dispose of the rest
49 of the bear hide in the garbage or whatever, that's
50 unusable, then you could no longer proceed with that

1 particular number, it's done, it would go on the closed
2 file, I guess you could say.

3

4 Yeah, really interesting to be on the
5 receiving end of that law there, but -- thank you.

6

7 CHAIRMAN ADAMS: Thank you, Tim.

8

9 MS. PHILLIPS: Mr. Chair.

10

11 CHAIRMAN ADAMS: Go ahead, Patty.

12

13 MS. PHILLIPS: Thank you, Chairman
14 Adams. I'm slightly confused because to have a bear
15 claw -- to harvest -- to subsistence harvest a brown
16 bear, a rural resident can do that, and currently a
17 rural subsistence hunter can sell those bear claws to
18 another rural resident, so for a subsistence harvester
19 it is not illegal and I keep hearing about this illegal
20 activity that goes on which applies to who? I mean as
21 a rural subsistence harvester, who I'm here to
22 represent it is not illegal for me to sell a bear claw
23 to another rural subsistence harvester? Is that
24 correct, it's not illegal for me to do that?

25

26 CHAIRMAN ADAMS: I can answer your
27 question for you, Patty, because this issue was brought
28 up during the workshop that I attended. The
29 enforcement officer, you know, he had a lot to say with
30 everything that we had talked about. One of the
31 questions that was asked of him is who are the
32 violators and he said the violators were the people who
33 were outside of -- you know, the non-subsistence users.
34 Then the question was asked, you know, do the Native
35 people, you know, what's the percentage of them that
36 are violating and he said there was none at all.

37

38 So I think it speaks well for
39 subsistence users, that they do not violate their own
40 laws. And this proposal, you know, was really
41 directed, you know, towards the non-subsistence users.

42

43 So unless somebody else has something
44 to add to that.

45

46 MS. YUHAS: Mr. Chairman.

47

48 CHAIRMAN ADAMS: Yes.

49

50 MS. YUHAS: It is my understanding that

1 there were some artists who came forward who desired to
2 sell to people who were not other rural subsistence
3 users.

4

5 CHAIRMAN ADAMS: Right.

6

7 MS. YUHAS: So it was coming in late to
8 the program, at the wrap up of their two years, that's
9 what I heard is that although some now sell to other
10 rural residents, some want to sell to others.

11

12 MS. PHILLIPS: Mr. Chair, follow up.

13

14 CHAIRMAN ADAMS: Okay, yes.

15

16 MS. PHILLIPS: Is there a mechanism
17 through the State system to do that?

18

19 MS. YUHAS: Mr. Chairman. No there is
20 not, currently.

21

22 CHAIRMAN ADAMS: Okay, Chuck, do you
23 have something, then I'd kind of like for us to move on
24 to our deliberations here, because it's getting pretty
25 close to 10:00.

26

27 MR. ARDIZZONE: Mr. Chair. I hope I
28 don't muddy the waters. But currently in Southeast it
29 is legal to sell handicrafts made with bear claws. It
30 is not legal to sell individual claws that have not
31 been substantially altered.

32

33 CHAIRMAN ADAMS: Okay.

34

35 MS. PHILLIPS: Thank you.

36

37 CHAIRMAN ADAMS: Any more questions.

38

39 (No comments)

40

41 CHAIRMAN ADAMS: Okay, let's go into
42 deliberations. Thank you, you guys.

43

44 MR. BANGS: What's substantially
45 altered mean?

46

47 (Laughter)

48

49 CHAIRMAN ADAMS: The process for doing
50 this, you know, is the same as it always has been. A

1 motion will be made -- it'll have to be in the
2 positive, okay, to accept the proposal, and there'll be
3 a second and then we'll go into deliberations until
4 we're satisfied that all of our questions are answered
5 and then we will vote.

6

7 Okay.

8

9 If you want to not support this
10 proposal, you know, when you bring it up for a vote,
11 you know, vote no, in the positive, okay, and then if
12 you want to defeat the proposal, then you would vote
13 yes when we say all in favor of, you know, this
14 proposal, please say nay [sic] -- I think I explained
15 it right, okay.

16

17 (Laughter)

18

19 CHAIRMAN ADAMS: Do you want to clarify
20 me.

21

22 MR. HERNANDEZ: Thank you, Mr.
23 Chairman. I will move to adopt Wildlife Proposal 12-
24 01.

25

26 CHAIRMAN ADAMS: Thank you. Is there a
27 second.

28

29 MR. KITKA: I'll second it.

30

31 CHAIRMAN ADAMS: Thank you, Harvey.
32 So now we talk about it, okay. Anyone. Patty.

33

34 MS. PHILLIPS: Thank you, Mr. Chair.

35

36 CHAIRMAN ADAMS: Before we go any
37 further, too, there's four criteria that we follow when
38 we do the motion and I'll explain that.

39

40 Is there substantial data to support
41 the motion. Okay. You determine that by reading, you
42 know, the material. And then also by reading the
43 material and of your own knowledge and so forth.

44

45 Is there a conservation concern.

46

47 How does it adversely affect
48 subsistence users.

49

50 How does it affect, you know, non-

1 subsistence users.

2

3 So we use those four criteria when we
4 determine, you know, whether to vote yes or no on a
5 proposal.

6

7 Normally we would have a little card in
8 front of us, you know, that outlines that but if you
9 can remember, you know, and when you -- when you talk
10 about it, you know, say I'm going to support this
11 proposal because there is substantial data to show
12 that, you know, it is a good one, it has no
13 conservation concern, it doesn't affect subsistence
14 users in an adverse way and it also doesn't affect non-
15 subsistence users, but if it does any of those things
16 in the negative then, you know, there's a pretty good
17 chance we're going to defeat it because it has to meet
18 all of those four criteria.

19

20 Okay.

21

22 What is that, Patty?

23

24 MR. BANGS: It's got the justification.

25

26 CHAIRMAN ADAMS: Yeah, the
27 justification there, okay.

28

29 Okay, we are in deliberation folks.
30 Mr. Hernandez, go ahead.

31

32 MR. HERNANDEZ: Thank you, Mr.
33 Chairman. Well, I'll lead off on this, if I could.

34

35 I am still very somewhat undecided on
36 this proposal. My estimation in reading through the
37 material, I think we have plenty of good information
38 here to make a decision on this.

39

40 One of the things that came out to me
41 right off was that we do not have a conservation
42 concern with this. There's no evidence to show that,
43 you know, this practice of selling handicrafts with
44 bear claws -- has been legal. It's taken place for a
45 few years now and there's been no evidence to show
46 that, you know, it's created any conservation concerns.
47 Any concerns the State has are admittedly
48 speculatively, could possibly at some point in the
49 future.

50

1 So, for me, it boils down to the issues
2 of is this a benefit to subsistence user or is this a
3 hinderance to a subsistence practice. And I'm still
4 somewhat on the fence about that. The arguments that
5 it would be beneficial to subsistence users seems to
6 boil down to, you know, by having a sound tracking
7 system, would that benefit subsistence users in their
8 ability to sell handicrafts in a more broad venue, I
9 guess. Right now there doesn't seem to be an issue
10 with people trading handicrafts within communities
11 within the state, I don't think that's a problem. How
12 many people are, you know, interested in making sales
13 to, you know, people in the Lower 48, people in other
14 countries, you know, is that a significant factor
15 that's really going to be a benefit. I'm not sure, I
16 don't know enough about it. And, even that, in my
17 estimation is somewhat speculative as to what the
18 benefits would be.

19
20 On the other hand, the fact that would
21 be more detrimental to the subsistence users is just
22 the factor of creating another, you know, bureaucratic
23 paperwork involvement that could hinder, you know,
24 their activities, you know, discourage them from doing,
25 you know, what's an accepted practice. The other
26 factor is, you know, this is all going to be
27 administered by the State of Alaska through their
28 sealing process, some subsistence users might have a
29 problem with that. I personally feel that here in
30 Southeast Alaska, that we do have pretty good relations
31 with our State wildlife people. I see a lot of
32 cooperation, you know, within the communities between
33 State and Federal agencies. I think it's working
34 fairly well here in Southeast Alaska, you know, we --
35 living in these smaller communities we know our local
36 Fish and Game managers quite well, you know, it seems
37 to be a fairly comfortable situation so maybe that
38 wouldn't be that much of an imposition here in
39 Southeast, could be in other parts of the state,
40 probably would be, and I want to kind of -- even though
41 this is a statewide proposal I want to limit my
42 concerns to here in Southeast Alaska.

43
44 So on those two factors, benefits
45 versus impositions to subsistence users, you know, I
46 guess I'd like to hear a few more opinions from the
47 Council before I decide on that.

48
49 CHAIRMAN ADAMS: Thank you, Donald. So
50 I guess we won't know how you're going to vote until

1 after more deliberation.

2

3 Okay.

4

5 Any more comments.

6

7 Patty, go ahead.

8

9 MS. PHILLIPS: Thank you, Chairman

10 Adams.

11

12 I have some very deeply held
13 convictions on this and, please, nobody take it
14 personally on my comments and I humbly respect all your
15 comments and the amount of time you've put into this
16 discussion.

17

18 You know, I've heard several times from
19 Federal and State personnel that there was really
20 collaboration between the agency people, and I believe
21 that there probably needs further elaboration on the
22 discussion on this bear claw issue.

23

24 I would vote no on this proposal
25 because there has not been enough involvement of the
26 RACs or rural residents of Southeast Alaska.

27

28 If I remember correctly, Mr. Pappas was
29 at our Yakutat meeting, and he was describing the first
30 working group meeting and there was very little RAC
31 participation, at least, not the Southeast RAC
32 participant at that first meeting. And so, you know,
33 our voice was not a part of that mix. And the RAC has
34 had -- and we've had, sometimes really intense on this
35 discussion and sometimes just a breeze over discussion
36 about this but it's gotten to be scattered over such a
37 length of time, it's how -- you know, what did I saw
38 back then, I'd have to go through all the transcripts
39 of our meetings to try to find it, and, which I
40 attempted to do but it's almost mind-boggling.

41

42 How is it going to affect the
43 subsistence user at the local level, especially in the
44 more rural remote areas.

45

46 I understand that ADF&G says that
47 they'll work with somebody if they call in a hide to
48 have it sealed, but I'm looking at 75 cents a pound in
49 freight to ship a hide somewhere and then 75 cents a
50 pound to ship it back, you know, we don't have a sealer

1 in my community. Some of our Alaska Native people or
2 even our village people are not so sophisticated as we
3 are sitting here, you know, and having our discussions,
4 they would rather be oblivious to the State regs and
5 just live a way of life that they've always lived, and
6 so I'm here to represent them. I'm a little more
7 sophisticated than them, I live with them in the
8 community, they respect me and I respect their way of
9 life also. But the way I see it, this is a top down
10 sort of pushing us into a regulation that -- there may
11 be a time for it but it's not yet and we need to
12 involve more of the rural voice in this decision.

13

14 Is it going to be -- I already heard
15 it's being detrimental to the customary and traditional
16 traditions, you know, that we have, and we are already
17 losing practices that were once in place and now
18 they're being forgotten, so it's another vehicle to
19 forget what we used to do.

20

21 There's not a conservation concern as
22 evidenced on Page 47 where it says, there's no evidence
23 to indicate that Federal subsistence regulations have
24 led to an increased legal or illegal harvest of brown
25 bear, or that current Federal subsistence regulations
26 adversely affect brown bear populations. We're talking
27 about the customary and traditional, the rural
28 subsistence harvester.

29

30 Section .801(5) enables rural residents
31 with personal knowledge of local conditions and
32 requirements to have a meaningful role in management of
33 fish and wildlife of subsistence uses on Federal public
34 lands in Alaska. As I said before, this is a top down
35 management directive, Federal, State employees changing
36 regulations that will affect my way of life. There was
37 a predominance of Federal and State employees at these
38 working group meetings, and where was the rural voice
39 at those meetings. ANILCA is to be interpreted
40 broadly. There are conflicting ideas and tensions.
41 I'm kind of stressed out about this. You know, I'm
42 like, you know, if this passes then it's going to
43 change things. And like Mr. Ron there was saying, how
44 is it going to affect the rural user. It's difficult
45 to explain a way of life for people who have lived this
46 way for generations.

47

48 There's no evidence of poaching or
49 misuse.

50

1 It's not a conservation concern for
2 brown bear populations in Southeast.

3
4 There's minimal SERAC participation
5 except the last working group only. We need more
6 Council involvement.

7
8 Our feedback has been consistent for
9 the Southeast area. This proposal is not supported by
10 substantial evidence.

11
12 And if there is a need for artists to
13 have a seal so that they can sell claws to someone
14 else, other than another rural resident, then maybe
15 that's what, you know, the agency people should be
16 striving for, instead of trying to make it more
17 difficult for the rural resident to do something that
18 they've normally done, give a claw to someone else who
19 is another rural resident.

20
21 The purchase and sale of subsistence
22 harvested bear parts is permitted under Federal regs
23 but is prohibited under State regs, and that's from
24 rural resident to rural resident. Most rural residents
25 give little thought to regulations, rules and policies.
26 They have a way of life they live and will continue to
27 live it; I keep saying that.

28
29 We have delegated the review of this to
30 State and Federal agency personnel. They are very
31 smart people. They add a lot, you know, to this
32 process that we're in, but, you know, we're talking
33 about how we actually live on the ground out in our
34 communities.

35
36 Hunters and harvesters have been
37 practicing this way of life for generations with little
38 to know interaction with law enforcement. No one in
39 rural Southeast Alaska is getting rich off of brown
40 bear parts except bear guides who make 25K per hunt.
41 As written now the resource harvester or hunters can
42 still distribute, share their catch, subsistence hunted
43 bear parts with other subsistence qualified users.
44 This is what subsistence is about.

45
46 It's customary.

47
48 Whether customary and traditional or
49 customary trade, there are no flagrant violations.
50

1 Subsistence users will be subject to
2 citations and investigations, which will deter
3 customary and traditional practices.

4
5 So this is a non-wasteful subsistence
6 use and it is a priority, unless it's necessary to
7 restrict, and I don't know of -- you know, brown bear
8 populations are healthy in Southeast Alaska so there's
9 no reason to restrict.

10
11 Thank you.

12
13 CHAIRMAN ADAMS: Thank you, Patty.
14 Anyone else.

15
16 Cathy, go ahead.

17
18 MS. NEEDHAM: Thank you, Mr. Chair. I
19 want to say that I agree with my fellow Council woman
20 at the end of the table.

21
22 I, too, would oppose this proposal. I
23 look at the four criteria that we need to use to
24 evaluate it and I don't think there's substantial -- I
25 think this proposal actually opens up more questions
26 than it addresses, especially in some of the
27 conversations we had in the question and answer period
28 about how many scenarios are out there that are going
29 to make it more convoluted and create additional
30 loopholes, per se, for users to get their bear claws
31 sealed and tagged. And so -- and I just don't see an
32 answer of how to streamline that process, so we're
33 blanketing putting this proposal together. If it were
34 passed by the Federal Subsistence Board it doesn't --
35 it puts the control into the State of how that process
36 is going to happen and I think that becomes a very,
37 sort of detrimental, adversely effect to subsistence
38 users, or rural subsistence users in Southeast Alaska.

39
40 And so when I look -- the next question
41 is, is there a conservation concern and the evidence
42 that's put before us says that there is not a
43 conservation concern for the population.

44
45 And so we move into the next one, and
46 is there an adverse effect for subsistence users, and I
47 believe there is. It requires undue burden for sealing
48 bear claws for subsistence users in addition to the
49 tracking and enforcement issues that arise from that.
50 And then on top of that I believe tribal rural

1 subsistence users have even an additional burden with
2 the fact that their customary and traditional rights
3 for barter and trade would be impacted. A lot of bear
4 claws are used in regalia and regalia is passed from
5 generation to generation in some respects and it
6 creates an additional burden to them and I do not see
7 where tribes have been able to weigh in on this
8 particular proposal. And, you know, when you talk
9 about having a significant tribal consultation, this
10 would be an issue that I think should go before tribes
11 at that level and have a significant meaningful tribal
12 consultation and that has not happened yet.

13

14 And, so, therefore, based on those
15 reasons I would oppose this proposal.

16

17 CHAIRMAN ADAMS: Thank you, Cathy.

18

19 Tim.

20

21 MR. ACKERMAN: Yeah, thank you, Mr.
22 Chairman. We have a big brown bear that's raiding the
23 smokehouse in Klukwan, it's on our reservation and we,
24 being a sovereign people, will exercise our right to
25 take that brown bear on the reservation. Now, if I
26 take this brown bear on the reservation and skin it out
27 and clean it up, as soon as I take the brown bear parts
28 off the reservation then I do believe that it could
29 possibly be under State laws, as soon as I cross over
30 the reservation line. So just as long as I stay on the
31 reservation and make something out of it and sell it in
32 our giftshop, as soon as it leaves the giftshop and
33 crosses the line then it would be subject to State and
34 Federal regulations.

35

36 One of the things that the State of
37 Alaska fails to do is recognize our sovereign power as
38 indigenous people, and this is something that's been
39 kind of ongoing here, sovereignty is a real good
40 subject with the State of Alaska and the Feds as well
41 so.....

42

43 Yeah, that would be an interesting
44 situation.

45

46 Thank you.

47

48 CHAIRMAN ADAMS: Thank you, Tim.

49 Archie.

50

1 MR. NIELSEN: Thank you, Mr. Chairman.
2 One thing they fail to recognize is when the bears wake
3 up, they're hungry. First thing they start looking for
4 is berries, if there's no berries they look into
5 garbage cans. A nuisance bear is killed by State of
6 Alaska, Fish and Game, Alaska State Fish and Game.
7 When the fish come in the rivers anything within
8 shouting distance is fair game for them, we have no
9 control over the influx of nuisance bears. What
10 happens to the parts of it, they never tell us. And,
11 yet, there's nothing here to indicate how do we deal
12 with nuisance bears. It's part of a way of life.

13

14 Thank you, Mr. Chairman.

15

16 CHAIRMAN ADAMS: Thank you, Mr. --
17 Archie. Harvey, go ahead.

18

19 MR. KITKA: Thank you, Mr. Chair. I,
20 too, am going to vote against this. I feel that it
21 also puts it into State regulations and the State is
22 going to control how our people do business.

23

24 Tribal consultation, I kind of hit upon
25 it the other day a little bit. I didn't know how deep
26 the tribal consultation went because the recognized
27 tribes -- or actually when you get right down to it,
28 the tribes or the different clans within the tribe and
29 they're the ones that -- really that this is going to
30 affect. Sometimes the IRAs don't have -- really don't
31 have the say over what happens within the clans. And I
32 believe that tribal consultation needs to go a little
33 deeper and we need to hear from the clans as well as
34 the IRAs.

35

36 Thank you.

37

38 CHAIRMAN ADAMS: Thank you, Mr. Kitka.
39 Mr. Bangs.

40

41 MR. BANGS: Thank you, Mr. Chair. I
42 agree with Mr. Kitka.

43

44 All this proposal that I can gather
45 from it, it just gives the State -- it makes
46 subsistence users answer to the State and I don't -- I
47 think there's a missing ingredient here that would be
48 crucial to something that would be a positive outcome
49 for us. And unless anybody else has anything I'd like
50 to call for the question.

1 CHAIRMAN ADAMS: I got something to
2 say. But it kind of mirrors what everybody else has
3 said so far.

4
5 This is a current State regulation and
6 what it's going to do, it's going to change a lot about
7 how subsistence bears are going to be harvested.

8
9 Going through the various criteria. I
10 think there's a lot of data out there, you know, the
11 working group, you know, took a lot of information from
12 their own personal knowledge. I know I went to my
13 members of my tribal council and I asked them their
14 opinion on this and some had a, let George do it type
15 of attitude, there was another Council member that was
16 really sensitive, you know, to the taking of brown
17 bears because of clan, you know, issues. And so
18 there's still a lot of information out there that needs
19 to be gathered. I agree that there might be a lot of
20 data out there but what kind of data is it, you know,
21 is it right.

22
23 There possibly may be a conservation
24 issue. If you look over on Page 45 at the top of the
25 page there, toward the end of that paragraph it says:
26 the Board has consistently rejected attempts to remove
27 brown bear claws as a legal item with which Federally-
28 qualified users can make handicrafts for sale.
29 Retaining the use of claws in handicrafts for sale is
30 consistent with Board action is not expected to
31 significantly increase as described in previous
32 analysis. So, to me, there's probably a possibility
33 that there might be an increase in harvest or there
34 might not be because of this regulation, so, you know,
35 in answering that conservation issue in my opinion, you
36 know, it's kind of sitting on the fence as far as the
37 conservation part of it is concerned.

38
39 I think there should be more local
40 involvement as already has been indicated. And I think
41 tribes should have a lot more to say, to involve
42 themselves, in fact, in the process of possibly, you
43 know, sealing these, because sometimes the distance to
44 find those tags, to be sealed, is kind of laborious.

45
46 Another thing that kind of attracted my
47 attention at the working group was that the violators
48 are not subsistence users, they're the non-subsistence
49 users. And for that reason, you know, it might be a
50 good reason to pass a proposal such as this. I also

1 think, you know, folks, that there needs to be a better
2 tracking system on those tags so that we can be
3 comfortable that that tags aren't used over and over
4 again.

5
6 For those reasons, too, folks, I'm
7 going to vote no on this proposal until we can see, you
8 know, some of these issues that we brought up today,
9 you know, resolved, because I think it does need to be
10 addressed, okay, but it needs to be addressed right.

11
12 And, so unless there's any other
13 concerns or comments we can go into the vote.

14
15 Did somebody call for the question --
16 did you call for the question.

17
18 MR. BANGS: Question.

