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1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3

4 VOLUME II

5

6 Juneau, Alaska

7 Frontier Suites Airport Hotel

8 March 13, 2002

9 8:30 o'clock a.m.

10

11

12

13 COUNCIL MEMBERS PRESENT:

14

15 William C. Thomas, Chairman

16 Bert Adams

17 Michael Douville

18 Dolly Garza

19 Floyd Kookesh

20 John Littlefield

21 Harold Martin

22 Patricia Phillips

23 Mary Rudolph

24 Richard Stokes

25 Marilyn Wilson

26

27 Regional Coordinator, Robert Schroeder

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1 PROCEEDINGS

2

3 (Juneau, Alaska - 3/13/2002)

4

5 (On record)

6

7 CHAIRMAN THOMAS: We'll call our meeting  
8 back to order. The face of our meeting is taking change  
9 all the time for the better. Before we go anywhere, I  
10 haven't alerted him or warned him, but I would like Dave  
11 Belton to come to the table and make us feel bad again  
12 about what happened in Hoonah because it was really an  
13 exciting time for them as well for us.

14

15 MR. BELTON: Thank you, Mr. Chairman. My  
16 name is David Belton. I'm the director of Cultural and  
17 Natural Resources with the Hoonah Indian Association. I  
18 didn't come over here to beat anyone up. I think one of  
19 the most challenging aspects of my work in Hoonah is to  
20 try to develop a sense of willingness and positive  
21 determination to work on these very critical issues with  
22 the Federal and State regulatory and management personnel  
23 and a group of people for whom subsistence is very  
24 important. Sometimes that's not an easy job because of  
25 many past experiences. The feeling is that, at times,  
26 there's a big conspiracy out to punish and to make things  
27 harder and harder on the subsistence user.

28

29 Of course, we all are aware of weather-related  
30 challenges in the wintertime. In Southeast Alaska, the  
31 activity of getting the customary and traditional foods  
32 often is faced by challenges that are weather related.  
33 It's for this reason that opportunity be allowed and made  
34 possible in the broadest and easiest sense for the people  
35 that actually do the activity, weather oftentimes is a  
36 challenging thing, so I think we see that.

37

38 Perhaps in the future we can consider this at  
39 this time of the year and be perhaps more flexible to  
40 have alternative travel plans involving the ferry, for  
41 example, because that, of course, is the most reliable  
42 form of travel at this time of year. Maybe we could have  
43 come in a day early. Maybe we could have had additional  
44 time to be flexible to reschedule. I don't know.

45

46 I know that I'm very proud of the people of  
47 Hoonah because they stepped up and really had prepared a  
48 welcome. The Mt. Fairweather Dancers had practiced on  
49 Saturday and were preparing to provide the lunch on  
50 Tuesday as a fundraiser, followed by some lunches

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1 sponsored by the Alaska Native Sisterhood. I know that  
2 the owners of the lodge and the Mary's Inn were looking  
3 forward to a couple of good days profit-wise and had  
4 hired extra staff and things. I don't need to go into  
5 that in any more detail other than to let you know that  
6 the people of Hoonah were very excited and enthusiastic  
7 about welcoming the Council to Hoonah and we're very  
8 sorry it wasn't able to work out, but we move on.  
9

10 CHAIRMAN THOMAS: We knew that was the  
11 case and everybody here expressed -- most of the day  
12 yesterday -- I mean we went through the whole day where  
13 somebody made mention of the fact that it was unfortunate  
14 that we weren't able to continue on to Hoonah because of  
15 weather. While we were sitting here licking our wounds,  
16 here comes Mary and that was worse, and then here comes  
17 Patty from Pelican. We're glad they're here. We're  
18 always happy they're here, but we just couldn't mobilize  
19 this many people out there because of the marginal  
20 weather conditions, but I really appreciate you being  
21 here.

22  
23 MR. BELTON: You bet. I'll continue to  
24 do my best to do damage control in Hoonah so that in the  
25 future we can still strive to work within this system  
26 that we have for the betterment of all our folks.

27  
28 CHAIRMAN THOMAS: You're a good  
29 ambassador. Thank you very much. Is there other new  
30 faces that came in that would like to be recognized and  
31 introduced?

32  
33 MR. JOHNSON: Marianne See is here today.

34  
35 CHAIRMAN THOMAS: Marianne See. Welcome,  
36 Marianne. We're happy to see you.

37  
38 MS. SEE: Thank you. For those of you I  
39 haven't met, I'm glad to be here and meet all of you on  
40 one of the breaks. I'm the assistant director with the  
41 Subsistence Division of Fish & Game.

42  
43 CHAIRMAN THOMAS: Anyone else? Terry  
44 Suminski in the back. We normally never recognize him.  
45 Hi, Terry. Good to see you. Okay. Are there any  
46 acknowledgements or anything that needs to rescind before  
47 we get started with our agenda? If something does come  
48 up during the agenda, you know you're always free to  
49 bring them up if they don't come to mind now and they  
50 come to mind later, we'll always take time to deal with

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1 those.

2

3 Yesterday I was sent a note to remind you that  
4 when Fred left here, he had his belongings in a container  
5 and I guess in Seattle there was a welder doing some  
6 maintenance work on this container. Well, when he got  
7 through welding there wasn't a container left and all  
8 Fred's stuff was in there, so that was really a hardship  
9 on Fred. I don't know what was all in there, but I know  
10 that there was stuff in there very important to him. So  
11 whoever sent me this note, thank you very much for doing  
12 that.

13

14 Where are we at Dave?

15

16 MR. JOHNSON: Before we get started, Mr.  
17 Chair and Council, the next several proposals we're going  
18 to be talking a lot about different kinds of surveys.  
19 Pellet surveys is one of the main surveys we'll be  
20 looking at. I thought it was appropriate that Mr. Thomas  
21 has been dealing with this now for several years and  
22 still may not quite understand what the Pellet surveys  
23 are about, so I wanted to give him a technical  
24 publication here that actually was a Japanese publication  
25 translated. It's called "Everyone Poops" by Tarogomi  
26 (ph). So, Mr. Chairman, you can refer to that.

27

28 CHAIRMAN THOMAS: Thank you. Oh, I see  
29 it's in layman language. We'll find it very helpful.  
30 Thank you very much. Now I feel like a biologist. If  
31 I'm not mistaken, we begin today with 02-7.

32

33 MR. JOHNSON: Mr. Chair, it depends on  
34 whether you want to go back to the proposal that was  
35 deferred on the -- that was submitted by the Hoonah  
36 Indian Association or if you want to go forward with  
37 number 7.

38

39 CHAIRMAN THOMAS: Any guidance from the  
40 Council? John.

41

42 MR. JOHNSON: There was some people that  
43 had to leave on the Prince of Wales and maybe we should  
44 just continue to defer that until later.

45

46 CHAIRMAN THOMAS: When people come to  
47 these meetings, they're coming here to participate, be  
48 here to participate while we're meeting. Almost every  
49 place we've had to make adjustments for people that had  
50 to leave. If you have to leave to begin with, find

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1 somebody to send here that can be here. Dave, go ahead.

2

3 MR. JOHNSON: Thank you, Mr. Chairman. I  
4 assume that we are responding to number 3, which has to  
5 do with the educational permits on hunting brown bear.  
6 Last fall we hadn't been meeting very regularly as would  
7 have been prudent to develop proposals, so I did the best  
8 I could prior to the deadline to try to address a couple  
9 of things that had come up in some of our subsistence  
10 meetings and one of them had to do -- and they were by no  
11 means considered to be major issues, however, it was  
12 brought up that if an individual is involved in an  
13 educational or cultural project involving hunting brown  
14 bear, it would be unfair for the bear to be accounted to his  
15 personal opportunity, that this might keep people from  
16 wanting to be involved in cultural and education programs  
17 if it were to cost them additional opportunity. That's  
18 really all I have to say in support of that, is that it  
19 seemed to be an issue of fairness for individuals that  
20 might want to be involved in educational and cultural  
21 opportunities.

22

23 CHAIRMAN THOMAS: Comments, questions  
24 from the Council? Dolly.

25

26 MS. GARZA: I can't remember what we've  
27 done with this proposal, if we've gone through the  
28 proposal review process of introduction. I've read the  
29 materials, I've read the comments. I'm certainly willing  
30 to vote at this time, but if we haven't gone through the  
31 process, we should.

32

33 CHAIRMAN THOMAS: We will do that. Thank  
34 you. Biological and social cultural analysis.

35

36 MR. JOHNSON: Dave Johnson, Tongass  
37 National Forest Subsistence Coordinator. The reason for  
38 changing the regulation, Mr. Chair, was actually an error  
39 that occurred in 2000 when the Federal Subsistence Board  
40 adopted the existing regulation that was supposed to  
41 allow for four additional permits. If you'll look on  
42 page 24, it was brought before the Subsistence Board  
43 during 2000. At that time, there was general agreement  
44 to adopt the regulation; however, the motion was  
45 incorrectly stated and the current, existing regulation  
46 was adopted by unanimous vote. This proposal was  
47 submitted to correct the original error. The Forest  
48 Service has received no request for cultural/educational  
49 permits for brown bear in Unit 4 since the existing  
50 regulation was adopted.

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1 In terms of the biology, the current management  
2 strategy for brown bear in Unit 4 is to limit the taking  
3 of brown bears to 4 percent of the estimated population.  
4 This level of harvest is considered to be conservative.  
5 The current estimated population in Unit 4 is 4,200  
6 bears. The harvestable surplus, 4 percent of that would  
7 be 168 bears. The current annual hunting harvest is  
8 approximately 140 bears. Approximately 28 additional  
9 bears could be harvested in Unit 4 before exceeding the  
10 harvestable surplus. Alaska Department of Fish & Game  
11 biologists believe that populations are currently stable.

12

13

14 In terms of the effects of the proposal, this  
15 would further encourage Tlingit Native instruction  
16 regarding customary and traditional practices associated  
17 with brown bears to Tlingit youth without restricting  
18 brown bear harvesters to only one bear every four years.

19

20 The proposed regulation should read: Five  
21 Federal registration permits will be issued for the  
22 taking of brown bear for educational purposes associated  
23 with teaching customary and traditional subsistence  
24 harvest and use practices. Any bear taken under an  
25 educational permit would not count in an individual's one  
26 bear every regulatory year's limit.

27

28 The preliminary conclusion was to support the  
29 proposal as written and the justification is that the  
30 taking of four additional bears for educational purposes  
31 would allow people to continue traditional educational  
32 practices without reducing the opportunity to harvest  
33 bear once every four years. There are no conservation  
34 concerns for brown bears in Unit 4. Lastly, this was  
35 what the original decision was supposed to be anyway.  
36 That concludes my presentation, Mr. Chair.

37

38 CHAIRMAN THOMAS: Thank you. Any  
39 questions regarding that part of the analysis? Okay.  
40 The next is agency and government comments. Mr. Titus,  
41 your reflexes, are they more used to this part of the  
42 agency and government rather than the portion where it  
43 has state because you have a tendency to -- you respond  
44 well at the first one. I was just wondering, if I struck  
45 a line through the State of Alaska on B, would the agency  
46 and government comments be sufficient for you?