19
20 CHAIRMAN ADAMS: Okay. So all in --
21 okay, again, let's go over this. The motion was made
22 in the positive, okay, and we have voted to accept the
23 proposal, if you don't like the proposal you vote no,
24 okay, and then if you don't like it then you vote yes
25 on the other part of it, okay.

26
27 So all in favor of the motion please
28 signify by saying aye.

29
30 (No aye votes)

31
32 CHAIRMAN ADAMS: All in favor of the --
33 not -- all opposed to the motion please say no.

34
35 IN UNISON: No.

36
37 CHAIRMAN ADAMS: Okay, even I needed
38 some help on that.

39
40 Thank you. Thank you, folks. You
41 know, we've got a lot more proposals to go through and
42 I hope that -- you know, as the Chair, I might want to,
43 you know, move it a lot faster so that we can get
44 through these in a timely manner. I know that some
45 people are going to be leaving tomorrow and I hate for
46 us to rush around at the last meeting, scrambling
47 around to catch our airplane. So what we'll do right
48 now is we are going to take a recess -- oh, wait a
49 minute, do you have something Pippa?

50

1 MS. KENNER: (Shakes head negatively)

2

3 CHAIRMAN ADAMS: There is one other --
4 I wonder if Jennifer would be willing -- prepared to do
5 that, we do have a State review of fish and wildlife
6 emergency orders; if you would be willing to take care
7 of that issue right now and then we'll go ahead and
8 recess. That's Item 10(d) in your book.

9

10 MS. YUHAS: Thank you, Mr. Chairman.
11 Jennifer Yuhas with Alaska Department of Fish and Game.
12 And I inquired with Mr. Larson as to what the RAC would
13 be looking for when I saw this on the agenda and he
14 explained; just a quick overview of how many we've had
15 and an explanation of the collaboration.

16

17 In this past year there was one deer
18 emergency order and that was to close resident and non-
19 resident deer for does on the Northeast Chichagof
20 Controlled Use Area and that was heavily collaborated
21 with our Federal counterparts. As one of the RAC
22 members mentioned, that in Southeast we do experience a
23 high level of positive collaboration between the State
24 and the Federal agencies. I know that's not the case
25 around the whole rest of the state but I'm happy to
26 report to the RAC that in all of these there's a high
27 level of positive collaboration here.

28

29 We had three previous closures for
30 goats that were coordinated as emergency orders, all
31 were for non-resident and resident goats. One was in
32 the Blue Lake and Glacier Lake drainages. One was in
33 the western edge of the Harlequin Lake and Yakutat
34 Glacier area. And one was for what's called the hunt
35 area RG150 on Baranof Island. Just yesterday there was
36 another one, since the last time I talked to you, Mr.
37 Larson, and that was for the same, closed, non-resident
38 and resident goats in the Green Lake and I'm probably
39 going to pronounce this wrong, but the votopad (ph),
40 the quota was met with one more female goat shot
41 yesterday morning and so they've issued the emergency
42 closure for the rest of that hunt for the year, now
43 that they've met their quota.

44

45 CHAIRMAN ADAMS: Okay, and that's it.

46

47 MS. YUHAS: Unless there's
48 questions.....

49

50 CHAIRMAN ADAMS: Questions, anyone.

1 MS. YUHAS:that I can try to
2 answer.

3
4 MR. LARSON: And I'd be remiss if I
5 didn't remind the State of a long-term cooperative
6 group in Yakutat where the State Staff and the Federal
7 staff have set a moose quota west of the Dangerous
8 River. It's a very successful collaboration.

9
10 CHAIRMAN ADAMS: And I was going to
11 bring that up but you beat me to the punch.

12
13 So collaboration is really important
14 part -- you know, I don't know what kind of
15 collaboration you had with the goats in the Harlequin
16 area, but always in the past and when I was the tribal
17 president, I made sure that this happened, I don't know
18 whether it's continued on or not, but when they talked
19 about the Nunatak Fjord goats, the population has
20 declined, way down about half to what the safe, you
21 know, margin was, and they always had, you know, the
22 State, Forest Serve and the tribal government involved
23 in those. They'd call a meeting and say we need to
24 address this issue, you know, and then we talked about
25 it and then through consensus agreement, you know, we
26 always made, you know, an announcement that that area
27 was going to be closed.

28
29 And I'm just kind of curious, you know,
30 is that kind of collaboration still going on,
31 particularly with, you know, the goats in the Harlequin
32 area?

33
34 MS. YUHAS: I have not -- Mr. Chairman
35 -- asked my biologist specifically each time they've
36 reported an emergency order. I have had generalized
37 discussion that they experience a positive working
38 relationship with the Federal agencies and they
39 incorporate the local comments as to what's happening
40 in the area and that there's a lot more free-flowing
41 information happening when they're making these
42 decisions than there may have been previously in other
43 areas that were reported as negative working
44 relationships.

45
46 CHAIRMAN ADAMS: Uh-huh.

47
48 MS. YUHAS: I did not specifically
49 inquire each time I received one of the EOs as to what
50 took place for each one of those as far as

1 collaboration.

2

3 CHAIRMAN ADAMS: Okay, thank you. I
4 hope we can improve that. I saw Susan out there, and
5 then she turned around and walked away and so I was
6 going to ask her -- there she is. Susan I got a
7 question for you.

8

9 (Laughter)

10

11 CHAIRMAN ADAMS: As I mentioned before,
12 you know, we've always in the Yakutat area, had
13 collaboration between State, Feds and the tribal
14 governments, you know, when emergency orders are
15 ordered, submitted or considered, is that still going
16 on between the three entities, you know, and she gave a
17 report on the, you know, Harlequin Lake goat situation
18 and so maybe you could answer that question for me.

19

20 MS. OEHLERS: Sure. Through the Chair.
21 So, in reference to the Harlequin Lake EO, I have had
22 talks with the Fish and Game area biologist regarding
23 that area and so that has been going on. You know we
24 did decide on the subsistence side not to close that
25 but I agree with the State's decision to go ahead and
26 close that.

27

28 So that's really the only recent EO
29 that we've had but, you know, we do continue to work
30 with those groups on special actions, say with like the
31 moose quota establishment.

32

33 Does that answer your question?

34

35 CHAIRMAN ADAMS: Yeah.

36

37 MS. OEHLERS: Thank you.

38

39 CHAIRMAN ADAMS: I would encourage, you
40 know, that maybe the tribal president be involved in
41 those deliberations when you come to it. And then, of
42 course, the Chairs of the RACs also have a lot of
43 influence in that, too, but I'd like to see more
44 collaboration there between those three entities,
45 particularly.

46

47 Okay.

48

49 MS. OEHLERS: Thank you.

50

1 CHAIRMAN ADAMS: Thank you. Any more
2 questions, comments.

3
4 (No comments)

5
6 CHAIRMAN ADAMS: Okay, let us recess
7 until 2:00 o'clock.

8
9 (Off record)

10
11 (On record)

12
13 CHAIRMAN ADAMS: We will get started,
14 we'll call this meeting back into session. I trust
15 that everyone had a real nice tour up the Stikine River
16 today. I really appreciated it. It reminded me a lot
17 of the Alsek River, you know, it's very similar. It
18 was quite an experience.

19
20 Anyhow, we do have a lot of proposals
21 to go through in the next couple days and I really want
22 to emphasize the importance of getting through these
23 proposals as quickly as possible. We love to hear
24 comments and listen to testimonies and so forth, but if
25 you can just help us, you know, in keeping your
26 comments as brief as possible and then, you know, get
27 to the meat of the proposal and do the Council
28 deliberations in a timely manner. It doesn't look like
29 these proposals are very long, but we can make it long
30 by elaborating a little too much on the subject and I
31 hope that we can keep our comments just to the minimum
32 and move on. Hopefully we'll get through a bunch of
33 these today and finish up tomorrow, and then be out of
34 here in time for many of us who are going to be
35 catching an airplane, you know, tomorrow afternoon.

36
37 Our next proposal is WP10-02 and again
38 it has some information on the bear claw -- yes, ma'am
39 -- yes, sir?

40
41 MR. LARSON: I think this is the one
42 the State was going to withdraw.

43
44 CHAIRMAN ADAMS: Okay. I just got some
45 information about the possibility of the State
46 withdrawing. If that's the case maybe we can, you
47 know, just deal with that right now.

48
49 Jennifer, go ahead.

50

1 MS. YUHAS: Thank you, Mr. Chairman.
2 In my testimony for 12-01, which the State was
3 supporting, I mentioned that our intent is to withdraw
4 the one before you now, the 10-02, and we're
5 recommending the Council take no action so that if
6 there's no action taken, when we make that request
7 before the Federal Subsistence Board, they can grant
8 our withdrawal.

9
10 *****
11 STATE OFFICIAL WRITTEN COMMENTS
12 *****

13
14 Alaska Department of Fish and Game
15 Comments to the Regional Advisory Council
16

17 Wildlife Proposal WP10-02 (Deferred
18 WP08-05): Change the regulations regarding sale of
19 brown bear handicrafts to allow sales of handicrafts
20 made from brown bear fur in all units and to restrict
21 sales of handicrafts made from claws, bones, teeth, or
22 skulls to transactions between federally-qualified
23 subsistence users.

24
25 Introduction:
26

27 Existing federal regulations allow
28 essentially unconstrained commercial sale of
29 handicrafts made from bear parts taken in some units as
30 a customary and traditional activity, despite a lack of
31 substantial evidence demonstrating that such sales are
32 a customary and traditional practice. The sale of such
33 handicrafts is limited only by virtually unenforceable
34 provision that prohibits sales constituting a
35 significant commercial enterprise. These regulations
36 also allow the purchase of brown bear handicrafts by
37 persons who are not federally-qualified subsistence
38 users, despite such purchases being prohibited under
39 state law and, as was pointed out at the Spring 2006
40 Federal Subsistence Board meeting, that sales can even
41 occur over the Internet.

42
43 Sales of handicrafts made from brown
44 bear claws, teeth, skulls, and bones present a
45 particular problem, because these are potentially high
46 value items, and allowing sales creates market
47 incentives for illegal harvest in Alaska and other
48 states.

49
50 Black bear handicraft sales, although

1 not customary and traditional, do not create the high
2 level of conservation concern raised by sales of brown
3 bear handicrafts. Similarly, sales of brown bear
4 handicrafts do not raise the same level of concern if
5 limited to the skin or fur as defined in state
6 regulations; and even sales of handicrafts made with
7 claws and teeth do not currently raise extremely high
8 levels of concern if limited to sales among
9 federally-qualified users.

10

11 Changing the regulation to continue
12 allowing the sale of brown bear fur products to anyone
13 (state regulations allow sale of untanned brown bear
14 hides), while limiting sales of handicrafts made with
15 brown bear claws, teeth, bones, and skulls to sales to
16 other federally-qualified subsistence users, should
17 help eliminate commercial markets and the masking of
18 illegal sales in Alaska and elsewhere.
19 Unit specific restrictions on sales are almost
20 impossible to enforce without tracking and
21 documentation requirements and are not needed for lower
22 value fur handicrafts. This proposal will eliminate
23 the unit-specific sale allowances and render the
24 regulations more user-friendly and more enforceable.

25

26 Impact on Subsistence Users:

27

28 The Federal Subsistence Board's current
29 allowance of brown bear handicraft sales was not based
30 upon a determination that such sales are customary and
31 traditional but instead upon the Board's unsupported
32 argument that the Board can authorize any use if the
33 take is customary and traditional (see e.g., January 2,
34 2006, letter from Chairman Demientieff to Commissioner
35 Campbell). Therefore, adoption of this proposal will
36 not impact customary and traditional subsistence
37 activities.

38

39 This proposal will continue to allow
40 rural residents to: sell brown bear fur handicrafts to
41 anyone (as allowed under State law); barter brown bear
42 handicrafts with anyone under federal regulations; and
43 sell brown bear handicrafts to other rural residents
44 under federal regulations. Therefore, this proposed
45 regulation change will not impair the ability of rural
46 residents or urban Alaska Natives to obtain such
47 handicrafts for ceremonial, religious, and cultural
48 purposes.

49

50 Further, adoption of this proposal will

1 significantly reduce the likelihood that
2 federally-qualified subsistence users will face state
3 prosecution for engaging in sales that are prohibited
4 under state law when they occur on state or private
5 lands.

6

7 Opportunity Provided by State:

8

9 Under 5 AAC 92.200, handicrafts made
10 with bear fur may be sold to anyone, but sales of
11 handicrafts made with claws, skulls, teeth, and bones
12 are prohibited. Whole bear skins, with claws attached,
13 taken in certain predator control areas may be sold
14 under 5 AAC 92.031, but only after sealing and under
15 terms of a permit issued for that bear skin.

16

17 Conservation Issues:

18

19 The Federal Subsistence Board created a
20 new market for bear claws and other high value bear
21 parts which could readily mask illegal sales, thereby
22 compounding problems with the international trade of
23 Endangered Species and contributing to the illegal
24 harvest, overharvest, and waste of bears in other
25 states and countries, as well as Alaska. Markets for
26 high value bear handicrafts create a conservation
27 concern because brown bears are protected under the
28 Endangered Species Act in other states and Mexico, and
29 the origin of brown bear products cannot be determined
30 by visual inspection. Brown bears are also listed on
31 Appendix II of the Convention International Trade of
32 Endangered Species (CITES).

33

34 In Alaska, economic incentives
35 associated with harvesting brown bears to make
36 handicrafts create conservation concerns because brown
37 bears develop slowly and have a low reproductive rate,
38 making small populations extremely susceptible to
39 overharvest. Allowing widespread sale of high value
40 bear parts without any kind of tracking mechanism is an
41 invitation to illegal harvests. Further, the existing
42 regulations are unenforceable and inconsistent with
43 sound wildlife management principles.

44

45 Enforcement Issues:

46

47 This proposal will reduce enforcement
48 issues created by the existing federal regulation in
49 several ways: (1) by limiting the pool of eligible
50 purchasers for high value bear parts, it will

1 significantly reduce economic incentives for poaching
2 in other states and countries as well as in Alaska; (2)
3 by allowing the sales of brown bear fur handicrafts
4 from any Game Management Unit, as presently allowed
5 under state law, this proposal will eliminate
6 unenforceable Unit-specific sales authorizations in
7 existing regulation; and (3) the proposed regulation
8 will reduce the likelihood that federally-qualified
9 subsistence users will face prosecution for attempting
10 to engage in sales on state or private lands that are
11 prohibited under state law.

12

13 Jurisdiction Issues:

14

15 The Federal Subsistence Board lacks
16 jurisdiction to allow sales of any wildlife handicrafts
17 when and where such sales are not customary and
18 traditional. In the past, the Federal Board has
19 rejected this argument, asserting that if any use is
20 customary and traditional then the Board can authorize
21 any other use. The Board's argument is inconsistent
22 with its litigation stance in the Chistochina Unit
23 moose case where it argued that customary and
24 traditional use is related to how resources are used
25 after they are taken, and not to or a prerequisite
26 condition for the taking itself. State v. Fleagle,
27 (Case 3:06-cv-00107-HRH) Doc. 32 at 22.

28

29 Recommendation: TAKE NO ACTION / GRANT
30 PERMISSION TO WITHDRAW / DEFER TO PROPOSAL 12-01 AS
31 RECOMMENDED BY WORKING GROUP

32

33 CHAIRMAN ADAMS: Okay. Thank you,
34 Jennifer.

35

36 Pippa, go ahead.

37

38 MS. KENNER; Thank you, Mr. Chair. And
39 the OSM, the Office of Subsistence Management's
40 preliminary conclusion for this proposal is to take no
41 action.

42

43 CHAIRMAN ADAMS: Okay, all right.

44

45 MR. HERNANDEZ: Do you need a motion?

46

47 CHAIRMAN ADAMS: We need a motion.

48

49 MR. HERNANDEZ: Thank you, Mr.
50 Chairman. I would move that the Council take no action

1 on Wildlife Proposal 10-02.

2

3 MR. BANGS: Second.

4

5 CHAIRMAN ADAMS: I was trying to listen
6 to two people at one time, even though I got two ears,
7 it only goes in -- I need to hear again over again,
8 Donald, please.

9

10 MR. HERNANDEZ: I would make the motion
11 that the Council take no action on Wildlife Proposal
12 10-02.

13

14 MR. BANGS: Second.

15

16 CHAIRMAN ADAMS: It's been moved and
17 seconded -- no, has it been seconded?

18

19 REPORTER: Yes. Bangs.

20

21 CHAIRMAN ADAMS: I'm sorry, second
22 is.....

23

24 REPORTER: Bangs, Mike.

25

26 CHAIRMAN ADAMS: Yes, okay, Mr. Bangs.
27 Thank you. Any discussion.

28

(No comments)

29

30 MS. PHILLIPS: Call for the question.

31

32 CHAIRMAN ADAMS: All in favor of this
33 motion to take no motion please signify by saying aye.

34

35 IN UNISON: Aye.

36

37 CHAIRMAN ADAMS: A motion -- I mean
38 opposed, please say nay.

39

40 (No opposing votes)

41

42 CHAIRMAN ADAMS: Thank you, motion is
43 carried. Thank you, we can move on.

44

45 Thank you, Pippa, but stay right there.
46 Thank you Jennifer.

47

48 The next one is WP12-02, redefine
49 designated hunter. So we'll have the proposal
50

1 introduced by Ms. Kenner at this point, go ahead.

2

3 MS. KENNER: Thank you, Mr. Chair.
4 Members of the Council. The analysis for WP12-02
5 begins on Page 69 of your proposal books.

6

7 Okay.

8

9 This proposal was submitted by Michael
10 Kronk of Tok, Alaska, and requests that only people of
11 60 years of age or older or disabled be allowed to
12 designate their harvest limit to another person. This
13 regulation change could -- would -- excuse me. This
14 regulation change would apply to the entire state.

15

16 The Federal Subsistence Board
17 established the statewide designated hunter system in
18 2003. The statewide designated hunter regulation
19 includes these points:

20

21 The designator must be a Federally-
22 qualified subsistence user.

23

24 The designator may designate another
25 Federally-qualified subsistence user to
26 take deer, moose and caribou on his or
27 her behalf.

28

29 The designated hunter must obtain a
30 designated hunter permit and must
31 return a completed harvest report.

32

33 The designated hunter may hunt for any
34 number of recipients but may have no
35 more than two harvest limits in his or
36 her possession at any one time.

37

38 These provisions apply unless they have
39 been modified in unit specific regulations. And it's
40 important to note that several Regional Advisory
41 Councils have supported, and the Board has adopted
42 regulations modifying the designated hunter system in
43 specific management units and they're listed on -- in
44 Appendix A at the end of this analysis in your Council
45 books.

46

47 The purpose of the designated hunter
48 rules is to recognize the customary and traditional
49 practices of sharing and redistribution of harvests in
50 rural Alaska. For example the designated hunter system

1 legalizes a traditional practice that is ongoing in
2 much of rural Alaska. Within individual harvest limits
3 some hunters cannot harvest enough meat to meet the
4 needs of their own household as well as the needs of
5 the people with whom they share. The designated hunter
6 system allows hunters to harvest moose, caribou and
7 deer expressly for sharing. Households may contain
8 members who are unable or do not choose to harvest for
9 themselves and all hunters do not possess equal skills,
10 abilities and aptitudes. Each community has a minority
11 of good hunters, trappers and fishers.

12

13 If this proposal were adopted the
14 extent of impacts on subsistence users cannot be
15 measured exactly because statistics were only partially
16 gathered to describe the age of those designating the
17 hunter, and not whether the user was disabled.

18

19 So based on this partial information
20 that is offered to you in Table 3 on the age of some
21 designated hunters for 2009 and 2010 only, 77 percent
22 of the users designating a hunter were under 60 years
23 and would be prohibited from designating a hunter if
24 this proposal were adopted. So from the limited age
25 data we have for '09 and 2010, 77 percent of those
26 getting the designated hunter permit would have been
27 excluded if this were to be adopted.

28

29 In conclusion the proponent raises
30 issues regarding the designated hunter system for the
31 entire state. The harvest by designated hunters
32 generally has been a small portion, less than two
33 percent of the total harvest by all hunters, including
34 Federally-qualified, non-Federally-qualified and non-
35 residents of the state combined, so less than two
36 percent of the harvest in any one unit by species.
37 Therefore, a statewide provision restricting the use of
38 the designated hunter system is not supported in
39 circumstances where evidence is available to clearly
40 warrant unit specific regulations could be proposed.

41

42 Therefore, the OSM preliminary
43 conclusion is to oppose Proposal WP12-02.

44

45 Thank you, Mr. Chair. That's the end
46 of my presentation.

47

48 CHAIRMAN ADAMS: Thank you, Pippa. Any
49 questions from Council.

50

1 Donald, go ahead.

2

3 MR. HERNANDEZ: Just one. So we have a
4 second proposal before us here that also deals with
5 designated hunter, and I guess that's a unit specific
6 proposal to areas one and three. So right now I see
7 that it doesn't appear that there are any unit specific
8 designations for Southeast, so if both of these
9 proposals were to pass we would have this statewide
10 proposal limiting the designated hunter to certain age
11 groups and people who are disabled and then we'd also
12 have a second qualification on the designated hunter
13 that would apply to unit specific areas that deals with
14 how many limits of deer you're -- or how many people
15 you're allowed to hunt for; so both of those would
16 apply; that's correct, right?

17

18 MS. KENNER: Mr. Chair. Mr. Hernandez.
19 Yes.

20

21 CHAIRMAN ADAMS: Follow up.

22

23 MR. HERNANDEZ: No. I'm clear.

24

25 CHAIRMAN ADAMS: Thank you, Pippa.
26 State.

27

28 MS. KENNER: You're welcome.

29

30 CHAIRMAN ADAMS: Okay. State.

31

32 MS. YUHAS: Thank you, Mr. Chairman.
33 For the record, my name, again, is Jennifer Yuhas
34 representing the Alaska Department of Fish and Game.
35 In an effort to keep things short and sweet for
36 testimony so we can move the meeting along, I'll just
37 ask that all of our written comments be added to the
38 record and give you brief verbal comments.

39

40 On Page 79, under your appendix, there
41 is specific regulations that apply to Unit 6 and on
42 Page 81 there's the language for the State. For this
43 proposal the State would support the proposal, if
44 modified, to match this language, so that the language
45 already adopted for Unit 6 would apply statewide,
46 rather than the specifics written by the proposer.

47

48 So it would say that the recipient must
49 be either blind, 65 years of age or
50 older, at least 70 percent disabled, or

1 temporary disabled and they may only
2 hunt for one possession limit at a
3 time.

4
5 *****
6 STATE OFFICIAL WRITTEN COMMENTS
7 *****

8
9 Alaska Department of Fish and Game
10 Comments to the Regional Advisory Council

11
12 Wildlife Proposal WP12-02:

13
14 Change federal subsistence designated
15 hunter regulations.

16
17 Introduction:

18
19 This proposal seeks to change the
20 statewide federal subsistence designated hunter
21 regulation by specifying the qualifications for the
22 recipient of harvest. The proposal requests federal
23 regulations be changed to require that federal
24 subsistence designated hunters only harvest for
25 federally qualified recipients 60 years of age or older
26 or for a person who is disabled.

27
28 The proponent indicates the federal
29 subsistence designated hunter program has diverged from
30 the original intent of the Federal Subsistence Board by
31 allowing designated hunting to provide for elders and
32 others that were unable to hunt for themselves. The
33 proponent indicates the designated hunter program is
34 currently an uncontrolled system. The proponent
35 indicates some federal subsistence users are abusing
36 this regulation and are harvesting as many animals as
37 numbers of permits they can obtain which may lead to
38 detrimental impacts to game populations and subsistence
39 hunting in general.

40
41 Impact on Subsistence Users:

42
43 If adopted, federally qualified
44 subsistence designated hunters could harvest animal for
45 federally qualified users 60 years of age or older or
46 are disabled. If adopted, some federally qualified
47 subsistence super harvesters may expend additional time
48 locating and obtaining game tags from qualified
49 designated hunter beneficiaries. If adopted,
50 designated hunters who cannot locate federally

1 qualified users 60 or over or are disabled may harvest
2 fewer animals per year.

3

4 Opportunity Provided by State:

5

6 Proxy hunting for big game is
7 authorized in state hunting regulation. State proxy
8 hunting is allowed for moose, caribou, and deer. The
9 state proxy hunting beneficiary requirements include
10 being a resident of Alaska who is blind, 70% physically
11 disabled, or 65 years of age or older. Proxy hunters
12 may not proxy hunt for more than one beneficiary at a
13 time and may have only one Proxy Authorization with
14 them in the field at a time.

15

16 Conservation Issues:

17

18 Undetermined at this time. If this
19 proposal is adopted without modifications many more
20 animals may be harvested than anticipated.

21

22 Enforcement Issues:

23

24 If adopted, this proposal would bring
25 federal and state regulations closer to alignment.

26

27 Recommendation:

28

29 Support with modification.

30 Adopt the proposal with modification to establish
31 designated hunter beneficiary qualifications equal to
32 those approved by the Federal Subsistence Board for
33 Unit 6. The State recommends modifying this proposal
34 to require beneficiaries of the federal subsistence
35 designated hunters be blind, 65 years old or older, at
36 least 70% disabled, or temporarily disabled. The State
37 also recommends modifying this proposal to reflect the
38 Unit 6 designated hunter possession limit adopted by
39 the Federal Subsistence Board which to limits
40 designated hunters to possession of only one bag limit
41 at a time. Adoption of these recommended proposal
42 modification will bring regulatory consistency to Units
43 1 through 6 and make federal and state regulations more
44 parallel.

45

46 CHAIRMAN ADAMS: Okay, any questions of
47 the Council to Jennifer.

48

49 (No comments)

50

1 CHAIRMAN ADAMS: Okay, we are keeping
2 it short.

3
4 Thank you.

5
6 Alrighty, then, who's next.

7
8 Other Federal agencies.

9
10 (No comments)

11
12 CHAIRMAN ADAMS: Okay. Tribal
13 comments. Ron, please come forward.

14
15 MR. LEIGHTON: For the record my name
16 is Ron Leighton, representing Organized Village of
17 Kasaan.

18
19 We are opposed to this simply because
20 if there is a person in need, whether they're
21 physically capable of hunting or not, you know, maybe I
22 could give you an example. There's a person eithered
23 widowed or divorced with children, five, six children,
24 or children, they're not going to be able to go out and
25 hunt for their own, and I feel that it should be
26 necessary to allow for this to happen, and I don't
27 think this here allows for that to happen. That's not
28 part of this elimination, or not elimination, allowance
29 of -- allowing this to happen, it's blind, 70 percent
30 disabled, temporarily disabled or age 65. I do my own
31 hunting. I'm 65. I find it a little tough and maybe
32 one of these days I'll have somebody hunt for me but
33 that's not needed at this present time.

34
35 But another question is why do you want
36 to limit the amount of the person -- the person that's
37 doing the hunt, the designated hunter, why is he
38 limited to only one person. I mean if he's taking a
39 vessel and a boat to go out to an area to hunt, he can
40 only hunt for that one person and himself or is he
41 hunting just for that one person?

42
43 CHAIRMAN ADAMS: He can hunt for any
44 number of persons, the only thing is is that he can't
45 have more than two designated permits at one time.

46
47 MR. LEIGHTON: At one time, more than
48 two, designated.

49
50 CHAIRMAN ADAMS: No more than two

1 permits, designated permits at one time. But he can
2 hunt.....

3

4 MR. LEIGHTON: That would be his permit
5 and a designated permit?

6

7 CHAIRMAN ADAMS: It doesn't make any
8 difference.

9

10 MR. LEIGHTON: Okay, well, that's my
11 question. Why all of a sudden is this a bad thing? I
12 mean if he's going out, like I say, with his boat to an
13 area and he punches out two tickets for a designated
14 person but he has a couple more designated people that
15 he'd like to hunt for and he could punch out a couple
16 more deer for these two people too, or whatever, okay,
17 but that's what I'm getting at, why make it a little
18 bit more difficult to have this happen when you should
19 be working on avenues to make it more simple, or more
20 readily available.

21

22 I'm wondering.

23

24 And I think this here, when you go to
25 making it more difficult -- I know on the sockeye, the
26 State just ruled and put in that, no, you can't go out,
27 you can only now, where I was able to go out and fish
28 for five or six people, and I had five or six permits,
29 I can only do one other, and in the villages and stuff
30 like that we've always went out and we've fished for
31 the village and maybe only had a handful of people that
32 did this.

33

34 CHAIRMAN ADAMS: Okay, let me try to
35 clarify this again the way I understand it, Ron.

36

37 A hunter can get, you know, a
38 designated hunter for as many people as -- he can
39 designate hunt for as many people as is requested of
40 him, okay. If he wants to go out and get a moose for
41 himself and then a moose for someone else, he can do
42 that, okay, and then he can go back, and once those are
43 filled he can go and get more designate hunting
44 permits. Okay. But, you know, he can't have more than
45 two at one time. He can only go out and hunt, like for
46 instance for himself and for another hunter, or, you
47 know.....

48

49 MR. LEIGHTON: Well, which way do the
50 law read now?

1 CHAIRMAN ADAMS: How does -- can
2 someone -- Pippa can you answer. I think it's the same
3 but, go ahead.

4
5 MS. KENNER: Thank you, Mr. Chair.
6 Yes, the way the Federal law reads now is that you can
7 -- a person can be the designated hunter for any number
8 of designaters but he or she can only have two harvest
9 limits in their possession at one time. And you're
10 right that is limiting. What this proposal seeks to do
11 is not to change that, but to make it that you must be
12 at least 60 years of age or older or disabled in order
13 to get -- in order to be able to designate a hunter to
14 get your harvest limit.

15
16 MR. LEIGHTON: Okay. Why didn't they
17 take into -- through the Chair. Why didn't they take
18 into consideration situations such as a widowed person
19 that's not disabled and not 60 years of age but needs
20 to have somebody hunt for them? I think it's necessary
21 situations like that be brought into play and maybe you
22 could reword this to say that upon -- upon showing
23 evidence of need to have another designate hunter for a
24 person that, you know, so you have to go up and
25 qualify, okay, let me hunt for this one person, they
26 have these kids, they have to be home to manage and
27 take care of those kids but they can't be gone and go
28 out and leave them behind and go hunt, but we want to
29 have somebody be able to go do that for them. And I
30 think you have to leave room to have this ability -- or
31 have this allowed, you know, and not to lock it in.

32
33 CHAIRMAN ADAMS: Okay, understood.
34 Ron, this is the tribal comment period, are you
35 representing the views of your tribal government or is
36 this your own?

37
38 MR. LEIGHTON: I was sent up here to
39 represent the tribe and I'm up here on their ticket.

40
41 CHAIRMAN ADAMS: Okay. Is this their
42 view then, what you're sharing with us?

43
44 MR. LEIGHTON: Yes.

45
46 CHAIRMAN ADAMS: Okay. If that's the
47 case, fine, but I would encourage everyone who wants to
48 testify, you know, on any one of these proposals,
49 please go over to Jeff over here and fill out a form
50 and we'll recognize you in this way. But we

1 appreciate, you know, your views, Ron.
2
3 MR. LEIGHTON: If you looked at it, I
4 filled out a form before and I put that down.
5
6 CHAIRMAN ADAMS: It's there, yes.
7
8 MR. LEIGHTON: Okay.
9
10 CHAIRMAN ADAMS: All right. Any
11 others.
12
13 (No comments)
14
15 CHAIRMAN ADAMS: Who's next.
16 InterAgency Staff Committee.
17
18 (No comments)
19
20 CHAIRMAN ADAMS: No comment.
21
22 (Laughter)
23
24 CHAIRMAN ADAMS: Subsistence Resource
25 Commissions.
26
27 MR. LARSON: There are none.
28
29 CHAIRMAN ADAMS: There are none. Fish
30 and Game Advisory Committees.
31
32 (No comments)
33
34 CHAIRMAN ADAMS: None, okay.
35
36 MR. LARSON: Mr. Chair.
37
38 CHAIRMAN ADAMS: Go ahead.
39
40 MR. LARSON: Mr. Chair. I spoke too
41 soon. The Gates of the Arctic National Park
42 Subsistence Resource Commission voted to support with
43 modification to include windows. The designate hunter
44 option is important to traditional subsistence
45 practices and insuring that animals are harvested
46 correctly.
47
48 CHAIRMAN ADAMS: Okay, thank you.
49 Written comments, is that it?
50

1 MR. LARSON: No.
2
3 CHAIRMAN ADAMS: Okay.
4
5 MR. LARSON: There are two written
6 comments.
7
8 One is from the Organized Village of
9 Kasaan. They state that it's commonsense that a single
10 parent should have someone provide a deer if needed.
11
12 The other is from the Sitka Tribe
13 Cultural Customary and Traditional Committee. They
14 feel the proposal is too restrictive and would prevent
15 subsistence users from meeting their needs. They're
16 also in opposition.
17
18 CHAIRMAN ADAMS: Okay. So Kasaan is in
19 opposition as well?
20
21 MR. LARSON: Yes.
22
23 Mr. Chairman. The Seward Peninsula and
24 the Kodiak/Aleutians Subsistence Councils have met
25 previously and voted on this proposal. They both voted
26 to oppose.
27
28 CHAIRMAN ADAMS: Thank you.
29
30 Any more public testimony.
31
32 (No comments)
33
34 CHAIRMAN ADAMS: Okay. We are now in
35 Council deliberations. What is the wish of the
36 Council.
37
38 MR. HERNANDEZ: Thank you, Mr.
39 Chairman. I would move to adopt Wildlife Proposal 12-
40 02.
41
42 CHAIRMAN ADAMS: Thank you. Is there a
43 second.
44
45 MR. KITKA: Second.
46
47 CHAIRMAN ADAMS: It was seconded by
48 Harvey.
49
50 Okay.

1 REPORTER: (Nods affirmatively)
2
3 CHAIRMAN ADAMS: Discussion. Again,
4 let's keep in mind we're addressing these proposals
5 with the four criteria.
6
7 Significant data.
8
9 Conservation concern.
10
11 How it affects the user groups.
12
13 Donald.
14
15 MR. HERNANDEZ: Thank you, Mr.
16 Chairman. I would vote to oppose this proposal. The
17 proposer, I don't know, I don't believe that he gave
18 very good reasons for wanting this enacted. Stated in
19 the discussion portion here on Page 71, it says, the
20 proponent further describes the problem that now exist
21 with the designate hunter system. Increasing numbers
22 of people that formerly did not hunt are now hunting
23 and getting designated hunter -- with the designate
24 hunter system. Increasing numbers of people that
25 formerly did not hunt are now getting designate hunter
26 permits and hunters. Hunters gathering designate
27 hunter permits in order to continue hunting after
28 harvesting their individual harvest limits and hunters
29 receiving designate hunter permits for their children,
30 but not hunting with their children and thereby not
31 passing on knowledge of how to hunt.
32
33 None of these reasons, I see would
34 create any kind of a conservation concern. You know
35 more people hunting, you know, that's not really a
36 problem as long as the populations are capable of
37 sustaining it. And I don't, you know, there's other
38 ways of dealing with that. You don't have to limit
39 designate hunters to do that.
40
41 I just don't see a good clear reason
42 why we should adopt this.
43
44 It definitely is a restriction on an
45 existing subsistence practice and we shouldn't be
46 voting for any proposal that would create a
47 restriction. And I don't see any affects on other
48 users.
49
50 I would be opposed to this proposal.

1 CHAIRMAN ADAMS: Thank you. Anyone
2 else like to make a comment

3
4 (No comments)

5
6 MR. BANGS: Question.

7
8 CHAIRMAN ADAMS: Question been called
9 for. Thank you, Mr. Bangs. So all in favor of this
10 proposal, please signify by saying aye.

11
12 (No aye votes)

13
14 CHAIRMAN ADAMS: Opposed, nay.

15
16 IN UNISON: Nay.

17
18 CHAIRMAN ADAMS: Thank you. Let's
19 move on. The next proposal is 12-03. Pippa.

20
21 MS. KENNER: Thank you, Mr. Chair.
22 Members of the Council. For the record my name is
23 Pippa Kenner with the OSM in Anchorage.

24
25 The analysis for Proposal WP12-03
26 begins on Page 85 of your Council books.

27
28 This proposal was submitted by the
29 Orutsaramiut Native Council, and it would require
30 trappers to move a trap that incidentally harvests a
31 moose, caribou or deer at least 300 feet for the
32 remainder of the regulatory years. The proponent is
33 the IRA Council representing Bethel, the Tribal Council
34 of Bethel. The proposed regulation would apply to the
35 entire state.

36
37 State of Alaska wildlife regulations
38 include this provision, the following:

39
40 A trapper is prohibited from placing a
41 trap or snare within 300 feet of the
42 site at which a moose, caribou or a
43 deer was taken using a trap or snare.
44 This prohibition applies for the
45 duration of the regulatory year in
46 which the moose, caribou or deer was
47 taken using the trap or snare.

48
49 And for those of you who may not
50 remember the regulatory year is generally July 1st to

1 June 30th.

2

3 Additionally, in State regulations the
4 animal must be salvaged and its parts cannot be used
5 for bait. So if you take a moose, caribou or deer
6 incidentally in your trap, it must be salvaged and the
7 parts cannot be used for bait.

8

9 Moving the trap from the site of the
10 incidental harvest denies trappers the benefits of
11 continuing to set a trap at a kill site which may
12 attract furbearers. So that's the logic behind that.

13

14 The proponent wants a similar provision
15 in Federal wildlife regulations, specifically, to
16 better inform State and Federal enforcement officers
17 that the prohibition applies during the same regulatory
18 year and not the same calendar year. Because it has
19 been reported that an enforcement officer was confused.
20 Currently Federal regulations require that wildlife
21 caught incidental to trapping furbearers be salvaged
22 and the hide, skin, viscera, head or bones may be used
23 for bait.

24

25 The use of traps to harvest caribou,
26 moose and deer is prohibited in State and Federal
27 wildlife regulations primarily because traps set for
28 moose, caribou and deer do not discriminate between
29 animals such as cows, bulls and fawns. A good estimate
30 of how often moose, caribou or deer are caught in traps
31 set for furbearers statewide or by regions not known at
32 this time, State and Federal Staff generally assume
33 that low levels of incidental harvest occur and are
34 ongoing. Snare hide above ground, trap location, bait
35 type, location of trail snares, et cetera, are
36 effective techniques to select for targeted furbearers
37 and against non-targeted animals. Occasionally non-
38 targeted animals are caught but trappers use techniques
39 to avoid them and that is one reason there are low
40 levels of incidental harvest.

41

42 If this proposal is adopted, Federal
43 subsistence users would be required to move a trap for
44 the remainder of the regulatory year when it has taken
45 a moose, caribou or deer incidental to trapping
46 furbearers. This would be required if the incidental
47 harvest occurred on Federal public lands using Federal
48 trapping regulations.

49

50 Now, the clear intent of the proponent

1 is to import State wildlife regulations into Federal
2 wildlife regulations and to clarify their intent to law
3 enforcement officers so that other trappers who comply
4 with State regulations are not cited. However,
5 requiring a trapper to move a trap would be a hardship
6 that would not conserve caribou, moose or deer. The
7 State's concern is ungulates being used as bait but it
8 is not in the interest of Federal subsistence users to
9 impose this regulation on them.

10

11 Therefore the OSM preliminary
12 conclusion is to oppose Proposal WP12-01 [sic].

13

14 Thank you, Mr. Chair. That's the end
15 of my presentation.

16

17 CHAIRMAN ADAMS: Thank you, Pippa. Any
18 questions of the Council.

19

20 (No comments)

21

22 CHAIRMAN ADAMS: Doesn't look like it,
23 Thank you. Next.

24

25 MS. YUHAS: Thank you, Mr. Chairman.
26 Jennifer Yuhas. Alaska Department of Fish and Game.
27 We are also opposed to this proposal. We find it
28 unnecessary. The State statute would already apply.
29 We've talked to the solicitor about that. There's no
30 reason to duplicate the effort. And the enforcement
31 officer, who's action elicited the proposal for
32 discussion sake, has been -- has received some
33 education over the course of the last year, and we
34 don't think this is going to be a problem.

35

36 *****

37 STATE OFFICIAL WRITTEN COMMENTS

38 *****

39

40 Alaska Department of Fish and Game
41 Comments to the Regional Advisory Council

42

43 Wildlife Proposal WP12-03:

44

45 Incidental harvest requires moving
46 traps for regulatory year. This proposal was submitted
47 by the Orutsaramiut Native Council.

48

49 Introduction:

50

1 The proposer seeks to require trappers
2 to move a trap that incidentally harvests a moose,
3 caribou, or deer at least 300 feet for the remainder of
4 the regulatory year. Trappers would also be required to
5 salvage the edible meat and turn it over to the Federal
6 inseason wildlife manager.
7 Impact on Subsistence Users: Federal subsistence users
8 would be required to move a trap when it has taken a
9 moose, caribou, or deer incidental to trapping
10 furbearers for the remainder of the regulatory year,
11 and surrender their meat specifically to the Federal
12 inseason wildlife manager.

13

14 Opportunity Provided by State:

15

16 5 AAC 92.085. Unlawful methods of
17 taking big game; exceptions The following methods and
18 means of taking big game are prohibited in addition to
19 the prohibitions in 5 AAC 92.080: (6) with the use of a
20 trap or snare

21 5 AAC 92.095. Unlawful methods of taking furbearers;
22 exceptions a) The following methods and means of
23 taking furbearers under a trapping license are
24 prohibited, in addition to the prohibitions in 5 AAC
25 92.080: (12) by placing or leaving an active trap or
26 snare set on land that is within 300 feet of the site
27 at which a moose, caribou, or deer was taken using a
28 trap or snare; this prohibition applies for the
29 duration of the regulatory year in which the moose,
30 caribou, or deer was taken using the trap or snare.

31

32 Conservation Issues:

33

34 None identified nor solved by adoption
35 of this proposal.

36

37 Enforcement Issues:

38

39 This proposal is purported to have been
40 submitted in response to previous confusion by
41 enforcement personnel. The state understands local
42 enforcement personnel have received updated training as
43 a result of reported events surrounding this issue.
44 Failure to adopt this proposal is not expected to
45 contribute to continued enforcement issues.

46

47 Other Comments:

48

49 This proposal is likely unnecessary
50 given that if this proposal is not adopted, Federally

1 qualified subsistence users would continue to be
2 required to comply with the State regulations requiring
3 that when a caribou, moose, or deer are harvested
4 incidentally, the trap must be moved at least 300 feet
5 for the remainder of the regulatory year, or risk
6 receiving a State citation.

7
8 Recommendation: Oppose

9
10 CHAIRMAN ADAMS: Okay, thank you. Any
11 questions for Jennifer.

12
13 (No comments)

14
15 CHAIRMAN ADAMS: Thanks. Other Federal
16 agencies or State people.

17
18 (No comments)

19
20 CHAIRMAN ADAMS: Okay. Tribal
21 comments.

22
23 MR. LEIGHTON: Ron Leighton with
24 Organized Village of Kasaan. And we also oppose this.
25 And if you read it right, they could remove a trap and
26 put it 300 feet away but that trap could also be in the
27 same deer trail that they had removed it from to start
28 with. If they moved it 300 feet either up trail or
29 down trail, they're still going to get an animal. And
30 I feel that maybe what's probably best read into any
31 law, whether it's State or Federal, is that'd be
32 against the law to, you know, put in a known migratory
33 path or a trail of untargeted animals to be trapped.

34
35 CHAIRMAN ADAMS: Okay, thank you, Ron.
36 Any questions for Ron.