47

48 MR. TITUS: (Nods affirmatively)

49

50 CHAIRMAN THOMAS: Okay. I thought it was

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1 a little awkward. By all costs, we don't want to be  
2 awkward. So now we're at agency and government comments  
3 with regards to Proposal Number 3. Mr. Titus.

4

5 MR. TITUS: Good morning. Thank you, Mr.  
6 Chair. I think that will avoid the confusion. I was, in  
7 fact, at the Federal Subsistence Board meeting when this  
8 was put through two years ago because of my work on brown  
9 bears. The Department doesn't support this proposal and  
10 I'll comment on that further in a second.

11

12 As you know, the Federal Board adopted this at  
13 its current regulatory meeting in 2000. In fact, it was  
14 a quite positive relationship, I think, at that time  
15 between the state and the RAC, yourself and the federal  
16 staff that were there.

17

18 On the one hand, there's no evidence indicating  
19 that the regulation as currently written is not providing  
20 the opportunity out there as we wrote in our comments a  
21 few weeks ago. So, on one hand, the opportunity is out  
22 there and no one has afforded themselves of it, so, in  
23 one sense, that's the state's opposition to it. On the  
24 other hand, I have to admit that there are no  
25 conservation issues out there. From the state's  
26 standpoint, this is not that big of a deal.

27

28 CHAIRMAN THOMAS: That's it? Anybody  
29 want to make that escalate a little bit? No? Thank you.  
30 Oh, John does.

31

32 MR. LITTLEFIELD: It's not that big of a  
33 deal, but your comments are to oppose. Could you clarify  
34 that?

35

36 CHAIRMAN THOMAS: Did you have a  
37 justification ready? If it's not convenient for you  
38 right now, you don't need to.

39

40 MR. TITUS: Mr. Chair, I guess my  
41 position, sitting here today and right now as opposed to  
42 a month ago in terms of this staff analysis, is to soften  
43 that do not support. Does that help you?

44

45 CHAIRMAN THOMAS: John.

46

47 MR. LITTLEFIELD: Thank you. Mr. Chair,  
48 I think it's appropriate that we proceed the way we  
49 normally have and have agency comments restricted to the  
50 staff that are Federal agencies because this particular

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1 one the staff is supporting, ADF&G is opposing, so I  
2 think I'd like to hear this first presented by the  
3 Federal staff and then the other side, but I'm prepared  
4 to vote.

5  
6 CHAIRMAN THOMAS: Thank you. How about  
7 tribal governments? No tribal governments here. Other  
8 government or organizations. Summary of written public  
9 comments.

10  
11 MR. SCHROEDER: Mr. Chairman, we just  
12 have two written public comments. One is from Jim  
13 Baichtal commenting for himself from Thorne Bay. He  
14 opposes this. He believes that a bear taken is a bear  
15 taken and it should be utilized. Is not each opportunity  
16 to take a bear an educational opportunity? And the  
17 Eastern Prince of Wales Fish & Game Advisory Committee  
18 made a similar comment. The consensus was on this  
19 proposal that this proposal would result in potentially  
20 five additional bears being harvested. It was felt that  
21 part of the training the harvest of these bears should  
22 provide was conservation and understanding of the  
23 existing game laws. We don't have any other comments of  
24 record.

25  
26 CHAIRMAN THOMAS: Did I hear the word  
27 potential?

28  
29 MR. SCHROEDER: Yes, you did.

30  
31 CHAIRMAN THOMAS: Thank you. Public  
32 testimony. Regional Council deliberation, recommendation  
33 and justification.

34  
35 MR. MARTIN: Mr. Chairman, I move for  
36 adoption of Proposal 3.

37  
38 CHAIRMAN THOMAS: There's the motion. Is  
39 there a second?

40  
41 MS. GARZA: Second.

42  
43 CHAIRMAN THOMAS: Moved and seconded.  
44 Discussion.

45  
46 MS. GARZA: Mr. Chairman.

47  
48 CHAIRMAN THOMAS: Dolly.

49  
50 MS. GARZA: I support the proposal. I

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1 think that given the fact that you can hunt a brown bear  
2 only once every four years, which I oppose generally and  
3 I opposed when it was -- I supported a change when it was  
4 brought to us before. If you can hunt only one every  
5 four years, then that could potentially impact your  
6 interest in trying to be involved in an educational  
7 process with students. I don't think that -- you know,  
8 it hasn't been used. I don't see a conservation concern.  
9 It certainly will benefit subsistence, so it falls in our  
10 criteria, so I support it completely.

11

CHAIRMAN THOMAS: Mike.

12

13  
14 MR. DOUVILLE: Thank you, Mr. Chairman.  
15 I've got a couple questions. I do fully support this  
16 proposal, but I just have a couple questions for  
17 information. Is this a one-time permit? Can you take  
18 all these bears in one year or how many years is this  
19 permit good for?

20

21 CHAIRMAN THOMAS: My understanding, it's  
22 going to be in the books until it changes. Dave, can you  
23 answer that?

24

25 MR. JOHNSON: You'll be able to take five  
26 bears per year, so that's in addition to if you were  
27 going to take a bear yourself. If you were working with  
28 five other kids in training them in the customary ways of  
29 harvesting a brown bear, you and those five other  
30 individuals would be able to take five additional bears.

31

CHAIRMAN THOMAS: Mike.

32

33  
34 MR. DOUVILLE: Thank you. That answers  
35 my question. This is just five additional a year.  
36 Thanks.

37

38 CHAIRMAN THOMAS: I intend to support  
39 this proposal. I'd like to add that with as much  
40 conscious effort now placed on conservation and  
41 conservation concerns, when they present themselves,  
42 they're going to get to us and they're going to get to  
43 appropriate bodies of management and we'll address those  
44 conservation concerns. So I feel very comfortable in  
45 supporting this and we can't regulate ourselves out of a  
46 job because if we make everybody as pure as the driven  
47 snow, like the chairman, then there won't be anything  
48 left to do, so I'm very comfortable supporting this.  
49 Anybody else? John.

50

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1 MR. LITTLEFIELD: Thank you, Mr. Chair.  
2 I support the motion. There's pretty good data in the  
3 analysis and even the State's lukewarm opposition  
4 demonstrates there's no conservation concern, there's  
5 plenty of bear to be taken, 28 additional, without  
6 getting to the harvest level, has absolutely no effect on  
7 other users and it is beneficial to the subsistence user.  
8 So, therefore, I am supporting, but I would certainly  
9 like to hear from Mary, if possible.

10

11 CHAIRMAN THOMAS: Who's Mary if possible?

12

13 MS. WILSON: Mr. Chairman. I wasn't  
14 really involved with the making of this proposal, so I'm  
15 kind of glad Dave came in, so I'm not sure what  
16 educational program they're talking about, so I really  
17 can't say too much on it other than probably what he told  
18 you. Thank you.

19

20 CHAIRMAN THOMAS: He gave us a pretty  
21 good introduction. As I understand, there's none of this  
22 in place now. It all hinges on the result of this action  
23 here. So, once this happens, then there will be  
24 developmental educational opportunities in Hoonah.

25

26 MR. MARTIN: Mr. Chairman.

27

28 CHAIRMAN THOMAS: Yes.

29

30 MR. MARTIN: Just a clarification. You  
31 mentioned that a person going with up to five kids, I was  
32 under the impression that the Tribal government would  
33 oversee these hunts.

34

35 MR. JOHNSON: I believe that is correct,  
36 Harold, but it would be in the context of developing a  
37 process so that it wouldn't just be one person going out  
38 and getting five bears. It would have to be in  
39 conjunction with the educational parts of that. The  
40 educational permit actually is from the state, so  
41 whatever criteria that comes with the permit that they  
42 currently use for educational permits I'm sure would  
43 still be part of that.

44

45 MR. MARTIN: Thank you. Call for the  
46 question.

47

48 CHAIRMAN THOMAS: The question has been  
49 called. All those in favor of Proposal 3, say aye.

50

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1 IN UNISON: Aye.

2

3 CHAIRMAN THOMAS: Those opposed.

4

5 (No opposing votes)

6

7 CHAIRMAN THOMAS: Motion carries. Thank  
8 you. That takes us now to 02-07. Mr. Johnson.

9

10 MR. JOHNSON: Proposal 7 was submitted by  
11 Kevin Allard of Haines. Kevin would like to establish a  
12 deer season in Unit 1(D). Currently there is no open  
13 season. The proposed regulation would be for Unit 1(D)  
14 and it would include residents of 1(C) and (D) and  
15 residents of Hoonah, Kake and Petersburg. Four deer;  
16 however, antlerless deer may be taken only from September  
17 15th to December 31st. Again, the existing Federal  
18 regulation in Unit 1(D), there is no subsistence  
19 priority. There is existing State regulations also, no  
20 open season.

21

22 Discussion, the area has a very sparse population  
23 of deer based on very limited harvest data or pellet data  
24 or any kind of data. There hasn't been much biological  
25 effort in that area in recent times. Most of the deer  
26 also are on non-Federal lands. They occur in the Chilkat  
27 River. Winter snow depths are primarily the limiting  
28 factor due to factors that old-growth forests intercept  
29 the snow. There also happens to be a wolf population in  
30 that area. Approximately 1,000 acres of Federal land  
31 does occur in the area, but about 29 percent of that is  
32 National Park Service land. All available information  
33 indicates a harvestable surplus does not exist. Neither  
34 Feds nor State monitor the population trends there and  
35 they do not believe that there is a huntable surplus  
36 currently there.

37

38 The preliminary conclusion, Mr. Chairman -- let  
39 me back up here. Bob, do you want to do the C&T now?

40

41 MR. SCHROEDER: Sure. Mr. Chairman, by  
42 way of background, the Council may be wondering why there  
43 isn't a C&T for deer in this area, specifically why  
44 there's a negative C&T. This is quite a few years ago.  
45 It kind of goes back into the late '80s when the  
46 Department of Fish & Game, Division of Subsistence and  
47 Division of Wildlife Conservation were reviewing places  
48 where there may or may not be C&T use of a wildlife  
49 species in Southeast Alaska.

50

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1 The first cut in that analysis was that the  
2 species had to be present before we considered C&T use of  
3 that species under rules at that time. There was a  
4 consensus at that time, which is probably '87 or so, that  
5 there simply was not a huntable population of deer in  
6 this area. My recollection is the deer were transplanted  
7 into the northern Lynn Canal and the transplant didn't  
8 take particularly well in this area. So that's the  
9 genesis of why you have the negative C&T.

10  
11 In courtesy to the proponent, however, the  
12 Federal staff didn't feel it was appropriate to simply  
13 repeat this information without having a contact with  
14 people in the community to see if the situation had  
15 changed, if there was someone seriously proposing that  
16 there was customary and traditional use of deer in a  
17 specific area. We were not able to undertake that at  
18 this time, so the C&T portion of this would be deferred  
19 until your next year's meeting, at which time we hope  
20 that we'd have the chance to talk to some hunters in  
21 northern Lynn Canal and do a much more adequate job than  
22 we'd be able to do on C&T at this time. That's all I've  
23 got to say. Thank you.