37
38 (No comments)

39
40 CHAIRMAN ADAMS: Gunalcheesh.
41 InterAgency Staff Committee.

42
43 (No comments)

44
45 CHAIRMAN ADAMS: No comment.

46
47 (Laughter)

48
49 CHAIRMAN ADAMS: Anybody from the
50 Subsistence Resource Commission.

1 (No comments)
2
3 CHAIRMAN ADAMS: Fish and Game Advisory
4 Committee comments.
5
6 (No comments)
7
8 CHAIRMAN ADAMS: Do we have any written
9 comments, Mr. Larson.
10
11 MR. LARSON: Yes, Mr. Chairman, we do.
12 We have one from the Organized Village of Kasaan and
13 we've already heard their oral testimony and it is
14 consistent with their written statement.
15
16 We have had two Councils that have
17 already acted on this proposal.
18
19 Kodiak/Aleutians took no action.
20
21 The Seward Peninsula voted to oppose.
22
23 CHAIRMAN ADAMS: Thank you, Mr. Larson.
24 Any more public testimony.
25
26 (No comments)
27
28 CHAIRMAN ADAMS: Seeing none, we're now
29 into Council deliberations so what's the wish of the
30 Council.
31
32 We need a motion.
33
34 MR. HERNANDEZ: Mr. Chairman. I would
35 move to adopt Wildlife Proposal 12-03.
36
37 CHAIRMAN ADAMS: Thank you, Mr.
38 Hernandez. Is there a second.
39
40 MR. BANGS: Second.
41
42 CHAIRMAN ADAMS: Seconded by Mr. Bangs.
43 Okay, let's talk about it. Mike. The Chair recognizes
44 Mike.
45
46 MR. DOUVILLE: Thank you, Mr. Chairman.
47 What would you like to talk about -- no.
48
49 (Laughter)
50

1 MR. DOUVILLE: No, my question is --
2 I'm in opposition to this proposal but I didn't quite
3 grasp the rationale. Did they not want this animal
4 being used as a bait carcass and have to move your
5 snares away or thinking you might catch another one to
6 move it as somebody else -- you know, because the trail
7 runs for miles sometimes, moving it 300 feet doesn't
8 change anything, but that part is unclear to me.
9
10 CHAIRMAN ADAMS: Okay, thank you, Mike.
11 Anyone else.
12
13 MR. BANGS: Question.
14
15 CHAIRMAN ADAMS: Question's been called
16 for. Okay. All in favor of this motion.
17
18 (Laughter)
19
20 MR. DOUVILLE: Don't I get an answer?
21
22 (Laughter)
23
24 CHAIRMAN ADAMS: Uh, no, answer?
25 Pardon.
26
27 MR. DOUVILLE: You came up to give an
28 answer, right?
29
30 CHAIRMAN ADAMS: Oh, okay. You got an
31 answer Pippa.
32
33 MR. DOUVILLE: Nobody knows.
34
35 (Laughter)
36
37 MS. KENNER: I do what I'm told.
38
39 CHAIRMAN ADAMS: Sorry Mike. So the
40 question has been called for, all in favor, please say
41 aye.
42
43 (No aye votes)
44
45 CHAIRMAN ADAMS: Opposed, nay.
46
47 IN UNISON: Nay.
48
49 (Laughter)
50

1 CHAIRMAN ADAMS: Motion is defeated,
2 thank you.
3
4 MR. DOUVILLE: I still didn't get an
5 answer.
6
7 (Laughter)
8
9 CHAIRMAN ADAMS: Okay, let's go on to
10 the next one. It's 12-04-5 revise coyote trapping
11 season and retention of incidentally taken coyotes.
12
13 MR. KITKA: Where do they have coyotes?
14
15 CHAIRMAN ADAMS: Huh.
16
17 MR. KITKA: Where do they have coyotes?
18
19 CHAIRMAN ADAMS: Yeah. Jeff, go ahead.
20
21 MR. REEVES: Thank you, Mr. Chairman.
22 Council. The executive summary for these combined
23 analysis is on Page 91 and the analysis can be found on
24 Page 93.
25
26 Proposal WP12-04 was submitted by Monte
27 Mitchell requesting that to extend the coyote trapping
28 season closing date from February 15th to April 30th in
29 Game Units 1 through 4. Proposal 12-05 was submitted
30 by Andy Savland requesting that any coyote taken
31 incidentally with a trap or a snare during any open
32 trapping season, that it may be retained by the trapper
33 in Units 1 through 5. The proponents of these
34 proposals are seeking to allow Federally-qualified
35 users the ability to retain coyotes taken outside of
36 the regular coyote season while they're trapping for
37 other species.
38
39 The proponents have indicated that
40 coyotes are becoming more prominent where they trap and
41 it's nearly impossible to avoid trapping them in traps
42 or snares set for wolf. One proponent indicated that
43 he's taken an average of two coyotes per year after the
44 February closure, which he's had to forfeit to the
45 State.
46
47 During 2007 regulatory cycle WP7-11 was
48 submitted by this Council which changed the starting
49 date for coyotes in Unit 5 and the Board supported this
50 proposal, however, it did nothing for the closing

1 dates. Neither State or Federal subsistence
2 regulations require coyotes to be sealed.

3
4 Trappers in Southeast do not typically
5 target coyotes and those harvested that had been
6 typically taken in other sets made for wolves.

7
8 Coyote harvest in Units 1 through 5
9 typically averages less than 10 per year with the
10 majority of this harvest occurring in Unit 1C.
11 Multiple suggestions to extend coyote seasons to match
12 wolf and wolverine seasons have been noted in the
13 State's annual trapper survey and questionnaire. And
14 if you need a comparison of trapping seasons for
15 coyote, wolf and wolverine and beaver you can find that
16 in Table 1 on Page 96.

17
18 Proposal 12-04 will extend the ending
19 date of the trapping season for coyotes but it does not
20 allow for the retention of any taken during the portion
21 of a season -- or a trapping season that starts before
22 the coyote season regulation.

23
24 Proposal 12-05 allows Federally-
25 qualified subsistence users to retain the coyotes that
26 would otherwise have to be forfeited either to State or
27 Federal government.

28
29 The proposal will not significantly
30 increase coyote harvest since they are not specifically
31 targeted and seem to be rarely taken. There would be
32 no effect on the other users.

33
34 The proposal would provide additional
35 administrative benefit by avoiding future proposals to
36 change a coyote season each time a trapping season for
37 wolf, wolverine or beaver is changed.

38
39 The recommendation is to support
40 Proposal 12-05 with a modification that allows for the
41 retention of coyotes during the trapping seasons which
42 extend beyond the current coyote season and have a
43 higher probability of catching coyotes and to also
44 oppose Proposal 12-04.

45
46 So the modified proposed regulation
47 would read:

48
49 In Unit 1 through 5 coyotes taken
50 incidentally with a trap or snare

1 during an open Federal trapping season
2 for wolf, wolverine or beaver may
3 legally be retained.
4

5 Adopting this proposal as modified
6 allows Federally-qualified users to retain coyotes
7 taken in gear set for those species that normally would
8 have to be forfeited. Coyote harvested outside of the
9 season -- typical season has been minimal so allowing
10 trappers to retain these coyotes should not
11 significantly increase the coyote harvest. No
12 conservation concern for coyotes is anticipated and
13 there would be no affect on the other users.
14

15 And as I mentioned earlier, adopting
16 the proposal, Proposal 12-05, would eliminate the need
17 for the Federal Board to further change coyote seasons
18 if any of those other seasons changed.
19

20 Proposal 04 should be opposed since it
21 does not allow for the retention of coyotes taken
22 earlier than the starting season and does not
23 accomplish the intent of the proponent. Additionally
24 with no population estimates for coyotes in Units 1
25 through 5, extensions of the seasons, targeting coyotes
26 is not supported as it's unclear whether the harvest
27 would be consistent with the principles of wildlife
28 conservation.
29

30 That concludes my proposal, thank you
31 -- or my presentation. Thank you.
32

33 CHAIRMAN ADAMS: Thank you. Any
34 questions.
35

36 Cathy.
37

38 MS. NEEDHAM: Thank you, Mr. Chair.
39 When I was reading this proposal I didn't know --
40 actually I didn't even know coyotes were in Alaska to
41 tell you the truth, I didn't glean it from my reading
42 but did you just state there are no population
43 estimates for coyotes in the Units 1 through 5?
44

45 MR. REEVES: Mr. Chair. Ms. Needham.
46 That is correct.
47

48 CHAIRMAN ADAMS: Any more comments,
49 questions.
50

1 (No comments)

2

3 CHAIRMAN ADAMS: Gunalcheesh, Jeff.

4 State.

5

6 MS. YUHAS: Thank you, Mr. Chairman.

7 For the record, Jennifer Yuhass, Alaska Department of

8 Fish and Game. And the short and sweet version here is

9 that we simply wrote our support and opposition

10 opposite when we originally did our write up so OSM is

11 saying support one, for the other, we've got it written

12 backwards here. But the gist is, we'd like the coyote

13 season to match the State wolf season so that people

14 who incidentally trap them are able to keep them.

15

16 We don't have, per Ms. Needham's

17 question, accurate population data because we don't

18 seal them, we don't track them. Everything we have is

19 local knowledge saying that they're taking outside the

20 present seasons, they've got to have the hides turned

21 over, so if we match the seasons over, they don't have

22 to turn the hides over to Fish and Game, and that

23 they're rarely seen and simply caught incidentally.

24 Like they said, less than 10 a year. We'd just like to

25 match the seasons to the wolf season so they can keep

26 them.

27

28 *****

29 STATE OFFICIAL WRITTEN COMMENTS

30 *****

31

32 Alaska Department of Fish and Game

33 Comments to the Regional Advisory Council

34

35 Wildlife Proposal WP12-04 and WP12-05:

36

37 Proposal WP12-04 would extend the

38 federal subsistence trapping season for coyote by six

39 weeks in Units 1-4 to match the wolf trapping season

40 closure date of April 30.

41

42 Proposal WP12-05 requests that federal

43 subsistence trappers be allowed to retain incidentally

44 harvested coyotes during any trapping season in Units

45 1-5.

46 Introduction: Current federal subsistence trapping

47 seasons for coyote in Units 1-4 are December 1 through

48 February 15. Proposal WP12-04 seeks to liberalize the

49 trapping season dates to match the wolf trapping season

50 dates with the intent of allowing trappers to legally

1 retain coyotes that with the present season dates are
2 considered by-catch and must be turned over to the
3 department. The proponent indicates coyote are being
4 accidentally caught in traps set for wolves during the
5 period when the wolf trapping season is open but the
6 coyote trapping season is closed.

7
8 The proponent for WP12-05 is seeking
9 the allowance for retention of coyote incidentally
10 caught in traps set for other species after the coyote
11 season has been closed. The proponent indicates the
12 incidentally caught and retained out of season coyotes
13 could be used for subsistence purposes. Currently,
14 coyotes (and other fur bearers listed in federal
15 regulations) incidentally taken during a closed season
16 are considered property of the state. Incidental taken
17 coyote require salvage, immediate transport, and
18 surrender to the nearest ADF&G office or Alaska
19 Wildlife Trooper. If adopted as proposed, federal
20 subsistence users could retain incidentally trapped
21 coyotes from all trapping seasons and trap types. The
22 proponent indicates coyote are being accidentally
23 caught in traps set for wolves during the period when
24 the wolf trapping season is open but the coyote
25 trapping season is closed.

26
27 Impact on Subsistence Users:

28
29 During the 10-year period 2001-2010, an
30 average of 148 wolves (range 100-195) were taken
31 annually by trappers in Units 1-4. 412 trappers took
32 wolves between 2001 and 2010 for an average harvest of
33 3.5 wolves per trapper. The majority of wolves were
34 taken in Units 1A, 2 and 3. The number of coyotes
35 taken during and outside the established trapping
36 season is unknown. Anecdotal information suggests the
37 coyote harvest in Units 1-4 is low. Changing the
38 existing coyote trapping season would likely have
39 little effect on subsistence trappers.

40
41 Opportunity Provided by State:

42
43 The coyote trapping season throughout
44 Units 1-4 extends from December 1 through February 15
45 and November 10 through February 15 in Unit 5. There
46 is no daily or annual limit on harvest of coyote. The
47 wolf trapping season in Units 1, 3, and 4 is November 1
48 through April 30 and is December 1 through March 31 in
49 Unit 2. Coyotes may also be taken in Units 1-4 under
50 both state and federal hunting regulations with a bag

1 limit of two coyotes, and an open season from September
2 1 to April 30.

3
4 State trapping regulations prohibit the
5 possession of fur, or parts of a furbearer if the
6 trapper knows or should know the animals were illegally
7 taken (e.g. out of season incidentally trapped coyote)
8 unless they are being transported directly from the
9 field to be surrendered to an ADF&G or Alaska Wildlife
10 Trooper representative. If a trapper takes an animal
11 during a closed season or for which there is no open
12 season, it is the property of the state. If a trapper
13 salvages the animal, transports it immediately to the
14 nearest office of ADF&G or Alaska Wildlife Troopers and
15 surrenders it, the trapper will not be cited for
16 possession of illegally taken animal.

17
18 Conservation Issues:

19
20 There is no empirical data available
21 for coyote population levels in Southeast, Alaska.
22 Responses to the 2008-2009 Trapper Questionnaire
23 suggests coyotes are either not present, or are scarce
24 in Units 1-4. Alaska trapping regulations do not
25 require coyote furs to be sealed, therefore reliable
26 harvest data is not available. Anecdotal information
27 is obtained through conversations with trappers,
28 trapper questionnaires, and when coyotes are taken
29 outside the present seasons and the hides are turned
30 over to the department.

31
32 Other Comments:

33
34 Incidental take of furbearers outside
35 established seasons does occur, however no enforcement
36 action is taken if the take is not the result of
37 directed trapping efforts toward that species and the
38 animal is surrendered to ADF&G or the Alaska Wildlife
39 Troopers. Trappers reporting fur harvest in the
40 2008-2009 Trapper Questionnaire did not provide any
41 information regarding the importance of coyotes in
42 their trapping efforts (1=Very Important, 11=Least
43 Important).

44
45 Recommendation:

46
47 Support WP12-04 with modification.

48
49 Generally, the state does not support
50 extending the trapping season for a species for which

1 there is no population or reliable harvest data.
2 However, to allow trappers to retain incidentally taken
3 coyotes the state recommends support with modification.
4 The department recommends that federal subsistence
5 coyote trapping season match the state's wolf trapping
6 seasons in Units 1-4. This would require modification
7 of the proposal to adjust the trapping season dates in
8 Unit 2 to December 1 through March 31.

9
10 Take no action on WP12-05 based upon
11 support for WP12-04.

12
13 CHAIRMAN ADAMS: Thank you. Mr. Bangs,
14 you got a comment, question.

15
16 MR. BANGS: Thank you, Mr. Chair. What
17 does the State do with the hides? If they're forfeited
18 to the State what happens to them?

19
20 MS. YUHAS: It's my understanding,
21 through the Chair, that any of the hides that we
22 receive through any method of having to be turned over
23 to us go to the fur auction.

24
25 CHAIRMAN ADAMS: Huh. Okay. Anyone
26 else.

27
28 (No comments)

29
30 CHAIRMAN ADAMS: Thank you. The next
31 person would be other Federal or State agencies.

32
33 (No comments)

34
35 CHAIRMAN ADAMS: Tribal comments.

36
37 (No comments)

38
39 CHAIRMAN ADAMS: InterAgency Staff
40 Committee.

41
42 (No comments)

43
44 CHAIRMAN ADAMS: Okay, none.

45
46 (Laughter)

47
48 CHAIRMAN ADAMS: Resource Commissions.

49
50 (No comments)

1 CHAIRMAN ADAMS: Subsistence Resource
2 Commissions. Fish and Game Advisory Committee.
3
4 (No comments)
5
6 CHAIRMAN ADAMS: Do we have any written
7 comments, Mr. Larson.
8
9 MR. LARSON: Mr. Chair. There are no
10 public written comments and there have been no other
11 Councils that have taken up this proposal. It's
12 Southeast specific.
13
14 Thank you.
15
16 CHAIRMAN ADAMS: Thank you. Public
17 testimony.
18
19 (No comments)
20
21 CHAIRMAN ADAMS: Thank you, everyone.
22 We are now in Council deliberation, what's your wish,
23 sir -- or people.
24
25 MR. DOUVILLE: Mr. Chair.
26
27 CHAIRMAN ADAMS: Mr. Douville.
28
29 MR. DOUVILLE: I move to adopt WP12-05.
30
31 CHAIRMAN ADAMS: Okay. Let's go back
32 here, you know, we have two proposals. One is 04 and
33 one is 05, and so if we can take it up with 04 then I
34 guess it's -- it looks like it's going to be, you know,
35 opposed, so we'll put that out of the way and then
36 we'll deal with 05.
37
38 So a motion is in order to accept 04.
39
40 Mr. Bangs.
41
42 MR. BANGS: Thank you, Mr. Chairman. I
43 move to adopt Wildlife Proposal 12-04.
44
45 CHAIRMAN ADAMS: Thank you. Do I hear
46 a second.
47
48 MS. PHILLIPS: Second.
49
50 CHAIRMAN ADAMS: Seconded by Patty.

1 Okay, discussion.
2
3 (No comments)
4
5 CHAIRMAN ADAMS: Hearing no discussion
6 -- Donald.
7
8 MR. HERNANDEZ: Thank you, Mr.
9 Chairman. I think we should follow the Staff's
10 recommendation on this and oppose this and move on to
11 05 which may address the situation better.
12
13 CHAIRMAN ADAMS: Thank you, Donald.
14 Any more.
15
16 MR. BANGS: Question.
17
18 CHAIRMAN ADAMS: Who called for the
19 question, you, okay.
20
21 MR. BANGS: (Raises hand)
22
23 CHAIRMAN ADAMS: Question's been called
24 so all in favor please say aye.
25
26 (No aye votes)
27
28 CHAIRMAN ADAMS: Opposed say nay.
29
30 IN UNISON: Nay.
31
32 CHAIRMAN ADAMS: Thank you. The
33 proposal dies. So on to 05. What's the wish of the
34 Council. Mike, go ahead. Mike Bangs.
35
36 MR. BANGS: Thank you, Mr. Chair. I
37 move to adopt Wildlife Proposal 12-05.
38
39 CHAIRMAN ADAMS: Thank you. Second.
40 Is there a second. Mr. Douville.
41
42 MR. DOUVILLE: I have a question on his
43 motion, is that with the modification?
44
45 CHAIRMAN ADAMS: Oh, yeah, there is a
46 modification.
47
48 MR. BANGS: Thank you, Mr. Douville. I
49 move to adopt Wildlife Proposal 12-05 with the
50 modification as written on Page 92. Is that right --

1 yes.
2
3 CHAIRMAN ADAMS: Yes.
4
5 MR. DOUVILLE: Thank you. I'll second
6 the motion.
7
8 CHAIRMAN ADAMS: The motion is to adopt
9 with the modification to adopt on Page 92. So second,
10 is there a second -- Mike.
11
12 MR. DOUVILLE: Thank you, Chairman.
13 I'll second the motion.
14
15 CHAIRMAN ADAMS: Thank you. We are in
16 that portion where we discuss it, talk about it.
17
18 MR. DOUVILLE: Mr. Chairman.
19
20 CHAIRMAN ADAMS: Mr. Douville.
21
22 MR. DOUVILLE: I'll support the motion.
23 I don't believe that there's a conservation concern
24 because there is no limit on the trapping of cohos and
25 it will promote.....
26
27 (Laughter)
28
29 MR. DOUVILLE: What?
30
31 MS. PHILLIPS: Coyotes.
32
33 MR. DOUVILLE: Oh, coyotes.
34
35 (Laughter)
36
37 MR. DOUVILLE: Isn't that what I said?
38
39 MS. PHILLIPS: You said coyotes.
40
41 (Laughter)
42
43 CHAIRMAN ADAMS: It's only 3:00 in the
44 afternoon.
45
46 (Laughter)
47
48 MR. DOUVILLE: Okay, coyotes.
49
50 (Laughter)

1 MR. DOUVILLE: And, now, I have totally
2 lost my train of thought.

3
4 (Laughter)

5
6 MR. DOUVILLE: It will promote
7 continued subsistence uses and it doesn't restrict any
8 non-subsistence user and that's as close as I can come.

9
10 CHAIRMAN ADAMS: Thank you, Mike.
11 Chuck were you going to interject here, I'll allow it
12 if it'll help us.

13
14 MR. ARDIZZONE: Mr. Chair. I was just
15 checking on Page 92, I saw two modifications but one
16 addresses 04 and Mr. Bangs addressed 05, and so I was
17 just making sure it was clear.

18
19 CHAIRMAN ADAMS: 05, right. Any more
20 comments.

21
22 (No comments)

23
24 CHAIRMAN ADAMS: Are you ready to vote.

25
26 MR. BANGS: Question.

27
28 CHAIRMAN ADAMS: Question's been
29 called. All in favor for this motion please say aye.

30
31 IN UNISON: Aye.

32
33 CHAIRMAN ADAMS: So the motion -- nay
34 -- opposed, nay.

35
36 (NO opposing votes)

37
38 CHAIRMAN ADAMS: The motion carries.
39 Thank you. We are now in 12-06, eliminate January deer
40 season. Mr. Chester.

41
42 MR. CHESTER: Good afternoon, Mr.
43 Chairman and members of the Council. My name is Dennis
44 Chester. I'm presenting the analysis for WP12-06,
45 which begins in your book on Page 101.

46
47 Proposal WP12-06 was submitted by Mike
48 Svenson of Sitka and requests that the deer harvest
49 season in Unit 4 close on December 31st. The proponent
50 states that it is not fair chase to harvest deer in

1 January and would like to see the elimination of the
2 January deer season. The proponent also is concerned
3 about the harvest of pregnant does.

4
5 On average about four percent of the
6 annual harvest occurs in January, which is the least of
7 any month during the season, thus adopting this
8 proposal would likely reduce deer harvest a small
9 amount. Closure of the January season is not
10 considered necessary for conservation of the resource.
11 The primary deer population regulator in Unit 4 is
12 winter weather. Current harvest levels are not
13 generally considered sufficient to regulate the
14 population.

15
16 Adopting this proposal would reduce
17 opportunity for subsistence users. Although the
18 January harvest is relatively low it does provide an
19 opportunity, an opportunity for those that may have not
20 been able to hunt -- that may not have been able to
21 hunt earlier or were not successful. It can provide an
22 opportunity for fresh meat late in the season and it
23 can be a relatively efficient hunt under the right snow
24 conditions. Efficiency of effort is a characteristic
25 of subsistence harvest.

26
27 Adopting this proposal would not
28 eliminate harvest of pregnant females. To eliminate
29 the harvest of pregnant females, the doe season would
30 need to close by early to mid-October.

31
32 The preliminary conclusion is to oppose
33 Proposal WP12-06, and I will conclude with that and
34 answer any questions.

35
36 CHAIRMAN ADAMS: Thank you, Dennis. Is
37 there questions.

38
39 (No comments)

40
41 CHAIRMAN ADAMS: Are there any
42 questions of Dennis.

43
44 Cathy, go ahead.

45
46 MS. NEEDHAM: Thank you, Mr. Chair. I
47 have a couple of just data type questions.

48
49 On the chart that's provided on Page
50 104, this is just out of curiosity, does N represent

1 the number of pellet plots for -- if you look at the
2 top of each bar graph and it's N=, is that pellet
3 blocks or pellet surveys?

4

5 MR. CHESTER: Through the Chair. That
6 is -- well, Fish and Game would say it's VCUs, each VCU
7 has three transects, generally, so depending on what
8 you can do in a year so basically that's their sample
9 unit.

10

11 MS. NEEDHAM: Okay. And then in follow
12 up to that, it looks like in 2009 it was a low
13 population year, during the low population estimate
14 year, what was the percentage of deer taken in January,
15 do we know? When populations are low.....

16

17 MR. CHESTER: Through the Chair. I
18 don't have that information right in front of me, I
19 could get that for you but I don't have it in the
20 analysis. But I think -- I don't remember specifically
21 for '09 but it's always a pretty low percentage, four
22 is kind of the average over about a 10 year period.

23

24 MS. NEEDHAM: Thank you. Regardless of
25 sort of the overall population by year, four percent is
26 about.....

27

28 MR. CHESTER: Correct.

29

30 MS. NEEDHAM:approximately what's
31 taken in January across -- regardless of what the deer
32 population is doing?

33

34 MR. CHESTER: Over that 10 years I
35 think it's probably as high as eight percent, but I
36 don't remember which year that was.

37

38 MS. NEEDHAM: Okay, thank you.

39

40 CHAIRMAN ADAMS: Thank you. Is there
41 anyone else.

42

43 (No comments)

44

45 CHAIRMAN ADAMS: Thank you, Mr.
46 Chester, appreciate it. Fish and Game.

47

48 MS. YUHAS: Thank you, Mr. Chairman.
49 Jennifer Yuhas, Alaska Department of Fish and Game.
50 The Department supports this proposal but for different

1 reasons than the proposer brought it.

2

3 We do find a conservation concern and
4 our biologist is afraid that the deer harvested in
5 January, that it's too difficult to tell the does from
6 the bucks because they don't have antlers and that it
7 would assist this population in rebound if we were to
8 close this season.

9

10 **No official written comments
11 inserted/provided by State at this
12 time**

13

14 CHAIRMAN ADAMS: Thank you. Any
15 questions. Cathy.

16

17 MS. NEEDHAM: Thank you, Mr. Chair. In
18 your written comments that are provided on Page 107 by
19 the State, it states in January deer are more likely to
20 be concentrated on beaches making them very vulnerable
21 to high levels of harvest, does that average of four
22 percent of harvest that happens in January, how does
23 that apply to this when deer are concentrated on
24 beaches?

25

26 MS. YUHAS: Through Chair. I heard Ms.
27 Needham ask that question a moment ago and I thought,
28 boy, I wished I would have asked my biologist before I
29 came to the meeting and known the question would be
30 asked. I am, unfortunately, not qualified to answer
31 that on the spot right at the moment.

32

33 I know that our biologist was concerned
34 enough that he modified the original comments that I
35 tried to draft as a first stab to include this and he
36 was concerned enough that he wanted to make that point
37 at this meeting.

38

39 MS. NEEDHAM: Just a quick follow-up
40 comment or partial question, I guess.

41

42 CHAIRMAN ADAMS: Go ahead.

43

44 MS. NEEDHAM: I mean we just heard from
45 Mr. Chester that, on average, in January, it's
46 approximately four percent of the population that's
47 taken and so maybe Mr. Chester can answer the question
48 about whether or not that changes -- is that
49 anticipated because they are coming down to the beach
50 or during high snow years, do we see fluctuation in

1 that four percent of harvest?

2

3 MS. YUHAS: From my -- Through the
4 Chair. From my discussions with our biologist he was
5 concerned with high snow years and he was concerned
6 with the fact that they would be pregnant.

7

8 I can't speak for the Federal
9 counterpart so he'll have to speak for himself.

10

11 CHAIRMAN ADAMS: Okay, we'll let him do
12 that.

13

14 MR. CHESTER: Mr. Chair. Cathy
15 Needham, could you kind of restate the question I'm not
16 sure I followed exactly?

17

18 MS. NEEDHAM: The statement by the
19 State is that during January deer are more likely to be
20 concentrated on beaches making them more vulnerable to
21 higher levels of harvest. So I guess my question is,
22 is that a perception or is that -- or do we know that
23 harvest levels change when deer are concentrated on
24 beaches during high snow years, making -- I'm trying to
25 get an idea of the concern about the January harvest in
26 that aspect and whether or not does that harvest level
27 changes because of, or is it just anticipated?

28

29 MR. CHESTER: Through the Chair. I
30 think it's a reality that it can happen. There's a lot
31 of things that go with that though, too, January also
32 has bad weather so -- or typically has worse weather,
33 that's part of where the snow storms come from, they
34 dump the snow, they bring the deer down, so while the
35 snow brings the deer down and concentrates them along
36 the beaches, it's also harder for hunters to get out
37 and hunt them. So there's some kind of mitigating
38 factors there. But, yeah, it's a reality that the snow
39 concentrates deer on the beaches and makes them more
40 vulnerable.

41

42 CHAIRMAN ADAMS: Okay. Why don't you
43 just both stay there from now on, if there's any other
44 questions or comments from the Council.

45

(No comments)

46

47
48 CHAIRMAN ADAMS: Thank you. Okay.
49 Tribal comments.

50

1 (No comments)
2
3 CHAIRMAN ADAMS: InterAgency Staff
4 Committee. Oh, he's going to come down and say
5 something.
6
7 Welcome Steve
8
9 MR. KESSLER: Thank you, Mr. Chairman.
10 I don't actually want to speak to this proposal but I
11 just wanted to clarify why the InterAgency Staff
12 Committee has no comments, and I think the folks that
13 have been on the Council for quite awhile.....
14
15 CHAIRMAN ADAMS: We know, you're just a
16 -- you're a man of few words that's all.
17
18 (Laughter)
19
20 MR. KESSLER:know this. But the
21 InterAgency Staff Committee had a meeting with all the
22 authors of the analysis a few months ago and go through
23 those analysis and provide comments to those analysis.
24 And those analysis are often modified based on
25 interaction with the InterAgency Staff Committee. So
26 if all the InterAgency Staff Committee concerns have
27 already been incorporated into that analysis, there's
28 no reason to provide any additional comments. Those
29 comments and all those thoughts have already been
30 incorporated into those analysis, and, therefore, we
31 don't really need to get up and say anything because
32 it's all there.
33
34 So, that's why I don't have any
35 comments on any of these proposals in front of you.
36
37 CHAIRMAN ADAMS: Thank you, Steve.
38 That helps us move the program, you know, move it a lot
39 faster, too, so thank you.
40
41 Fish and Game Advisory Committees.
42
43 (No comments)
44
45 CHAIRMAN ADAMS: Subsistence Resource
46 Committees.
47
48 (No comments)
49
50 CHAIRMAN ADAMS: Any written comments,

1 Mr. Larson.

2

3 MR. LARSON: Mr. Chairman. We have one
4 written comment and that is from the Sitka Tribe of
5 Alaska, the Cultural Customary and Traditional
6 Committee and they are in opposition. They believe
7 that this proposal would have negative impact on
8 subsistence needs. They point out that subsistence is
9 not a sport hunt.

10

11 CHAIRMAN ADAMS: Thank you, Mr. Larson.
12 Any public testimony.

13

14 (No comments)

15

16 CHAIRMAN ADAMS: None. Okay, let's go
17 into deliberations.

18

19 Mr. Bangs.

20

21 MR. BANGS: Thank you, Mr. Chair. I
22 move to adopt Wildlife Proposal 12-06.

23

24 CHAIRMAN ADAMS: Thank you. Do I hear
25 a second.

26

27 MR. HERNANDEZ: Second.

28

29 CHAIRMAN ADAMS: Donald seconds.

30

31 REPORTER: (Nods affirmatively)

32

33 CHAIRMAN ADAMS: Okay. Discuss it.

34 Mr. Hernandez.

35

36 MR. HERNANDEZ: Thank you, Mr.
37 Chairman. I would vote to oppose this proposal.

38

39 The person who makes the proposal, he
40 seems to have a problem with this as a matter of fair
41 chase, which, you know, is just not a concern of a
42 subsistence user. You know, a subsistence user wants
43 to go out and harvest in the most sufficient means
44 possible, and if that means getting deer in the easiest
45 way, so be it.

46

47 His concerns with harvesting pregnant
48 does as a conservation concern is not valid as deer is
49 just as pregnant in December as it is in January. The
50 breeding season is pretty much over before December,

1 so, you know, people will be harvesting pregnant does
2 in December and January, it doesn't matter.

3

4 In this area, you know, we've dealt
5 with the situation of the severe winters and at that
6 time we did not feel that eliminating the January hunt
7 would make a significant difference as a conservation
8 measure. The take is well documented and is fairly
9 small in January regardless of what the weather
10 conditions are. Most people don't choose to hunt in
11 January, it's not the best time to get a deer, the deer
12 are not -- the meat is not at its highest quality,
13 however, you know, there are people that live in the
14 Bush that don't have freezers and it's very expensive
15 to operate a freezer in some places and extending the
16 seasons for as long as possible, staying within the
17 bounds of, you know, accepted practices for wildlife
18 management should be our goal. Stretching out these
19 seasons from August through January is viable and it
20 provides fresh meat for the longest amount of time
21 possible for the subsistence users. And, you know,
22 placing this restriction on them would be adverse to
23 their needs, subsistence needs.

24

25 So for that reason I'd vote to oppose.

26

27 CHAIRMAN ADAMS: Thank you, Donald.
28 Would you like to just address it in the form of the
29 four criteria that we follow so it can be documented.

30

31 MR. HERNANDEZ: Right.

32

33 We've established, you know, in the
34 past that there aren't conservation concerns with the
35 deer hunt in January. And it would definitely be a
36 restriction on subsistence users. It has no impacts on
37 non-subsistence users, only subsistence proposal [sic],
38 and, therefore it's not necessary.

39

40 CHAIRMAN ADAMS: Thank you, sir. Any
41 more comments.

42

43 (No comments)

44

45 MR. BANGS: Question.

46

47 CHAIRMAN ADAMS: Question's been called
48 for, thank you. So all in favor of this proposal
49 please say aye.

50

1 (No aye votes)
2
3 CHAIRMAN ADAMS: Opposed say nay.
4
5 IN UNISON: Nay.
6
7 CHAIRMAN ADAMS: Nay, that was loud and
8 clear, thank you. Let's do 12-07 -- oh, why don't we
9 take a break, okay, it's time for a break. So be back
10 at 10 -- I'll call you back in about 10 or 15 minutes,
11 okay, thanks.
12
13 (Off record)
14
15 (On record)
16
17 CHAIRMAN ADAMS: Okay, folks should we
18 take our places and we will proceed with this meeting.
19
20 (Pause)
21
22 CHAIRMAN ADAMS: Okay, we'll call this
23 meeting back to order and give you half a second to
24 take your seats and we'll be on our way.
25
26 (Pause)
27
28 CHAIRMAN ADAMS: All right, we're back
29 in session folks. We're now on Proposal 12-07.
30
31 Mr. Chester, you're on again.
32
33 MR. CHESTER: Good afternoon, Mr.
34 Chair.
35
36 CHAIRMAN ADAMS: It starts on Page 108.
37
38 MR. CHESTER: Good afternoon, Mr. Chair
39 and members of the Council. My name is Dennis Chester.
40 I'm presenting the analysis for W012-07 which begins on
41 Page 108.
42
43 Proposal WP12-07 was submitted by Monte
44 Mitchell of Excursion Inlet and requests an extension
45 of the deer hunting season on the Lower Chilkat range,
46 which is in Unit 1C through January, and an increase in
47 the harvest limit to six deer. Residents of Excursion
48 Inlet are eligible to harvest deer in Unit 4 through
49 January but the proponent states that crossing Icy
50 Strait could be treacherous in winter months. The

1 proposal states that extending the season and
2 increasing the harvest limit in a portion of Unit 1C
3 would allow residents of Excursion Inlet to more safely
4 harvest deer closer to home.

5
6 For this area Federal subsistence and
7 State harvest limits differ.

8
9 The Federal harvest limit is four deer,
10 with a doe season from September 15th to December 31st,
11 while the State limit is two bucks.

12
13 Adopting this proposal would increase
14 opportunities for Federally-qualified subsistence users
15 to harvest deer by adding a month to the Federal season
16 and increasing the harvest limit from four to six in
17 the proposal area. Adopting this proposal would likely
18 increase harvest in the proposal area. The level of
19 increase is unknown but seems unlikely that very many
20 hunters would come to the area to harvest six deer with
21 the presumed low deer population density. The stated
22 intent of the proponent is to be able to harvest deer
23 close to home late in the season when access to more
24 plentiful deer in Unit 4 is hindered. Harvesting deer
25 early in the season in Unit 4 with a six deer limit,
26 then harvesting additional deer later in the season in
27 Unit 1C mainly'd be practical if the harvest limit in
28 Unit 1C is increased from four to six. Extending the
29 season through January could increase harvest because
30 deer could be concentrated along beaches and
31 susceptible.

32
33 The impact of the increased harvest on
34 the deer population is hard to quantify. Deer
35 populations on the mainland are not considered
36 sufficient to sustain a six deer, either sex harvest.
37 No other mainland area in Southeast Alaska has a six
38 deer limit, however, there is not a conservation
39 concern at current harvest levels.

40
41 The preliminary conclusion is to oppose
42 Proposal WP12-07.

43
44 Thank you.

45
46 CHAIRMAN ADAMS: Thank you, Dennis.
47 Any questions. Mr. Hernandez, go ahead.

48
49 MR. HERNANDEZ: So just to make sure I
50 have this clear in my mind.

1 If there's a four deer limit in 1C and
2 a six deer limit in Unit 4, if somebody wants six deer,
3 they cannot shoot, say four deer in Unit 4 and then go
4 and shoot an additional two deer, which is -- even
5 though it's below the bag limit of four, if you already
6 have four tags punched in another district or another
7 unit, you cannot take those additional two deer in the
8 Unit -- you could not go to Unit 1C and take those
9 additional two deer if you already have four tags
10 punched and you punched them somewhere else?

11
12 Correct.

13
14 MR. CHESTER: Through the Chair. That
15 is correct.

16
17 CHAIRMAN ADAMS: Anyone else.

18
19 (No comments)

20
21 CHAIRMAN ADAMS: Thank you, Dennis.

22
23 Oh, go ahead.

24
25 MR. HERNANDEZ: Another line of
26 questioning. Just this whole -- the whole concept of
27 setting a bag limit as to what population requirements,
28 you know, does it take to have a six deer bag limit as
29 opposed to a four deer bag limit or a two deer bag
30 limit, I mean that's always something that's kind of
31 perplexed me, you know, it's like what standard do you
32 use to determine when a six deer bag limit is
33 appropriate as opposed to a, you know, two deer bag
34 limit. It seems, you know, somewhat logical to me that
35 the overall harvest is what matters. You know, a
36 population can sustain so much harvest. As long as
37 that harvest isn't exceeded, it's really kind of
38 irrelevant whether a person takes four or six because
39 it's dependent on how many utilize the area.

40
41 So, you know, are there enough people
42 that hunt this area that, you know, determine that six
43 deer is too many? Do you anticipate, you know, if you
44 change the bag limit from four to six the effort would
45 increase, therefore, putting more pressure? You know
46 that's kind of the question with this.

47
48 I mean this is obviously an increased
49 opportunity for a subsistence use, you know, which is
50 something we should be considering but, yet, you know,

1 you oppose it on saying that the population can't
2 sustain an increase in the hunting pressure but, yet,
3 you know, how is that relative to -- to me what's
4 relative to the whole question is what will be the
5 total harvest and does the total harvest, you know,
6 exceed a sustainable level, and, you know, if there
7 isn't a whole lot of effort then, you know, maybe I
8 could see supporting this proposal.

9

10 So, I don't know, if you can help me
11 out with any of that, Dennis, I would appreciate it.

12

13 (Laughter)

14

15 MR. CHESTER: Through the Chair. Yeah,
16 that's quite a complex question.

17

18 (Laughter)

19

20 MR. CHESTER: And, you know, I can't
21 really get into the whole history of how basically Fish
22 and Game came up with a two deer limit for the mainland
23 and a six deer limit for, you know, Unit 4. But some
24 of the basics that go in there are Unit 4 which has,
25 you know, the highest limits and longest season, has no
26 real predators other than brown bear. So on the
27 mainland you tend to have, you know, you've got wolves,
28 black bear, brown bear, coyotes, so you've got the full
29 spectrum of predators that you don't have, say, in Unit
30 4, for comparison. The habitat itself, you know, the
31 amounts and the productivity of the habitat is
32 generally considered much less on the mainland compared
33 to Unit 4, Prince of Wales or something like that. So,
34 you know, comparatively you've got some issues there
35 that would lead you to -- would expect the populations,
36 the deer populations aren't going to be as productive,
37 as widespread and some of those kind of things. Winter
38 weather tends to be a little worse on the mainland.

39

40 But what you're saying is also true,
41 you know, it really depends on how many deer are taken
42 in relation to the population there and, unfortunately,
43 we really don't have data to address that. You know, I
44 try to provide what was available. But even for 1C,
45 most of that data really applies to the islands near
46 Juneau where most of the Unit 1C deer pressure is. So
47 it's kind of even hard to take that and apply it too
48 much to that area of 1C, you know, the way Fish and
49 Game does their hunter surveys is a sampling, so, you
50 know, the few people that hunt in that area may get

1 hit, may not get hit in a particular year so it's
2 pretty sketchy data for that size of an area.

3
4 So, you know, as far as providing real
5 solid numbers to come up with, you know, to address
6 some of the questions you've raised, which are good
7 questions and I'd love to have answers to them but I
8 can't address them too specifically.

9
10 CHAIRMAN ADAMS: Okay. Archie.

11
12 MR. NIELSEN: Thank you, Mr. Chairman.
13 I would like to ask the gentleman what affect has the
14 Green's Creek Mine had on the deer, and the habitat of
15 deer; did it make any difference?

16
17 MR. CHESTER: Through the Chair.
18 Green's Creek Mine is actually not in the proposed area
19 it's in Unit 4, and I'm not aware of any specific
20 studies on its effect on deer like they did for bears.

21
22 Relative to the size of the mine, you
23 know, there's been probably a couple hundred of acres
24 of habitat that had been lost so you could expect, you
25 know, on average some loss, a small loss in the
26 population in that area. I do know that people
27 regularly see -- people who work at the mine regularly
28 see deer so they don't seem to be have been eliminated
29 from the area but beyond that I can't really address
30 how the mine has affected numbers or, you know,
31 pollutant or anything like that in a deer.

32
33 MR. NIELSEN: Thank you.

34
35 CHAIRMAN ADAMS: Mr. Bangs.

36
37 MR. BANGS: Thank you, Mr. Chairman.
38 Mr. Chester. Is there any data on the effects of large
39 snowfalls that we had that affected the NECCUA and
40 other parts of Unit 4 as far as mortality during those
41 winter on deer, those real heavy snowfalls; was that
42 area affected?

43
44 MR. CHESTER: Through the Chair. We
45 have no data. Nobody looked there. We haven't done
46 pellet surveys. We did not do mortality surveys. I'm
47 assuming, you know, Juneau, at that time, got record
48 snowfalls so I'm assuming, you know, since that's just
49 basically across Lynn Canal, I'm assuming they got, if
50 not record snowfall pretty close to it. So I can't

1 imagine that deer weren't affected, but we really have
2 no data.

3

4 CHAIRMAN ADAMS: Cathy.

5

6 MS. NEEDHAM: Thank you, Mr. Chair.
7 This might seem like an odd question.

8

9 But if the proponent had requested one
10 or the other, as opposed to both things, so the request
11 was to extend the season and to add to the bag limit,
12 if they had only done extend the season or add to the
13 bag limit, would the Staff analysis have returned the
14 same type of conservation concern?

15

16 I mean I'm not sure that I'm hearing
17 there's a conservation, I mean there could potentially
18 be a conservation concern but there's obviously not
19 enough data to state that, you know, we don't know
20 about the population at all, but I'm just wondering how
21 that may have changed the outcome of the Staff
22 analysis; if it was an or situation.