24  
25 CHAIRMAN THOMAS: I remember the  
26 discussions. As much as I hate to support that, I feel  
27 compelled to do so because the condition there is so much  
28 different than any place else we've dealt with in terms  
29 of land ownership and in terms of deer population. Dave,  
30 continue.

31  
32 MR. JOHNSON: To summarize, the  
33 biological portion, Mr. Chairman, Council, little is  
34 currently known about the deer population in Unit 1(D).  
35 The effects of the proposal. The proposed harvest is not  
36 sustainable in Unit 1(D) based on the limited information  
37 we have. There is no pellet history. However, on a  
38 positive side, it would have a positive effect by  
39 increasing the rural priority for folks that are in  
40 Haines that may not have other or better hunting  
41 opportunities in proximity to Haines.

42  
43 The preliminary conclusion was to defer the  
44 proposal, the justification being there's no evidence of  
45 a harvestable surplus. The C&T determination would have  
46 to first be made. Additional population monitoring to  
47 establishment of either pellet surveys or aerial alpine  
48 surveys or field reconnaissance to determine if the  
49 population actually is increasing to the point that a  
50 harvestable surplus exists. Since the state has not had

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1 a season there in 30 years, we really don't know what's  
2 there, but based on what we knew in the past, it did not  
3 support a very large deer population.

4

5 Lastly, the reason to defer it, supporting the  
6 establishment of a deer season without determining if  
7 there's a harvestable surplus would most likely be  
8 rejected by the Board and the rationale would be that it  
9 violates wildlife conservation principles since we don't  
10 know if we have a harvestable surplus. Thank you, Mr.  
11 Chairman.

12

13 CHAIRMAN THOMAS: Thank you, Dave. I  
14 think the Board would have a difficult time on justifying  
15 if they did choose to oppose because of the lack of data  
16 that we have. So I just had to offer that since yours is  
17 kind of a projection and I've got a book here to refer to  
18 to keep me on the right path and you don't have the book.  
19 So, before we finish with this, I would like to know from  
20 anybody responsible for that area up there that has to do  
21 with both Federal and State to find out if there's going  
22 to be, in fact, an effort to do some studies there to  
23 provide us data so we can consider a positive C&T for  
24 this. I'm sure we'll hear some more as we go along.  
25 Does that complete your.....

26

27 MR. JOHNSON: That completes my analysis,  
28 Mr. Chair.

29

30 CHAIRMAN THOMAS: Any questions of Mr.  
31 Johnson? Bob.

32

33 MR. SCHROEDER: Mr. Chairman, just to  
34 answer your question, we will undertake the background  
35 work we need to do on the C&T question. C&T is sort of  
36 separate from whether or not there's a huntable  
37 population at this time. So it's conceivable that if  
38 people met C&T requirements, that there could be a  
39 positive C&T with no season and that that would be a  
40 possible outcome. So I think what you get before you the  
41 next time on the C&T question would be thumbs up/thumbs  
42 down on C&T and then your next stage is whether or not  
43 there are any deer there. I'd be doing the work on the  
44 C&T part and we probably should talk to someone who knows  
45 the area management situation on the question of the  
46 population of deer up there.

47

48 CHAIRMAN THOMAS: Yeah, I understand all  
49 that. The only reason I said what I did is I don't want  
50 to leave a game management unit unattended with no

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1 answers to some of their questions. I don't think your  
2 questions are unfair. I think it's our responsibility to  
3 have information there regardless of what's there. Sir.  
4

5 MR. YOUKEY: I'm Don Youkey. I'm a  
6 Forest Service biologist on the north end of Tongass  
7 here, including Unit 1(D). We currently do not plan on  
8 collecting any, but it seems like I'm getting some  
9 different marching orders, if I'm interpreting your  
10 statements correctly. So we can certainly look into that  
11 this summer.  
12

13 CHAIRMAN THOMAS: Appreciate that. Like  
14 I said, the only reason for it is not to ignore a place  
15 or appear to ignore it. People are going to ask  
16 questions and we're going to have to be able to answer  
17 them. That's all. Dave.  
18

19 MR. JOHNSON: Mr. Chair, we'll also  
20 follow up with Mr. Allred and get a handle on where he  
21 has been tromping around the woods and what the basis is  
22 for his thoughts about where he's been seeing deer.  
23

24 CHAIRMAN THOMAS: Thank you. Agency and  
25 government comments. Mr. Titus.  
26

27 MR. TITUS: Thank you, Mr. Thomas. I'll  
28 be brief. The Department does not support this proposal.  
29 Although we do not support it, we note, as has been noted  
30 here, that the Federal subsistence priority for deer and  
31 C&T findings have not taken place thoroughly by the  
32 Federal system. The rest of the State comments are  
33 virtually the same as those presented by the Forest  
34 Service. I would like to note that from the standpoint  
35 of the department, I don't anticipate us spending large  
36 amounts of money looking for deer in Unit 1(D). What we  
37 spend large amounts of money in Unit 1(D) surveying are  
38 moose in the Haines area. That's where we put our money  
39 up there. The dollars that we're going to spend on deer  
40 are likely to be on Prince of Wales Island.  
41

42 CHAIRMAN THOMAS: Any questions for Mr.  
43 Titus? Harold.  
44

45 MR. MARTIN: Mr. Titus, on your  
46 opposition comments, the very last sentence says, "One  
47 alternative available to Haines residents is to hunt deer  
48 on nearby Sullivan Island." Do you have any data as to  
49 how many deer are on that island?  
50

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1 MR. TITUS: Through the Chair, Mr.  
2 Martin, I'll let Don Youkey answer that question, who is  
3 from the Forest Service. He may have information on  
4 that.

5  
6 CHAIRMAN THOMAS: Okay.

7  
8 MR. YOUKEY: Again, I'm Don Youkey, a  
9 Forest Service biologist. I don't have numbers, but we  
10 do do deer surveys on Sullivan Island and they fall in  
11 the moderate density range. So, indeed, there are deer  
12 on Sullivan Island.

13  
14 CHAIRMAN THOMAS: Okay. Further  
15 questions.

16  
17 MR. MARTIN: Mr. Chairman, is there  
18 enough deer on there to support a hunt for the Haines  
19 area?

20  
21 MR. YOUKEY: There is a healthy  
22 population of deer on Sullivan Island. If you had the  
23 whole community of Haines hunting on Sullivan, that would  
24 probably impact that relatively small island.

25  
26 CHAIRMAN THOMAS: Mr. Titus.

27  
28 MR. TITUS: Once again, this is Kim  
29 Titus. In fact, we have some pellet data from Sullivan  
30 Island and it's not been surveyed much in 1990 and in  
31 1999 and numbers there are low.

32  
33 MR. MARTIN: Mr. Titus, I just wondered  
34 why you offer it as an alternative. Were you planning to  
35 do something about this or open a season? What was the  
36 intent of adding this to the opposition?

37  
38 MR. TITUS: It's my understanding the  
39 season is open on Sullivan Island. Sullivan Island is in  
40 Unit 1(C), not 1(D).

41  
42 MR. KOOKESH: Mr. Chairman.

43  
44 CHAIRMAN THOMAS: Floyd.

45  
46 MR. KOOKESH: I have two questions. My  
47 first question is how accurate are pallet surveys and my  
48 second question is where do the deer from Sullivan Island  
49 come from? Do they swim all the way from Admiralty  
50 Island?

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1 MR. TITUS: Deer pellet data are a good  
2 indicator of long-term trends in deer numbers. They're  
3 not useful for annual variation in deer counts. They  
4 tell us generally where deer are and aren't and their  
5 general state of health of the population over a long  
6 period of time. This is going to be discussed shortly, I  
7 think, in more depth here with some of my staff that are  
8 here relative to Prince of Wales Island.  
9

10 Where did the deer come from? I can't answer  
11 that question. I'm sorry. I'm not sure if they were  
12 transplanted there. If they were, it's really at the  
13 edge of the range.

14  
15 CHAIRMAN THOMAS: Patty.

16  
17 MS. PHILLIPS: Mr. Chair, Mr. Titus. Is  
18 the moose population estimates done by aerial?  
19

20 MR. TITUS: Yes, all the moose population  
21 surveys that are done around the entire state are aerial  
22 surveys, including Southeast.  
23

24 CHAIRMAN THOMAS: Anybody else? Thank  
25 you. Tribal government. Other government or  
26 organizations. Written public comments.  
27

28 MR. SCHROEDER: Mr. Chairman, we just  
29 have one written public comment. Again, from Prince of  
30 Wales. The Prince of Wales Advisory Committee is not  
31 supporting this proposal. He believes that the reason  
32 there's no subsistence priority is that the population  
33 couldn't support it and notes that the State regulations  
34 don't allow taking of deer in Unit 1(D). That's all we  
35 have for public comments.

36  
37 MR. LITTLEFIELD: Mr. Chair.

38  
39 CHAIRMAN THOMAS: John.

40  
41 MR. LITTLEFIELD: Thank you, Mr. Chair.  
42 Mr. Schroeder, could you please clarify whether Jim  
43 Baichtal is speaking for himself or the East Prince of  
44 Wales Advisory Committee? Because we somewhat defer to  
45 advisory committee recommendations, but all of his --  
46 throughout the book I see I, I, I, I. I do not see  
47 anything that says East Prince of Wales Advisory  
48 Committee.  
49

50 MR. SCHROEDER: Mr. Chair, John. Let me

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1 check. I gave you these to avoid confusion on these  
2 questions. That's why I gave you the written comments.

3

4 CHAIRMAN THOMAS: When you say I, do you  
5 mean we or do you mean I?

6

7 MR. SCHROEDER: If you look, Mr. Baichtal  
8 is the chairman of the East Prince of Wales Fish & Game  
9 Advisory Committee. I spoke to him. This committee and  
10 Mr. Baichtal were really very interested in being heard  
11 on issues and I think they did a fair amount of work. I  
12 know they met at least twice at some length and spent  
13 time going over each proposal for Southeast. I think Jim  
14 wanted to be counted twice. He wanted his personal  
15 opinion be entered into the record. He called me  
16 numerous times to make sure our bureaucratic structure  
17 would get his comments before the Regional Advisory  
18 Council and his comments obviously parallel those with  
19 the East Prince of Wales Fish & Game Advisory Committee.  
20 So these are both his personal and also the minutes of --  
21 the official comments of this committee. Thank you.

22

23 MR. STOKES: Mr. Chairman.

24

25 CHAIRMAN THOMAS: Dick.

26

27 MR. STOKES: I would like to hear a  
28 comment from Mr. Paul Wilson since he lives in that area.  
29 He's lived there all his life. I'd like to have him say  
30 something about this.