23

24 MR. CHESTER: Through the Chair. It's
25 kind of hard to speculate. I guess I haven't thought
26 of it like that since it came in as a package.

27

28 You know there's not really -- we don't
29 have a conservation concern right now. The concern is
30 that by increasing the potential, that that basically
31 is way above what any other mainland has and it would
32 be a concern. Whether that came to fruition or not we
33 don't know.

34

35 I guess the concern on the mainland
36 would be populations tend to be more clustered and if
37 you had a higher bag limit like that, you could go in
38 and somebody could -- or a group of folks could go in
39 and hit a cluster pretty hard. So, you know, that's
40 more of a harvest limit issue than probably a length of
41 season other than, yeah, it's a little easier to do
42 maybe in January than it would be in July.

43

44 I don't know if that really answered
45 your question.

46

47 CHAIRMAN ADAMS: I got a question,
48 Dennis. Will you extend the season and make the bag
49 limit six deer, you know, to me that does bring up a
50 conservation issue. Maybe you can help me, you know,

1 clarify that a little bit, too, because you said
2 earlier that there doesn't seem to be a conservation
3 concern but it seems like every time you make the
4 opportunity longer to, you know, hunt those deer and
5 then you're also having a six deer bag limit, doesn't
6 -- it doesn't kind of register right -- properly, so
7 help me out.

8

9 MR. CHESTER: Okay, thank you, Mr.
10 Chair. Yeah, I should make that clear. There's not a
11 conservation concern at this point. I think there would
12 be raising the bag limit and extending the season.

13

14 CHAIRMAN ADAMS: Okay. Because that's
15 kind of what I got out of the literature that I read
16 earlier, too, so, thank you.

17

18 Any more questions -- Mr. Kitka.

19

20 MR. KITKA: Thank you, Mr. Chair. If
21 you extended the season and raised the bag limit, would
22 the people of Hoonah, which is probably the closest to
23 Excursion Inlet, realizing that they are one of the
24 rural residents that is allowed to hunt there, would
25 they come and would that have an affect on it?

26

27 MR. CHESTER: Through the Chair. I
28 guess you'd really have to ask the residents of Hoonah.
29 But I don't particularly see them coming to Chilkat
30 Range to hunt when they have Chichagof Island closer.
31 There's higher deer population there and easier to
32 harvest there. What I could see is that a number of
33 Hoonah residents go to the area to harvest moose and
34 potentially goats, so I think, you know, if they found
35 some deer while they were over there doing that they
36 could certainly harvest them. But I really don't
37 foresee many of them going specifically there to
38 harvest deer, unless they were over there for some
39 other reason.

40

41 MR. KITKA: Follow up.

42

43 CHAIRMAN ADAMS: Follow up.

44

45 MR. KITKA: Thank you, Mr. Chair. The
46 reason I ask that is the NECCUA got closed for does and
47 basically that would allow them an opportunity to get
48 the deer that they might need at that point. Basically
49 I just wanted to know if that would have any affect.

50

1 MR. CHESTER: Through the Chair. Yeah,
2 you know, that's potential but I still think they have
3 areas on Chichagof that would probably be closer and
4 more productive to go to than the Southern Chilkat
5 range, you know, swinging around either to the west or
6 to the south.

7
8 CHAIRMAN ADAMS: Any more questions.

9
10 (No comments)

11
12 CHAIRMAN ADAMS: Thank you, sir.
13 State.

14
15 MS. YUHAS: Thank you, Mr. Chairman.
16 Members of the Council. Jennifer Yuhas, Alaska
17 Department of Fish and Game.

18
19 We also oppose this proposal. And,
20 similarly, as was stated, we recognize that if it were
21 to pass, that there would be a significant conservation
22 concern. My biologist wanted to make sure that we put
23 on the record that we have long objected to the six
24 deer bag limit, citing that it was established at
25 the highest year of the population in 1990.

26
27 And that's about all I've got today.

28
29 **No official written comments
30 inserted/provided by State at this
31 time**

32
33 CHAIRMAN ADAMS: Thank you. Questions,
34 anyone, of Jennifer. Donald, go ahead.

35
36 MR. HERNANDEZ: Have you been able to
37 document any adverse consequences to the population by
38 having a six deer bag limit?

39
40 MS. YUHAS: Through the Chair. In
41 speaking with our biologist, he has documented
42 continued concern on the verge and -- I'm not sure how
43 he'd react to his data being referred to as sketchy,
44 but we do acknowledge that we do take a random sampling
45 and that we've shown very little hunter effort, but
46 there's still a borderline concern there with that six
47 deer bag limit that's continuing.

48
49 MR. HERNANDEZ: Mr. Chairman.

50

1 CHAIRMAN ADAMS: Go ahead, Mr.
2 Hernandez.

3
4 MR. HERNANDEZ: I need to clarify. I
5 was referring to, you know, the six deer bag limit
6 that's been in place for Unit 4 for 15 years now, has
7 that caused any conservation concerns in Unit 4?

8
9 MS. YUHAS: Through the Chair. The
10 main concern has been the portion of 1C if this were to
11 be raised and the continuing borderline concern in 4
12 that we'd rather see it lower.

13
14 CHAIRMAN ADAMS: Follow up.

15
16 MR. HERNANDEZ: I still don't know if
17 maybe we're talking about different things here, but
18 you say that the State has always been concerned with a
19 six deer bag limit. The only place there's a six deer
20 bag limit is Unit 4 and it's been in place for 15
21 years, is that the bag limit you're referring to that
22 the State has concerned about?

23
24 MS. YUHAS: Through the Chairman.
25 Correct. And I have been told that we have continually
26 objected to that bag limit beginning in 1992.

27
28 MR. HERNANDEZ: That bag limit's been
29 in place since 1992, have you observed any conservation
30 concerns in those last 19 years?

31
32 MS. YUHAS: Through the Chairman. Yes.

33
34 CHAIRMAN ADAMS: Okay.

35
36 MR. HERNANDEZ: It seems to me that
37 that harvest has been very healthy in all that time
38 except for the severe winter events that really bag
39 limits had no effect on. Would you disagree with that?

40
41 MS. YUHAS: Through the Chairman. I'm
42 here to report that we have consistently objected to
43 the six year [sic] bag limit based on my biologist's
44 continued concern.

45
46 MR. HERNANDEZ: Mr. Chairman. I would
47 like to assert that there is no conservation concern in
48 Unit 4 due to bag limits, never has been.

49
50 CHAIRMAN ADAMS: Other than the severe

1 winters.

2

3 MR. HERNANDEZ: Other than severe
4 winters as the most significant factor that determines
5 the conservation concerns in that unit.

6

7 CHAIRMAN ADAMS: Okay. Thank you,
8 Jennifer. You're a brave girl.

9

10 (Laughter)

11

12 CHAIRMAN ADAMS: Anyone else.

13

14 (No comments)

15

16 CHAIRMAN ADAMS: Oh, I was going to
17 say, anyone else have a question for Jennifer but she
18 moved on.

19

20 (Laughter)

21

22 CHAIRMAN ADAMS: Federal or State
23 agencies -- other Federal or State agencies.

24

25 (No comments)

26

27 CHAIRMAN ADAMS: Tribal comments.

28

29 (No comments)

30

31 CHAIRMAN ADAMS: InterAgency.

32

33 (No comments)

34

35 CHAIRMAN ADAMS: We heard your
36 explanation earlier, Steve, so everytime I see your
37 head go like that, we understand.

38

39 Subsistence Resource Commission
40 comments.

41

42 (No comments)

43

44 CHAIRMAN ADAMS: Fish and Game Advisory
45 Committees.

46

47 Any written comments, Mr. Larson.

48

49 MR. LARSON: There are no written
50 public comments.

1 CHAIRMAN ADAMS: Thank you, sir. Any
2 public comments.

3
4 (No comments)

5
6 CHAIRMAN ADAMS: Okay, Council, we are
7 now in deliberations so what's the wish of the Council.

8
9 Mr. Bangs.

10
11 MR. BANGS: Thank you, Mr. Chairman. I
12 move to adopt Wildlife Proposal 12-07 as written on
13 Page 108.

14
15 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
16 Is there a second.

17
18 MR. HERNANDEZ: Second.

19
20 CHAIRMAN ADAMS: Seconded by Mr.
21 Hernandez. Let's talk about it. Discussion.

22
23 And in so doing, please, address the
24 four criteria that, you know, we use as a guideline.

25
26 Patty, go ahead.

27
28 MS. PHILLIPS: Thank you, Mr. Chair.
29 I'm going to oppose WP12-07 based on Staff
30 recommendation. This proposal is not consistent with
31 established principles of wildlife conservation because
32 a six deer, either sex harvest limit is not considered
33 sustainable on the Southeast Alaska mainland.
34 Extending the season is not consistent with other
35 mainland areas of Southeast Alaska and may not provide
36 a benefit if subsistence users had previously harvested
37 four or more deer in nearby Unit 4.

38
39 And based on Table 1 on Page 112,
40 regulatory year 2007 shows number of deer killed at
41 155, which is 485 deer less than the year 2006 of 260
42 deer killed. And I would say that this area is similar
43 to the NECCUA, in that, it had a heavy snowfall event
44 in 2006 and 2007, and I think there's a need to rebuild
45 the harvest, the deer -- deer populations in that
46 Coverden (ph) area, so I support Staff recommendation.

47
48 Thank you.

49
50 CHAIRMAN ADAMS: Thank you, Patty.

1 Anyone else.

2

3 (No comments)

4

5 CHAIRMAN ADAMS: Well, let me just
6 address what I've heard so far and the notes that I've
7 taken, you know, from reading the material before us.

8

9 As indicated already by Mr. Chester,
10 there's insufficient data to determine whether there is
11 a population problem in that particular area. And, you
12 know, I think there's also not enough data to help us
13 understand, you know, the snowfalls in that area that
14 might have an adverse effect on the deer population
15 like it has in Unit 4.

16

17 Even though there's no conservation
18 concern right now, I think that there is a possibility
19 that there will be in the future by extending the deer
20 season and also by allowing the six deer bag limit.

21

22 And it will also be opened up to a
23 couple other communities, which will then increase, you
24 know, the pressure on the deer populations in that
25 area.

26

27 Even though, you know, it might
28 benefit user groups, I think this conservation concern,
29 as far as I'm concerned, you know, overrides any of
30 these other issues there, so I am, you know, inclined
31 to vote against this proposal.

32

33 So is there anyone else who would like
34 to make a comment.

35

36 (No comments)

37

38 CHAIRMAN ADAMS: Okay, are you ready to
39 vote.

40

41 MR. KITKA: Question.

42

43 CHAIRMAN ADAMS: Question's been
44 called. All in favor, please signify by saying aye.

45

46 (No aye votes)

47

48 CHAIRMAN ADAMS: Opposed, say, nay.

49

50 IN UNISON: Nay.

1 CHAIRMAN ADAMS: The motion is defeated
2 so thank you for that. Let's move on to the next
3 proposal, that is Proposal 08.

4
5 Mr. Suminski.

6
7 MR. SUMINSKI: Good afternoon, Mr.
8 Chairman. Council members. My name is Terry Suminski
9 with the Forest Service. Proposal WP12-08 starts on
10 Page 116 of your books. This was submitted by the
11 Southeast Alaska Subsistence Regional Advisory Council
12 and requests rescinding the Federal requirement that
13 Federally-qualified users complete a joint
14 State/Federal deer harvest report in Unit 2.

15
16 In November of 2010 the Alaska Board of
17 Game adopted Proposal 41 to replace the State mailout
18 deer hunter survey with a deer harvest reporting system
19 in Units 1 through 5. The Council submitted comments
20 to the Alaska Board of Game supporting this regulatory
21 change.

22
23 The new State deer harvest reporting
24 system became effective July 1, 2011 for Units 1
25 through 5 and adequately replaces the joint
26 State/Federal harvest reporting system for Unit 2.

27
28 The State/Federal harvest report
29 requirement for Unit 2 is no longer needed since
30 comparable harvest data will be gathered by the new
31 State deer harvest reporting system. Federally-
32 qualified users will benefit by not having to fill out
33 a separate redundant State/Federal report for deer
34 harvested in Unit 2.

35
36 And the preliminary conclusion is to
37 oppose this proposal.

38
39 Thank you.

40
41 CHAIRMAN ADAMS: Thank you, Terry.
42 Questions, anyone.

43
44 (Laughter)

45
46 MR. SUMINSKI: No, I said, coho.

47
48 (Laughter)

49
50 MR. SUMINSKI: No, it's support the

1 proposal, I'm sorry.
2
3 (Laughter)
4
5 CHAIRMAN ADAMS: You're a flip-flopper.
6
7 (Laughter)
8
9 CHAIRMAN ADAMS: Questions from
10 Council.
11
12 (No comments)
13
14 CHAIRMAN ADAMS: Looks like no, thanks,
15 Terry. Next.
16
17 MS. YUHAS: Thank you, Mr. Chairman.
18 Jennifer Yuhas. The State supports it for the same
19 reasons.
20
21 **No official written comments
22 inserted/provided by State at this
23 time**
24
25 CHAIRMAN ADAMS: Okay. Any questions
26 of Jennifer.
27
28 (No comments)
29
30 CHAIRMAN ADAMS: I guess not, all
31 right. Other State or Federal agencies.
32
33 (No comments)
34
35 CHAIRMAN ADAMS: Very few people in
36 this room.
37
38 (Laughter)
39
40 CHAIRMAN ADAMS: No. Tribal comments.
41 Okay, Ronald, agu.
42
43 MR. LEIGHTON: Ron Leighton. Organized
44 Village of Kasaan. And we support this proposal for
45 obvious reasons. In the past it's been a problem with
46 dual reporting and I've been getting notified and I
47 know a lot of people that has been getting notified
48 even though they may have sent in two. One of them
49 would lose it or misplace it or something like that,
50 and I think going to one agency with data it would be

1 better, so we would support it.

2

3 Thank you.

4

5 CHAIRMAN ADAMS: Thank you, Ron. Any
6 people from InterAgency Staff Committee.

7

8 (No comments)

9

10 CHAIRMAN ADAMS: Subsistence Resource
11 Commissions.

12

13 (No comments)

14

15 CHAIRMAN ADAMS: Fish and Game Advisory
16 Committees.

17

18 (No comments)

19

20 CHAIRMAN ADAMS: Do you have any
21 written comments, Mr. Larson.

22

23 MR. LARSON: Yes, Mr. Chairman. We do
24 have written comments from the Organized Village of
25 Kasaan and they are consistent with the oral testimony
26 we've heard.

27

28 CHAIRMAN ADAMS: Thank you, Mr. Larson.
29 Public testimony.

30

31 (No comments)

32

33 CHAIRMAN ADAMS: None. Okay we're in
34 Council deliberations. Council members, what's your
35 wish on this proposal.

36

37 Mr. Bangs.

38

39 MR. BANGS: Thank you, Mr. Chairman. I
40 move to adopt Wildlife Proposal 12-08 as written on
41 Page 116.

42

43 CHAIRMAN ADAMS: Thank you, sir. Do I
44 hear a second.

45

46 MR. KITKA: Second.

47

48 CHAIRMAN ADAMS: Seconded by Mr. Kitka.
49 Okay, the floor is now open for discussion on this
50 project -- or proposal.

1 (No comments)
2
3 MR. BANGS: Question.
4
5 CHAIRMAN ADAMS: Question's been
6 called. All in favor -- I got taken back by that a
7 little bit without any discussion. So question's been
8 called, all in favor say aye.
9
10 IN UNISON: Aye.
11
12 CHAIRMAN ADAMS: Opposed, same sign.
13
14 (No opposing votes)
15
16 CHAIRMAN ADAMS: The motion is carried.
17 Thank you. Okay, we are now on 09 -- no, I'm sorry, 10
18 -- I'm sorry, WP12-10.
19
20 MR. LARSON: You got way ahead of me,
21 who made the motion and who seconded.
22
23 CHAIRMAN ADAMS: Tina.
24
25 REPORTER: Bangs and Mr. Kitka.
26
27 MR. LARSON: Thank you.
28
29 CHAIRMAN ADAMS: Uh-huh.
30
31 MR. LARSON: Got it.
32
33 CHAIRMAN ADAMS: Mr. Chester.
34
35 MR. CHESTER: I'm back.
36
37 CHAIRMAN ADAMS: You're back.
38
39 (Laughter)
40
41 MR. CHESTER: Good afternoon, my name
42 is Dennis Chester and I will be presenting the analysis
43 for WP12-10, which begins in your books on Page 121.
44
45 This proposal was submitted by Andy
46 Savland of Hoonah and requests the addition of a
47 regulation to require antler destruction of deer and
48 moose taken by Federally-qualified designated hunters
49 in Units 1 through 5.
50

1 The proponent states that some
2 designated hunters use the benefits to pursue trophy
3 animals which are not sought for food value. The
4 proponent feels that adopting this proposal would
5 reduce the take of trophy animals. Three other
6 proposals requesting various changes to designated
7 hunters program have been submitted for 2012, those are
8 WP12-02, WP12-11 and WP12-13.

9
10 Implementing this proposal would create
11 an unnecessary burden on subsistence users, the extent
12 to which subsistence users target large antlered
13 animals is unknown but there is nothing illegal about
14 doing so as long as the salvage requirements are met
15 and there is no evidence to suggest that it is causing
16 a conservation concern. Regulations are already in
17 place requiring designated hunters to salvage all
18 useable meat, restricting them to two harvest limits in
19 possession and requiring them to promptly deliver the
20 wildlife to the recipient. A designated hunter may not
21 claim for themselves the meat or any part of the
22 harvested wildlife. Harvest by designated hunters is a
23 small but socially important percentage of the overall
24 harvest.

25
26 Implementing this proposal would create
27 some confusion because for deer in all hunts limited to
28 one sex, if antlers are used as evidence of sex, they
29 must remain naturally attached to the entire carcass.
30 While antlers are not the only acceptable evidence of
31 sex, it could create confusion for some users on the
32 appropriate action to take.

33
34 Implementing this proposal is unlikely
35 to change designated hunter harvest substantially.
36 Deer and moose in Southeast Alaska do not develop large
37 antlers prized by trophy hunters, although there is
38 likely a relative trophy value to a large animal from
39 the area.

40
41 Designated hunters are required to
42 salvage the meat and, although, adding a burden to
43 their hunt, cutting the antlers is not likely to
44 substantially change their harvest patterns.

45
46 Large antlered animals also have large
47 bodies and are desirable for the amount of meat they
48 provide.

49
50 The preliminary conclusion is to oppose

1 WP12-10.

2

3

Thank you.

4

5

6

CHAIRMAN ADAMS: Thank you, Mr.
Chester. Anyone have a question for Dennis.

7

8

(No comments)

9

10

11

CHAIRMAN ADAMS: Mr. Hernandez, go
ahead.

12

13

14

15

16

17

18

MR. HERNANDEZ: Wouldn't adopting this
proposal also conflict with the State regulation which
states that the antlers of a moose cannot be altered in
order to show that they meet the moose antler
requirements in a lot of districts?

19

20

21

22

23

24

MR. CHESTER: Through the Chair. The
exception was made that, you know, where you need it to
provide evidence of a legal harvest, that you wouldn't
have to cut them. But it was designed to somewhat
really make it more compatible with State regs.

25

26

27

28

CHAIRMAN ADAMS: Anyone else.

(No comments)

29

30

CHAIRMAN ADAMS: Thank you, sir.
State.

31

32

33

34

35

36

37

38

39

40

MS. YUHAS: Thank you, Mr. Chairman.
Jennifer Yuhas. While the State didn't bring this
proposal, we are supporting it on the basis that the
Alaska Board of Game took action for our State
designated hunter, we call it the proxy hunter system
for very similar regulations and so since it's very
close to what we have we would like to see that
mirrored as long as the proposal's been brought, to
reduce confusion.

41

42

43

44

45

**No official written comments
inserted/provided by State at this
time**

46

47

48

49

50

CHAIRMAN ADAMS: Thank you, ma'am. Any
questions of Jennifer.

(No comments)

1 CHAIRMAN ADAMS: Thank you. Okay.
2 Other Federal and State agency comments.
3
4 (No comments)
5
6 CHAIRMAN ADAMS: Tribal comments.
7
8 (No comments)
9
10 CHAIRMAN ADAMS: InterAgency Staff.
11
12 (No comments)
13
14 CHAIRMAN ADAMS: Subsistence Resource
15 Commissions.
16
17 (No comments)
18
19 CHAIRMAN ADAMS: Fish and Game Advisory
20 Committees.
21 (No comments)
22
23 CHAIRMAN ADAMS: Written, Mr. Larson.
24
25 MR. LARSON: Yes, Mr. Chair, we have a
26 comment from the Organized Village of Kake, they have
27 no objection.
28
29 CHAIRMAN ADAMS: Okay. Public
30 testimony.
31
32 (No comments)
33
34 CHAIRMAN ADAMS: Ladies and gentlemen
35 we are now in deliberation so what's your wish.
36
37 Mr. Hernandez.
38
39 MR. HERNANDEZ: I would move to adopt
40 Wildlife Proposal 12-10 as written on Page 121 in our
41 book.
42
43 CHAIRMAN ADAMS: Thank you for that
44 clarification. Is there any dis -- is there a second.
45
46 MR. BANGS: Second.
47
48 CHAIRMAN ADAMS: Seconded by Mr. Bangs.
49
50 Okay, discussion.

1 Mr. Hernandez.

2

3 MR. HERNANDEZ: Thank you, Mr.
4 Chairman. I think I would agree with the Staff
5 analysis on this to oppose this proposal.

6

7 I think I would agree that this is not
8 likely to lead to an increase, or the situation that
9 the person who submitted this proposal is -- has a
10 problem with thinks that this would lead to an increase
11 in the moose harvest and people trying to shoot more
12 moose essentially to get a larger moose, I just don't
13 think that's going to be a problem with subsistence
14 users. I think I would agree there's -- people do not
15 look for trophy moose or deer in these districts and is
16 not likely to lead to an increase in the harvest or a
17 conservation concern. So I would vote to oppose this
18 proposal.