31

32 CHAIRMAN THOMAS: Okay, Paul, try to keep  
33 it under two hours.

34

35 MR. WILSON: The only place I know of  
36 that people hunt deer is Sullivan Island. I've never  
37 known of any other area and that place is open. I don't  
38 believe it's justified for the Haines area because of the  
39 wolves and the bears. They pick up everything they can.  
40 I'd like to comment on bear regulation because they pick  
41 up all the calves of the moose without any opposition.  
42 They just go there, pick it up and take it away. I  
43 believe that bear regulation for Haines should be  
44 adjusted to the population. There's too many bears  
45 there. You'll never have a moose population there just  
46 because of bears. I didn't mean to get into bears, but  
47 that's what I had on my mind. Sullivan Island is the  
48 only place I know of that they hunt and that place is  
49 open.

50

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1 CHAIRMAN THOMAS: Thank you. I kind of  
2 anticipated that from our discussion and appreciate you  
3 sharing that with us. Any questions? And the gentleman  
4 from East Prince of Wales, let it be noted that the  
5 Council will acknowledge him twice on his comments. Any  
6 public testimony on WP02-07? Hearing none. Regional  
7 Council deliberation, recommendations and justification.  
8 What's the wish of the Council? Marilyn.

9

10 MS. WILSON: I move that we adopt WP02-  
11 07.

12

13 MR. STOKES: I'll second the motion.

14

15 CHAIRMAN THOMAS: It's been moved and  
16 seconded. Discussion.

17

18 MS. GARZA: Mr. Chairman.

19

20 CHAIRMAN THOMAS: Dolly.

21

22 MS. GARZA: This is a difficult proposal  
23 for me to look at. In trying to figure out what to do, I  
24 had drafted an amendment that would recognize the C&T for  
25 Haines and Klukwan and provide a harvest if there's a  
26 surplus. After what I've gone through with the Stickeen  
27 River issue, I think it's absolutely important that we  
28 have C&T and subsistence for every single area that we  
29 could think of that we know that we have used, whether or  
30 not there's a harvestable surplus now. If we don't have  
31 subsistence in the books and if there becomes a  
32 harvestable surplus, you better believe we won't get it.

33

34 CHAIRMAN THOMAS: I need guidance from  
35 the Council. Would it be appropriate then to reject the  
36 proposal as written and to offer one that would satisfy  
37 the criteria that Dolly just mentioned? John.

38

39 MR. LITTLEFIELD: Mr. Chairman, I would  
40 like to make a motion to postpone this to a time certain.  
41 That time certain is our next wildlife meeting, at which  
42 time we will be presented C&T data.

43

44 CHAIRMAN THOMAS: Is there a second?

45

46 MR. ADAMS: Mr. Chairman, I'll second it.

47

48 CHAIRMAN THOMAS: It's been moved and  
49 seconded.

50

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1 MS. GARZA: As a point of order, Mr.  
2 Chairman, there was a motion on the floor. We're trying  
3 to figure out what to do.

4  
5 CHAIRMAN THOMAS: That's correct. You're  
6 making me look bad and I don't like that. John.

7  
8 MR. LITTLEFIELD: Mr. Chair, the motion  
9 to postpone takes precedence and can be applied to the  
10 main motion. It's in order.

11  
12 CHAIRMAN THOMAS: Rephrase it for me,  
13 John. You handle this one for me.

14  
15 MR. LITTLEFIELD: Mr. Chair, the motion  
16 to postpone to a certain day is in order, even with the  
17 main motion on the table.

18  
19 CHAIRMAN THOMAS: No argument from the  
20 Council members?

21  
22 MR. ADAMS: Mr. Chairman, I just kind of  
23 wonder what the difference between postpone and table is.  
24 Is there a difference, John?

25  
26 CHAIRMAN THOMAS: Go ahead, John.

27  
28 MR. LITTLEFIELD: Mr. Chair, Mr. Adams.  
29 Yes, a motion to table, you cannot say a certain day. It  
30 could be tabled and we could take it off the table after  
31 any business had transpired or it could never come off  
32 the table. The intent of my motion was that I want a  
33 response at the next Wildlife meeting and that's why I  
34 postponed it to the next Wildlife meeting, at which time  
35 I would expect some data on C&T for presentation for the  
36 Council. Tabling is completely different and you cannot  
37 attach a date to tabling.

38  
39 CHAIRMAN THOMAS: Marilyn.

40  
41 MS. WILSON: What does this motion of  
42 yours do, John, with the motion we just made?

43  
44 CHAIRMAN THOMAS: John.

45  
46 MR. LITTLEFIELD: Mr. Chair, Ms. Wilson.  
47 All it would do is -- the effect of it would be at the  
48 next Wildlife meeting, which would be the meeting, we  
49 haven't decided where, we would be presented with C&T  
50 data, that's what I expect, and the motion would come

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1 right back before us at that time. We would then be  
2 debating the same proposal number 7 at that time.

3

4 CHAIRMAN THOMAS: If I'm not mistaken, I  
5 think John is basing his comments on what we got from  
6 staff saying that there would be some work done on  
7 gathering data in the future. Is that correct, John?

8

9 MR. LITTLEFIELD: Yes, Mr. Chair.

10

11 CHAIRMAN THOMAS: Dave.

12

13 MR. JOHNSON: Basically, it would be a  
14 year from now when you have your next winter meeting, I  
15 guess, it would be.

16

17 CHAIRMAN THOMAS: Wildlife meeting. Was  
18 there a second to the motion?

19

20 MR. LITTLEFIELD: Yes. Bert did.

21

22 CHAIRMAN THOMAS: Bert? Okay. Mike,  
23 you're in order.

24

25 MR. DOUVILLE: Thank you, Mr. Chairman.  
26 Would what John's offering parallel or would that meet  
27 what you're trying to do? What I would like to see is  
28 Dolly's comments be given more consideration for the  
29 simple reason what she said may accomplish more than  
30 simply postponing it. Do you understand what I'm saying?  
31 So maybe she could offer an amendment or I don't know  
32 what. I would like for her to readdress it and give us  
33 more of her thought on it.