19

20 It also, as written, it would be a
21 restriction on subsistence users to limit their ability
22 to get deer to a designated hunter.

23

24 I don't see how it affects any other
25 non-subsistence users.

26

27 CHAIRMAN ADAMS: Thank you, Donald.
28 Anyone else.

29

30 (No comments)

31

32 MS. PHILLIPS: Call for the question.

33

34 CHAIRMAN ADAMS: Question's been called
35 for, thank you, Patty. All in favor, please, signify
36 by saying aye.

37

38 (No aye votes)

39

40 CHAIRMAN ADAMS: All opposed say nay.

41

42 IN UNISON: Nay.

43

44 CHAIRMAN ADAMS: Thank you. The
45 proposal is defeated. Let's move on to 12-11.

46

47 Welcome, Susan.

48

49 MS. OEHLERS: Good afternoon, Mr.
50 Chairman, Council members. For the record my name is

1 Susan Oehlers with the Forest Service in Yakutat. And
2 I'll be presenting the analysis for WP12-11, which can
3 be found starting on Page 130 in your book.

4
5 This proposal, WP12-11 was submitted by
6 Monte Mitchell and requests adding the mountain goat to
7 the Federal designated hunter permit in Units 1 through
8 5.

9
10 The proponent states that due to the
11 nature of the terrain that goats inhabit some
12 Federally-qualified subsistence users are physically
13 unable to pursue them. Adding goats to the list of
14 eligible species to hunt under the Federal designated
15 hunter permit in these units would allow qualified
16 users the benefits of the meat and hides of the
17 species.

18
19 And I'm just going to go through a
20 little bit of background that I think is pertinent to
21 this analysis.

22
23 In these units the State Fish and Game
24 uses a weighted point system where males equal one
25 point and females are two points. Generally guidelines
26 are to maintain a harvest not to exceed six points per
27 100 goats in any given area. Hunters are encouraged to
28 harvest males rather than females and are prohibited
29 from harvesting nannies with kids. The quotas are
30 combined for Federal and State users.

31
32 Each hunt area is delineated into
33 straight geographic management areas and a quota is
34 established for each area. Quotas for each management
35 area are generally low, ranging from one through 30.
36 Some examples include quotas from two to five in Unit
37 4; five to six in Unit 5; and, one to 10 in Unit 1D.

38
39 Current events, and I think the State
40 went over this earlier, there is an EO in a portion of
41 Unit 5 near Yakutat, that's been in effect for the last
42 three seasons. And then also there have been some
43 Federal and State closures in portions of Unit 4.

44
45 Also just some pertinent biological
46 background is that mountain goats generally exhibit a
47 low reproductive rate, nannies do not generally
48 reproduce until about five years old, usually producing
49 a single kid. And goat populations are known to be
50 sensitive to adult female mortality, so male only

1 harvest is generally encouraged to maintain
2 productivity.

3
4 And I probably don't need to point this
5 out to you but subsistence does generally include a
6 cultural value system of sharing and hunting for others
7 is a common practice particularly with ungulates.

8
9 Effects of the proposal. It's expected
10 that, you know, it's kind of hard to predict how much
11 this would be used, but if you look at current patterns
12 for moose, you know, harvest of moose by designated
13 hunters is generally fairly low. Because the State
14 manages mountain goat harvest in a combined State and
15 Federal quota the total harvest of goats would not be
16 expected to change. Although the total harvest is not
17 likely to change, the percent of the total harvest by
18 subsistence users including these designated hunters
19 may increase thereby reducing opportunities for State
20 harvesters.

21
22 If designated hunters are allowed to
23 have two harvest limits in their possession at any one
24 time they may harvest two animals out of any one herd
25 potentially resulting in the harvest quota being met
26 sooner or possibly being exceeded in areas where there
27 are no quotas before an emergency order can be put in
28 place.

29
30 There is also potential that designated
31 hunters targeting two animals out of one herd may take
32 females, and, again, higher female harvests can be
33 detrimental to populations and may result in the
34 harvest quota being reached sooner.

35
36 So while the option to designate a
37 hunter will benefit the recipient enabling them to
38 enjoy the benefits of the meat and hides of goat and
39 support the traditional practice of hunting for others,
40 opportunities for others to harvest goats may be
41 diminished.

42
43 So some of these -- considering some of
44 these effects of the proposal, I did include some
45 alternatives that, you know, would address, or, you
46 know, mitigate any of these potential negative side
47 effects, such as overharvest or harvesting of nannies,
48 so there's several alternatives I listed, such as
49 restricting the designated hunter to have no more than
50 one harvest limit in possession at any one time. This

1 is similar to -- well, it's currently in place for Unit
2 6D; restricting the designated hunter to harvesting one
3 goat per 24 hour period. Require reporting of the
4 harvest, including the sex of the harvested animal
5 before the hunter is allowed to harvest any additional
6 animals. Shorten the required harvest reporting time
7 period. Limit the number of persons for which a
8 designated hunter may harvest goats. So these are just
9 some alternatives, you know, that could be considered
10 to potentially address any negative side effects.

11
12 So the preliminary conclusion is to
13 support this proposal with modification to allow only
14 one harvest limit in possession at any one time.

15
16 And, again, as the proponent stated,
17 you know, due to the nature of the terrain where goats
18 inhabit, some users are not able to pursue them and,
19 therefore, unable to enjoy the benefits of the species.

20
21 Adopting this proposal as modified will
22 enable these users to enjoy the benefits of the meat
23 and hides of goats and support the traditional practice
24 of hunting for others. And because the quota is
25 combined for Federal and State harvest, adopting this
26 proposal is not expected to affect the total harvest of
27 goats in these units. The suggested modification to
28 allow the designated hunter to have no more than one
29 harvest limit in their possession at any one time will
30 help to minimize any overharvest and potential waste as
31 well as maintain opportunities for other subsistence
32 and non-subsistence users.

33
34 That's my presentation, I thank you.

35
36 Any questions.

37
38 CHAIRMAN ADAMS: So one goat per.....

39
40 REPORTER: Bert. Bert.

41
42 CHAIRMAN ADAMS: He's back to that
43 trend again. So one goat per hunter, right, now if a
44 designated hunter wanted to get a goat for himself and
45 another one for, you know, someone who had given him,
46 you know, the designation to do so, he'd only have to
47 hunt one; or could he do one for himself or one for the
48 other person?

49
50 MS. OEHLERS: Yeah. So what we're

1 suggesting with this modification is to essentially
2 allow only one harvest limit in possession at any one
3 time. So you would go out, if you wanted to hunt for
4 yourself and someone else, you would go out and get
5 your goat, you know, come back in and then you would
6 have to go out again. And that's just basically to,
7 you know, so you wouldn't take several animals out of
8 any one herd, you know, to kind of keep a little bit
9 conservative.

10

11 CHAIRMAN ADAMS: Yeah, I understand.
12 Thank you. Any more questions.

13

14 Mr. Hernandez.

15

16 MR. HERNANDEZ: Yes, thank you, Mr.
17 Chairman. Susan, what time of year would you say most
18 of the subsistence hunting for goats takes place, is it
19 a hunt where people like to go up into the high country
20 and shoot a goat or do they wait until they, you know,
21 maybe come down possibly at the latter part of the
22 season?

23

24 MS. OEHLERS: Yes, through the Chair,
25 I'll try and answer that. I know that in Yakutat it
26 tends to be, you know, a later season hunt when once
27 the goats have moved down, you know, particularly
28 people accessing areas by goat. And I guess I'm kind
29 of assuming that's the case in most of 1 through 5, if
30 anyone else wants to correct me, but I think it's
31 generally a later season hunt.

32

33 CHAIRMAN ADAMS: Any more questions.

34

35 MR. DOUVILLE: Mr. Chairman.

36

37 CHAIRMAN ADAMS: Mr. Douville.

38

39 MR. DOUVILLE: Thank you, Chairman.
40 I'll try to keep goats separated from cohos.

41

42 (Laughter)

43

44 MR. DOUVILLE: In 1C I think the
45 Department has like a six point system, it's a smaller
46 area, like one for billies and two for nannies so
47 potential you could have just four goats taken and the
48 quota's taken for that area.

49

50 MS. OEHLERS: Yeah, I'm not sure

1 specifically for 1C but, you know, generally speaking
2 they do try and keep it to about five to six points per
3 100 animals.

4

5 Does that answer your question -- I
6 don't -- I don't know the specifics for 1C, there may
7 be someone here that could answer that, but that's kind
8 of the general guidelines is five to six points per 100
9 animals in any given area.

10

11 CHAIRMAN ADAMS: There's a caucus going
12 on over there.

13

14 MR. ACKERMAN: Mr. Chairman.

15

16 CHAIRMAN ADAMS: Tim, go ahead.

17

18 MR. ACKERMAN: Yeah, very interesting
19 to listening to talk about the point system here.

20

21 Haines area, up in there, has a pretty
22 good population of mountain goats. Actually if I
23 remember correctly the -- one of the biggest herds was
24 up in the Kalsaw area there. But I noticed over the
25 last couple years, that sometimes all the road
26 accessible areas get closed down because everybody
27 shoots a bunch of nannies and instantly everything's
28 closed, so there's some of us that don't have boats
29 that can't access the open areas so it happens pretty
30 fast. We've had numerous people from, not the Haines
31 area, but outside the Haines area, come in and take out
32 a bunch of nannies and then it shuts it down for
33 everybody. I've seen it happen numerous times.

34

35 We went up the -- last year -- we went
36 up -- it's called the Sevenmile Saddle, we went up in
37 the dark and then we got up on top and we made a cell
38 phone call, the guy made a cell phone call to his wife
39 and she says, you guys -- we were already up on top, we
40 saw the goats, we were getting close and he called
41 before we got close, and his wife says, you can't shoot
42 a goat, they closed it the day prior to and we -- we
43 came up in the dark, we didn't see the closed sign or
44 anything and so it was pretty hard on us to, you know,
45 put that much effort in and then go into a closed area
46 without knowing that it was closed, it was dark, we
47 didn't see the sign, and it seems to be a continuing
48 ongoing thing up there, that the ranges just get closed
49 down so fast because everybody busts up the nannies
50 and, yeah, it's a real interesting point system that

1 they have going there. But I am a designated hunter
2 for Klukwan, I guess you could say, so it's real
3 interesting to listen to this proposal here because --
4 yeah, thank you, Council.

5
6 CHAIRMAN ADAMS: Thank you, Tim. Any
7 more questions or comments.

8
9 (No comments)

10
11 CHAIRMAN ADAMS: Thank you, Susan.

12
13 MS. OEHLERS: Thank you.

14
15 CHAIRMAN ADAMS: Next.

16
17 MS. YUHAS: Thank you, Mr. Chairman.
18 Jennifer Yuhas, Alaska Department of Fish and Game.

19
20 The Department opposes this proposal
21 and mainly because on our side we don't recognize a
22 proxy for this species. So you'll see at a lot of
23 these meetings, we come and try to be consistent with
24 State regulations, that's our position, we're the State
25 here at these meetings. Should the proposal move
26 against our recommendation to oppose it, we would
27 support some sort of modification mentioned by the
28 biologist previously.

29
30 And we would like to take an
31 opportunity to compliment our working relationship with
32 the area biologist. It gets pretty complicated when
33 you're sharing a harvest quota and you have to share
34 data quite frequently and make a joint decision. We
35 just want to put that compliment on the record.

36
37 **No official written comments
38 inserted/provided by State at this
39 time**

40
41 CHAIRMAN ADAMS: Any questions.

42
43 (No comments)

44
45 CHAIRMAN ADAMS: Thank you, ma'am.
46 Other Federal or State agencies.

47
48 (No comments)

49
50 CHAIRMAN ADAMS: Tribal.

1 (No comments)
2
3 CHAIRMAN ADAMS: InterAgency Staff.
4
5 (No comments)
6
7 CHAIRMAN ADAMS: Subsistence Resource
8 Commission comments.
9
10 (No comments)
11
12 CHAIRMAN ADAMS: Fish and Game Advisory
13 Committees.
14
15 (No comments)
16
17 CHAIRMAN ADAMS: Mr. Larson, is there
18 any written comments.
19
20 MR. LARSON: Yes, Mr. Chairman, there
21 is. There is one written comment and that is from the
22 Sitka Tribe Cultural Customary and Traditional Use
23 Committee.
24
25 They noted that recent declines in
26 mountain goat populations are an issue and this
27 proposal would put excessive pressure on the goat
28 populations, and they are in opposition to it.
29
30 CHAIRMAN ADAMS: So their concern is
31 that there might be a conservation problem here.
32
33 MR. LARSON: Yes.
34
35 CHAIRMAN ADAMS: Thank you. Any public
36 testimony.
37
38 (No comments)
39
40 CHAIRMAN ADAMS: Okay, ladies and
41 gentlemen let's go into deliberation, what's the wish
42 of the Council.
43
44 MS. PHILLIPS: Mr. Chair.
45
46 CHAIRMAN ADAMS: Go ahead, Patty. The
47 Chair recognizes Patty.
48
49 MS. PHILLIPS: Thank you, Chairman
50 Adams. Move to adopt WP12-11 with modification as

1 recommended by OSM Staff on Page 130.

2

3 CHAIRMAN ADAMS: Thank you for that
4 clarification, Patty, is there a second.

5

6 Mr. Douville.

7

8 MR. DOUVILLE: I'll second it, Mr.
9 Chairman.

10

11 CHAIRMAN ADAMS: Thank you. So let's
12 talk about it.

13

14 The motion is to adopt it with the
15 modification as recommended, and that modification is
16 that for goats where designated hunters may have no
17 more than one harvest limit in possession at any time.

18

19 Cathy.

20

21 MS. NEEDHAM: Thank you, Mr. Chair.
22 During the question period you'd asked the question
23 about the limit and I'm wondering, given your knowledge
24 of goat harvest if that -- is that reasonable, having
25 one limit possession?

26

27 CHAIRMAN ADAMS: Not only is it
28 reasonable but I think it's -- it would make it a lot
29 easier on the hunter. Because you know it's not easy
30 to climb those cliffs and, you know, and by the time
31 that you're done carrying one out, you know, then have
32 to go back and get another one, that puts a lot of
33 pressure on the hunter, you know, so I not only think
34 it's reasonable but, yeah.

35

36 MS. NEEDHAM: Thanks.

37

38 CHAIRMAN ADAMS: That's how I feel.

39

40 MS. NEEDHAM: I just wanted
41 clarification because I wanted to make sure that that
42 wasn't adding an extra burden for Federally-qualified
43 users by having to go back out again.

44

45 CHAIRMAN ADAMS: Yeah.

46

47 MS. NEEDHAM: Thank you for that.

48

49 CHAIRMAN ADAMS: Yeah, that's how I
50 feel.

1 MS. NEEDHAM: Okay.
2
3 CHAIRMAN ADAMS: Mr. Bangs.
4
5 MR. BANGS: Thank you, Mr. Chairman.
6 With due respect to Sitka Tribe's concerns, I think
7 that after hearing the Department explain the quota
8 system, I think that that dispels the concern of a
9 conservation issue, if they keep it track and close it
10 down when the quotas are met so I would be in support
11 of this.
12
13 Thank you.
14
15 CHAIRMAN ADAMS: Any more comments.
16
17 Mr. Douville.
18
19 MR. DOUVILLE: I am going to support
20 this proposal because there's other methods to control
21 any conservation concerns, you know, and this gives an
22 opportunity for an elder, if you will, or somebody that
23 can't hunt to be able to eat goat meat or utilize the
24 hair or any number of things. I think it's a good
25 opportunity that should have been addressed before.
26
27 CHAIRMAN ADAMS: Yeah.
28
29 MR. DOUVILLE: While there is some
30 conservation concerns in some areas, that's addressed,
31 it has nothing to do with it being a designated hunter.
32 And with the modification I feel comfortable with it
33 because one person is not going to pack two goats out
34 anyways, you know, so, and if you've got the ambition
35 to go up there twice well then more power to you.
36
37 CHAIRMAN ADAMS: Unless you take the
38 goat packer with you.
39
40 (Laughter)
41
42 CHAIRMAN ADAMS: Tim.
43
44 MR. ACKERMAN: Thank you, Mr. Chairman.
45 Speaking of conservation, I received a request from
46 multiple Chilkat weavers to harvest enough goats to
47 allow them to make a Chilkat blanket and conservation
48 of the Chilkat weavers and the handful of them that are
49 left, I told them that they have to write a proposal
50 and designate me as the harvester so we're trying to

1 conserve the Chilkat blanket weaver's ability here so
2 they are in need of goat hides.

3
4 I talked to Anthony Crubie, the goat
5 biologist and they have four tagged mountain goats up
6 there right now and they're keeping track of them, if a
7 couple of them pass away then hopefully we'll be able
8 to salvage the whole mountain goat, we use the hoofs,
9 the horns we use for spoons. Some of those haven't
10 been made for quite some time. And also the hides, we
11 utilize the whole hides in extracting the wool.

12
13 So, yeah, that's conservation of a
14 traditional, customary Chilkat blanket weaving that's
15 in the works here.

16
17 So, thank you, Mr. Chairman.

18
19 CHAIRMAN ADAMS: Thank you, Tim.
20 Anyone else.

21
22 (No comments)

23
24 MR. HERNANDEZ: Call for the question.

25
26 CHAIRMAN ADAMS: Question has been
27 called for so all in favor of this proposal, please
28 signify by saying aye.

29
30 IN UNISON: Aye.

31
32 CHAIRMAN ADAMS: Opposed, say nay.

33
34 (No opposing votes)

35
36 CHAIRMAN ADAMS: Motion carries. Thank
37 you, folks.

38
39 Let's move on to WP12-12, revise moose
40 season dates.

41
42 Mr. Chester.

43
44 MR. CHESTER: Good afternoon, again.
45 My name is Dennis Chester. I will be presenting the
46 analysis for WP12-12 which begins in your book on Page
47 140.

48
49 This proposal was submitted by Monte
50 Mitchell of Excursion Inlet and requests that the

1 Federal moose season in a portion of Unit 1C start one
2 week earlier. The southern end of the Chilkat Range
3 has a road system and a relatively easy boat access for
4 nearby communities. Regulatory changes in the nearby
5 Gustavus forelands hunt on State lands may have shifted
6 some hunting pressure to the Chilkat Range.

7
8 The proponent believes that competition
9 during the opening of the season reduces the chances
10 for subsistence users to harvest a moose. He believes
11 that the opening season -- he believes that opening the
12 season one week early for Federally-qualified
13 subsistence users would reduce competition and help
14 them meet their subsistence needs.

15
16 Implementing this proposal would
17 increase opportunities for Federally-qualified
18 subsistence users to harvest moose by adding a week to
19 the Federal season and reducing competition
20 approximately 50 percent during that week. By
21 increasing the length of the Federal season
22 implementing this proposal would increase the moose --
23 or could increase the moose harvest since the
24 population is unknown, the sustainable harvest in the
25 area is unknown and the potential impact on the
26 population is unclear.

27
28 Current harvest appears to be
29 sustainable although harvest has increased in recent
30 years and long-term sustainability is uncertain.

31
32 Implementing this proposal could
33 increase participation within the proposal area by
34 attracting Federally-qualified subsistence users who
35 would normally hunt elsewhere but could now hunt the
36 southern Chilkat Range before the season in nearby
37 areas begins. If this occurs, although all early
38 season harvest would be by Federally-qualified
39 subsistence users, competition among individuals could
40 be similar to the existing condition. Reducing the
41 early season opening to three days might reduce this
42 attraction by reducing the time to hunt the early
43 season in the southern Chilkat area before moving to
44 other hunting areas for the season opening. Daily
45 harvest is highest during the first three days of the
46 existing season.

47
48 The preliminary conclusion is to
49 support Proposal WP12-12 with modification to start the
50 Federal moose season three days early on the southern

1 Chilkat Range and provide a Federal registration
2 permit. A Federal registration permit with appropriate
3 conditions would be necessary to allow harvest outside
4 the State season and to attract the harvest.

5
6 Thank you.

7
8 CHAIRMAN ADAMS: Okay, thank you, Mr.
9 Chester.

10
11 REPORTER: Bert. Bert.

12
13 CHAIRMAN ADAMS: So any questions.....

14
15 REPORTER: Bert.

16
17 CHAIRMAN ADAMS: I'm just going to
18 leave this on.

19
20 REPORTER: Good. That's no problem at
21 all.

22
23 CHAIRMAN ADAMS: Any questions of
24 Dennis.

25
26 (No comments)

27
28 CHAIRMAN ADAMS: Thank you, Dennis, for
29 that.

30
31 REPORTER: Bert. Cathy.

32
33 CHAIRMAN ADAMS: Cathy. Thank you,
34 Tina.

35
36 MS. NEEDHAM: Thank you, Mr. Chair.
37 Before you leave.....

38
39 (Laughter)

40
41 MS. NEEDHAM: Is there a yearly harvest
42 limit for moose in Unit 1C?

43
44 MR. CHESTER: There's not an overall
45 harvest limit, there's just a harvest limit on -- you
46 can take one moose.

47
48 MS. NEEDHAM: Per?

49
50 MR. CHESTER: Per hunter.

1 MS. NEEDHAM: It's a permit harvest but
2 not a yearly harvest for the entire unit like there is
3 for goats?

4
5 CHAIRMAN ADAMS: Quota.

6
7 MR. CHESTER: No.

8
9 MS. NEEDHAM: There's no quota, okay.
10 I still have an additional population question. On the
11 graph on Page 146 -- I'm sorry, it might not be that
12 one.

13
14 But essentially I looked at the summary
15 of the data and it said 72 moose were harvested over 16
16 years by -- that's by Federally-qualified users and
17 non-Federally-qualified users; is that correct? Like I
18 counted them off of Figure 2 as well as -- essentially
19 what I'm trying to do is understand the amount of
20 harvest by moose in Unit C over time and it looks like
21 the -- over the course of 16 years, a total of 72 moose
22 have been harvested and that's by both Federally-
23 qualified users and non-Federally-qualified users and
24 so if you averaged that across the 16 years it's
25 approximately 4.5 moose per year that are taken out of
26 this unit; is that -- and the reason why I ask that
27 question is because in the materials that were
28 provided, the State is reporting an average harvest of
29 17 moose per year, and so I wanted to know if I'm not
30 underst -- I'm wondering if there is a discrepancy or
31 I'm not understanding the data as it's presented?

32
33 MR. CHESTER: Through the Chair. The
34 data I presented is specific to the proposal area, it's
35 not for all of Unit 1C. And I believe, if I'm correct,
36 I think the data the State reported may be for all of
37 the Chilkat Range. I'm not exactly sure I'd have to go
38 back and look and so I think there may be some
39 discrepancy there. But the total numbers of harvest
40 would be shown in Table 2 so it is more than 72 for
41 that 16 years -- or Table 1, I'm sorry. I don't think
42 there is a Table 2.

43
44 (Laughter)

45
46 MR. CHESTER: So I show 238 by
47 Federally eligible during that 16 year period and 223
48 by non-eligibles.

49
50 MS. NEEDHAM: I'm sorry, Table 1 is all

1 of the unit or the proposed area?

2

3 MR. CHESTER: Just the proposal area.

4

5 MS. NEEDHAM: Because when I count in
6 Figure 2, in your Figure 2 you have them each half bar
7 represents one moose; is that correct? Because when
8 you count the number of moose in Figure 2 it's 72 moose
9 total over the course, from 1993 to 2009.

10

11 (Pause)

12

13 MR. CHESTER: It looks like there's a
14 discrepancy there that I'm having trouble figuring out
15 right at the moment, I'm sorry.

16

17 (Laughter)

18

19 CHAIRMAN ADAMS: Could you address your
20 question in another way?

21

22 MS. NEEDHAM: I'm thinking.

23

24 (Laughter)

25

26 CHAIRMAN ADAMS: He's getting
27 surrounded.

28

29 (Pause)

30

31 MR. CHESTER: Okay, the discrepancy is
32 -- I'm sorry, Table 1 is the number of hunters so
33 that's why there's so many. Figure 2 is number of
34 moose harvested.

35

36 MS. NEEDHAM: Right.

37

38 MR. CHESTER: So, yes, if you've added
39 them up and it's 72 then you're right, I don't have
40 that number right in front of me.

41

42 MS. NEEDHAM: Okay, thanks.

43

44 CHAIRMAN ADAMS: Okay, see what you've
45 started.

46

47 MS. NEEDHAM: Pardon me?

48

49 CHAIRMAN ADAMS: See what you started?

50

1 MS. NEEDHAM: Well, I know I got
2 confused, I was like, what was the original point
3 but.....

4
5 CHAIRMAN ADAMS: It's okay.
6

7 MS. NEEDHAM:I think he answered
8 the original point when he clarified that the State's
9 harvest number included the entire unit, not just the
10 proposed area.

11
12 CHAIRMAN ADAMS: Okay. All right. I'm
13 glad you're satisfied. Any more questions of Dennis.

14
15 Mr. Hernandez.
16

17 MR. HERNANDEZ: Thank you, Mr.
18 Chairman. I think Cathy's question partially answered
19 my question but I just wanted to make sure, Dennis,
20 that you were able to, you know, find specific
21 information for this specific area, right, on the data
22 for moose harvested and the number of hunters, correct?

23
24 MR. CHESTER: That is correct.
25

26 MR. HERNANDEZ: Good. Okay. One more
27 question.
28

29 CHAIRMAN ADAMS: Sure.
30

31 MR. HERNANDEZ: You state on Page 141
32 that regulatory changes in the nearby Gustavus
33 forelands hunt on State lands may have shifted some
34 hunting pressure to the Chilkat Range. Would you say
35 that hunting pressure was comprised of subsistence
36 hunters or non-subsistence qualified hunters, or both?
37 You know, do you have an idea of the -- the increase in
38 hunting pressure, was it by subsistence hunters, non-
39 subsistence hunters or how did that break down?

40
41 MR. CHESTER: Through the Chair. Both,
42 I believe. If you look at Figure 3, you can kind of
43 see the increase in the number of hunters in both
44 Federally-qualified and not Federally-qualified hunters
45 increased during that timeframe.

46
47 CHAIRMAN ADAMS: Thank you. Anyone
48 else have a question or comment.
49

50 (No comments)

1 CHAIRMAN ADAMS: Thank you, Mr. Chester.
2 Jennifer.

3
4 MS. YUHAS: Thank you, Mr. Chairman.
5 Jennifer Yuhas, Alaska Department of Fish and Game.
6 The Department opposes this proposal citing that we
7 believe that it's unnecessary for the specific area.
8 We'd find that Federally-qualified hunters are, as a
9 group, succeed at a higher rate than other hunters and
10 that folks are not having a problem meeting their bag
11 limits.

12
13 **No official written comments
14 inserted/provided by State at this
15 time**

16
17 CHAIRMAN ADAMS: Okay. Questions of
18 Jennifer, anyone.

19
20 (No comments)

21
22 CHAIRMAN ADAMS: Thank you. Okay,
23 then.....

24
25 MR. HERNANDEZ: Mr. Chairman.

26
27 CHAIRMAN ADAMS: Mr. Hernandez, go
28 ahead.

29
30 MR. HERNANDEZ: Thank you, Mr.
31 Chairman. Excuse me, I had one more question for Mr.
32 Chester, if I could.

33
34 CHAIRMAN ADAMS: Sure, go ahead.

35
36 MR. HERNANDEZ: Thank you. Your
37 modification, the proposer asks for a one week head
38 start on the season, you recommend a three day
39 headstart, three days earlier opening, why -- what's
40 your reasoning for three days as opposed to a week?

41
42 MR. CHESTER: Through the Chair. The
43 three days is mainly because that seemed to be kind of
44 the time period when looking at the data, when there
45 was the highest harvest and competition levels. In
46 other words, after three days the harvest dropped and
47 so it kind of was based on that.

48
49 CHAIRMAN ADAMS: Thank you, Mr.
50 Chester.

1 MS. PHILLIPS: Mr. Chair.
2
3 CHAIRMAN ADAMS: Oh, one more question.
4
5 MS. PHILLIPS: Thank you. Mr. Chester,
6 is there -- does this Unit 1C, the Coverden (ph) area
7 or the Chilkat area, does it have its own separate
8 quota or is it a quota for all of Unit 1C?
9
10 MR. CHESTER: Through the Chair. There
11 is no overall quota for moose as there is for goats.
12 This is an area, Chilkat Range is one of the areas
13 where -- well, Fish and Game manages moose -- I think
14 they have 11 different populations that they manage
15 throughout Southeast, this is one where there's really
16 no population data so, you know, say in the Gustavus
17 forelands or something like that where they can do an
18 aerial survey or in Yakutat they can do an aerial
19 survey and kind of get a handle on the populations,
20 they can base recommended harvests on that, how many
21 moose they see and maybe some factors to say, okay,
22 well, we think the population's about this and this is
23 how many we want to harvest. In this area we don't
24 have that information, it's basically a forested area,
25 you can't do aerial surveys. So it's hard to come up
26 with good hard numbers as far as what target to shoot
27 for. I don't really want to say quota because I don't
28 know that we really have quotas but -- so it's kind of
29 a shot in the dark really, for this area, we don't have
30 population data.
31
32 CHAIRMAN ADAMS: You have a follow up,
33 Patty?
34
35 MS. PHILLIPS: No.
36
37 CHAIRMAN ADAMS: No, okay. Thank you.
38 Okay, the next is -- where are we? Federal agency,
39 State comments.
40
41 (No comments)
42
43 CHAIRMAN ADAMS: Tribal comments.
44
45 (No comments)
46
47 CHAIRMAN ADAMS: None. InterAgency
48 Staff Committee comments.
49
50 (No comments)

1 CHAIRMAN ADAMS: Fish Subsistence --
2 sorry -- Subsistence Resource Commissions.
3
4 (No comments)
5
6 CHAIRMAN ADAMS: Fish and Game Advisory
7 Committees.
8
9 (No comments)
10
11 CHAIRMAN ADAMS: Mr. Larson, do we have
12 any written comments?
13
14 MR. LARSON: No, Mr. Chairman, there
15 are no written public comments.
16
17 CHAIRMAN ADAMS: Thank you. Is there
18 public testimony?
19
20 (No comments)
21
22 CHAIRMAN ADAMS: Well, ladies and
23 gentlemen, we're now in deliberation on this proposal
24 so what is your wish.
25
26 MS. PHILLIPS: Mr. Chair.
27
28 CHAIRMAN ADAMS: Yes.
29
30 MS. PHILLIPS: Could we ask a question
31 of State Staff please?
32
33 CHAIRMAN ADAMS: Sure.
34
35 MS. PHILLIPS: On Page 148.....
36
37 REPORTER: Patty.
38
39 MS. PHILLIPS:is there a Federal
40 registration permit or is it only a State registration
41 permit and does the Gustavus area registration
42 requirements apply to that Chilkat area?
43
44 MS. YUHAS: Through the Chairman. I
45 apologize that I don't know all of the specifics on
46 some of the things that you'll ask me. I'm trying to
47 memorize as many as I can statewide as I go make this
48 circuit, but I might need a little bit of help from our
49 Federal Staff, I believe that we have the State permit
50 that applies now only, but if this is adopted, we will

1 also need the Federal permit for those three days.
2 That's my understanding but I could be incorrect so I'm
3 asking for some assistance.

4
5 CHAIRMAN ADAMS: I see Chuck going like
6 this, so.....

7
8 MS. YUHAS: Apparently Chuck Ardizzone
9 is nodding in agreement.

10
11 MR. ARDIZZONE: Mr. Chair. Chuck
12 Ardizzone for the record. What Ms. Yuhas said is
13 correct. There's a State permit and if this went into
14 effect then we would have a separate Federal permit.

15
16 CHAIRMAN ADAMS: Okay.

17
18 MS. PHILLIPS: Mr. Chair.

19
20 CHAIRMAN ADAMS: Patty, go ahead.

21
22 MS. PHILLIPS: The Gustavus area
23 registration moose hunt says; one bull moose meeting
24 spike-fork or three brow tine or 50-inch antler with
25 requirements, would that apply to the Chilkat hunt?

26
27 MR. ARDIZZONE: Mr. Chair. I'm looking
28 at Staff and they're nodding their head no.

29
30 MS. PHILLIPS: Mr. Chair. They're
31 saying any bull for the Chilkat area, thank you.

32
33 MS. YUHAS: I keep trying to run away,
34 Mr. Chairman, but I'm not fast enough.

35
36 CHAIRMAN ADAMS: Okay. Mike were you
37 going to say something or ask something?

38
39 MR. DOUVILLE: (Shakes head negatively)

40
41 CHAIRMAN ADAMS: Okay, you're excused.
42 Thank you.

43
44 Okay, we're now in deliberations.

45
46 Mike.

47
48 MR. BANGS: Thank you, Mr. Chairman. I
49 move to adopt WP12-12 with the modification as written
50 by OSM, preliminary conclusion on Page 140.

1 MR. KITKA: I'll second it.

2

3 CHAIRMAN ADAMS: Okay. Moved by Mike
4 Bangs and seconded by Harvey Kitka to adopt.

5

6 Let's go into discussion.

7

8 Mr. Bangs.

9

10 MR. BANGS: Thank you, Mr. Chairman.
11 The way I read into this is that it's -- to give the
12 subsistence users a three day headstart on Juneau
13 residents to hunt moose in that portion of Unit 1C.

14

15 Although it would offer an advantage to
16 the subsistence users for the take of moose in that
17 area, I'm on the fence here as not certain to what that
18 would do to the overall harvest. When he said that
19 three days is when most of the harvest happens, so
20 basically you'd be kind of cutting out all Juneau
21 residents the way I see it or maybe it would just help
22 the subsistence users in that area obtain their moose
23 first and then the remainder of the moose would be
24 taken by non-Federally-qualified. I'm just not sure.
25 I'm not familiar with that area and what kind of
26 harvest goes on there but if anybody has any answers
27 I'd appreciate it.

28

29 CHAIRMAN ADAMS: Let me just make a
30 comment in regards to yours there. In Yakutat we have
31 a subsistence hunt and it starts a week before the
32 regular season starts so the purpose of that is to give
33 the subsistence hunters, you know, an opportunity to
34 get their moose before everyone else does. And the
35 reason for that is -- well, one of the reasons, because
36 fishing -- the silver season, you know, is not very far
37 closed from, you know, from the October 15th opening
38 and so they don't have an opportunity, you know, to get
39 themselves prepared properly so they wanted to have
40 that earlier opening so, you know, it helps us in many
41 ways.

42

43 Donald.

44

45 MR. HERNANDEZ: Thank you, Mr.
46 Chairman. You know, kind of in response to Mike's
47 question there, you know, I see on Page 147 of the book
48 the Staff states that current harvest pressure appears
49 sustainable however this modification would lessen the
50 possibility of increased harvest and impacts to the

1 population by reducing the likelihood of attracting
2 hunters from other areas and, you know, from what I
3 have heard of, you know, the hunting in that area, I
4 think I would tend to agree with that, that it would,
5 you know, lessen any conservation concerns because
6 there could likely be less hunters using that area if
7 the subsistence hunters, you know, have this headstart
8 and have a chance to harvest, it might lessen the
9 likelihood that other people would want to come later
10 when the possibility of getting a moose would be
11 reduced so it would be an advantage.....

12

13 CHAIRMAN ADAMS: Right.

14

15 MR. HERNANDEZ:to the subsistence
16 users. I don't see it as necessarily being a
17 disadvantage to non-subsistence users because they
18 would probably continue to hunt moose in the Gustavus
19 area and be successful. So I would be in favor of this
20 proposal as modified.

21

22 CHAIRMAN ADAMS: Okay, thank you,
23 Donald. Any more comments.

24

25 MR. KITKA: Mr. Chair.

26

27 CHAIRMAN ADAMS: Mr. Kitka.

28

29 MR. KITKA: Thank you, Mr. Chair.
30 Maybe I need to ask Federal Staff this question and
31 that's Federal registration permit, would that be open
32 to all the people that were eligible for Federal
33 subsistence in that area?

34

35 CHAIRMAN ADAMS: I'll allow Dennis or
36 somebody to come up and answer that.

37

38 MR. CHESTER: Through the Chair. Yes,
39 that is correct, it should be open to anybody with a
40 positive customary and traditional use determination
41 for the area.

42

43 CHAIRMAN ADAMS: Yep, thank you. Any
44 more discussion on this issue.

45

46 MS. PHILLIPS: Mr. Chair.

47

48 CHAIRMAN ADAMS: Patty.

49

50 MS. PHILLIPS: Does this table, Figure

1 2, showing only 14.....

2

3 REPORTER: Patty. Patty.

4

5 MS. PHILLIPS:moose were
6 harvested from that area. Sorry. Only 14 moose were
7 harvested in 2009, combined subsistence and non-
8 subsistence.

9

10 Mr. Chair.

11

12 CHAIRMAN ADAMS: Yes.

13

14 MS. PHILLIPS: I'm kind of torn
15 between, you know, on one hand I support the Federally-
16 qualified subsistence users priority but I do know that
17 quite a few Juneau residents have, you know, cabins in
18 the Coverden (ph) area and, you know, because of their
19 commercial fishing lifestyle they, you know, travel
20 between Coverden (ph) and Juneau and they have cabins
21 in Coverden (ph) but they wouldn't be allowed to hunt
22 those three days, that is only open to the Federally-
23 qualified and so, you know, it torques me sometimes
24 when someone who moves to my community, you know, and
25 one year later is eligible even though they've only
26 been in Alaska, you know, one year, you know, and yet
27 someone who's lived in Alaska, born and raised in
28 Juneau lives a commercial fishing lifestyle is non-
29 Federally-qualified and so, you know, this is one the
30 situations where I see that.

31

32 So right now I don't know which way I
33 would vote and we're going to vote here shortly.

34

35 Thank you.

36

37 CHAIRMAN ADAMS: Thank you, Patty.

38

39 MR. DOUVILLE: Mr. Chair.

40

41 CHAIRMAN ADAMS: Mr. Douville, go
42 ahead.

43

44 MR. DOUVILLE: Thank you, Mr. Chairman.
45 There's not many moose harvested here but I don't know
46 if it's proper or not, I could read a comment from a
47 friend of mine in Hoonah, if that's okay?

48

49 CHAIRMAN ADAMS: Sure.

50

1 MR. DOUVILLE: I mean it's not official
2 but it's one that I asked for.

3
4 CHAIRMAN ADAMS: Okay.

5
6 MR. DOUVILLE: And it says; moose
7 starting early is kind of touchy. Already I'm seeing
8 more Gustavus people over in homeshore because of the
9 antler restriction there in Gustavus. Now if it starts
10 early, way more people would hunt that area, then go
11 back to Gustavus for their season opener, so really
12 don't think it would help Mr. Mitchell's cause; you
13 know what I mean. So that's just a comment by.....

14
15 CHAIRMAN ADAMS: That's a good comment.

16
17 MR. DOUVILLE:somebody that's
18 familiar.

19
20 CHAIRMAN ADAMS: Thank you. That's a
21 good comment, I really appreciate that.

22
23 Any more.

24
25 (No comments)

26
27 CHAIRMAN ADAMS: As you can see Mr.
28 Mitchell submitted 12-07 as well. He's asking for a
29 shorter season and then in this one he's asking for a
30 longer season. So, you know, you wonder where they're
31 coming from on this.

32
33 Any more comments.

34
35 (No comments)

36
37 CHAIRMAN ADAMS: Are we ready to vote
38 on this issue.

39
40 (No comments)

41
42 CHAIRMAN ADAMS: Do you want to discuss
43 it some more, I know there's some people that are kind
44 of on the fence on this issue so if you want to talk
45 about it some more, we can do that and then I'd like
46 for us, you know, to adjourn or recess for today and
47 resume tomorrow morning.

48
49 Donald, go ahead.

50

1 MR. HERNANDEZ: Thank you, Mr.
2 Chairman. You know, Mike and Patty just brought up
3 maybe some discussion that wasn't, you know, brought
4 out in the Staff analysis there.

5
6 So you're essentially saying that this
7 could be a disadvantage to some subsistence users who
8 presently use this area and feel it would increase
9 pressure from other subsistence users and Patty you're
10 saying that, you know, you're kind of -- it sounds like
11 Patty was kind of concerned about non-subsistence
12 qualified people who, you know, were long-term users of
13 the area -- is that correct, Patty?

14
15 MS. PHILLIPS: Yes.

16
17 MR. HERNANDEZ: I'm just trying to get
18 these arguments in my mind here, what's most important.

19
20 Thank you.

21
22 CHAIRMAN ADAMS: Okay, Harvey and then
23 Mr. Bangs. Go ahead.

24
25 MR. KITKA: Well, maybe another Federal
26 Staff question, and basically how many permits would
27 you be allowing? Is there going to be a number, or is
28 this going to be open to everybody?

29
30 MR. CHESTER: Dennis Chester for the
31 record. Thank you, Mr. Chair. There was no discussion
32 and no proposal to limit the number of permits. Right
33 now it's an unlimited hunt and, you know, there's no
34 restriction on the number of hunters or actually the
35 number of animals taken so that would not change.

36
37 CHAIRMAN ADAMS: Anyone else. Patty,
38 go ahead.

39
40 MS. PHILLIPS: Thank you, Mr. Chair.
41 Do you know the community in of resident for the non-
42 Federally-qualified hunters in that Chilkat area?

43
44 MR. CHESTER: Through the Chair. Table
45 1 on Page 145 shows the records, the community of
46 residents for all hunters from 1993 through 2009, which
47 is the last data we had.

48
49 MS. PHILLIPS: Thank you.

50

1 CHAIRMAN ADAMS: Mr. Bangs.

2

3 MR. BANGS: Thank you, Mr. Chairman.
4 After listening to the comment from the gentleman from
5 Hoonah and Patty's concerns, I felt this way that --
6 right when I read this, I thought, gosh that might be a
7 great place for me to get a permit at the beginning,
8 you know, because I'd have a three day jump on
9 everybody, I'm Federally-qualified and I've got a boat
10 so I could see where this could be real detrimental to
11 the people who have customarily used that as Federally-
12 qualified people, so I'm really leaning towards voting
13 against this proposal on that basis. That I think
14 unintentionally this guy, and I hate to say the sky is
15 falling but I can see that it's very potentially
16 damaging to his ability to harvest with the increased
17 pressure.

18

19 Thank you.

20

21 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
22 How are we doing, folks, are we ready to vote.

23

24 MR. KITKA: Call for the question.

25

26 CHAIRMAN ADAMS: Question's been called
27 for. So all in favor of this motion, please say aye.

28

29 MR. HERNANDEZ: Aye.

30

31 CHAIRMAN ADAMS: All those opposed say
32 nay.

33

34 IN UNISON: Nay.

35

36 CHAIRMAN ADAMS: So the proposal fails.
37 Thank you, people.

38

39 Why don't we take a recess until -- I
40 think we could do it -- we can start at 9:00 and finish
41 -- we did a real good job today folks, so,
42 congratulations.

43

44 (Off record)

45

46 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in, State of Alaska and reporter of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 132 through 248 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL, VOLUME II, taken electronically by our firm on the 28th day of October 2011, in Wrangell, 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 our knowledge and ability;

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

DATED at Anchorage, Alaska, this 13th day of October 2011.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires:9/16/2014