34

35 CHAIRMAN THOMAS: Okay. I'm going to ask  
36 for Dolly and John's guidance on this. Obviously, we  
37 have to consider both situation. I agree with Mike, I  
38 think Dolly's comments would result with a more important  
39 impact because of the importance of C&T to be in the  
40 books. Not to say that what John offered is less  
41 important, but I think -- shall we do this in two  
42 motions? Dolly's got the floor.

43

44 MS. GARZA: It does warrant discussion  
45 because my intended amendment for C&T determination and  
46 subsistence priority for residents of Unit 1(D), Haines  
47 and Klukwan, with a bag limit and season based on  
48 surplus, it implies that the C&T determination is  
49 automatic and I'm not sure how the Federal Subsistence  
50 Board would look at it. So, even if we took my amendment

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1 forward, it could be voted down. So I guess I could  
2 probably go either way, but my intent is that -- you  
3 know, we've looked at this before and I think we voted  
4 against it because we said, well, there's no real  
5 surplus, but there's no real data and as long as we don't  
6 push a subsistence hunt, there will never be data. There  
7 will never be anybody working on it. If we say, okay,  
8 this is what we want, then someone is going to say, okay,  
9 you're going to allocate time to go count poop in 1(D).  
10 So, in my opinion, it would be forcing some effort in  
11 that area because the residents did ask for this hunt  
12 before. They didn't get it based on lack of data and, of  
13 course, since there's no hunt, there's continually lack  
14 of data.

15

16 MR. LITTLEFIELD: Mr. Chair.

17

18 CHAIRMAN THOMAS: John.

19

20 MR. LITTLEFIELD: I agree completely.

21 However, no C&T evidence has been submitted to this group  
22 and I think it would be very hard for us to just say we  
23 establish a C&T area for that and expect that to get  
24 through the Board. That was my request, was that next  
25 meeting that C&T data be presented to us. There's eight  
26 criteria that they need to run through. If it is, in  
27 fact, a positive C&T, I will fully support it. At the  
28 present time, we don't have that data. But I do agree  
29 with Dolly, we should certainly provide that if that's  
30 what the information shows.

31

32 MR. STOKES: Mr. Chair.

33

34 CHAIRMAN THOMAS: Richard.

35

36 MR. STOKES: I would like to ask Mr.

37 Wilson if this Kevin Allred is speaking for the community  
38 of Haines or just for himself.

39

40 MR. WILSON: I'd like to say that I think  
41 handicapped people should be able to get all the deer  
42 they want. I can't help but think that he's speaking for  
43 himself. If it is at all possible, I think he should be  
44 able to shoot a deer or any handicapped person. They  
45 road hunt and that's the only way they can hunt. If they  
46 want to shoot deer, I think handicapped people should be  
47 privileged to hunt deer.

48

49 MR. STOKES: Are you in favor of this?

50

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1 MR. WILSON: Yes, I'm in -- not a general  
2 hunt, but handicapped people hunting in the Haines area.  
3 Not open to everybody.

4  
5 CHAIRMAN THOMAS: I want to point out  
6 that a proposal we get, whether it's from an individual,  
7 from a committee or from a community, they're all going  
8 to get the same attention and be handled identical.  
9 Coming from an individual or community, we're not going  
10 to discriminate or make comparisons for any reason. I  
11 just want to make that clear.

12  
13 MR. WILSON: I'm in favor of opening it  
14 then.

15  
16 MR. KOOKESH: Mr. Chairman, I don't know  
17 where these motions are going to take us, but I'd like to  
18 see us at least create a subsistence opportunity up there  
19 and try to keep something on the books for them, but I  
20 don't know where these motions are taking us. I know  
21 that when Mr. Littlefield creates these motions, we tend  
22 to get bogged down in the bureaucracy. I'd like to see  
23 us not kill this for the community up there.

24  
25 CHAIRMAN THOMAS: Dolly.

26  
27 MS. GARZA: I agree with you, Floyd, but  
28 I think that -- I don't know. Maybe we need to hear from  
29 someone who -- actually, from you, Bill. I mean what  
30 would this look like to Federal Subsistence Board if our  
31 Council says, you know, we believe 100 percent that  
32 there's C&T for the people of Haines and Klukwan.  
33 They've been living there for 5,000 years. They  
34 customary and traditionally use those resources and we  
35 don't need a 10-page document telling us that's what they  
36 did. Is the Federal Subsistence Board going to believe  
37 that or are they going to say go back and do C&T?

38  
39 CHAIRMAN THOMAS: I say we move forward  
40 and see what happens. If we try to speculate reactions,  
41 then we're not going to get anything done. Marilyn.

42  
43 MS. WILSON: I think I'm going to vote  
44 John's motion down. I want to go with what Dolly is  
45 trying to do, and that's to get a C&T. I've seen this  
46 happen a lot of times. Your opportunity is gone and you  
47 don't have it and I think we need to give the  
48 opportunity. That's our job. And then the rest can come  
49 later, all the study.

50

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1 CHAIRMAN THOMAS: Thank you, Marilyn.  
2 That's true. I don't think we're in a position of  
3 pitting one concept against another. Obviously, we're  
4 going to have to have both of them. We just have to come  
5 up with a sequence of dealing with them and putting them  
6 forward so that whoever receives them will have an  
7 understanding of how we arrived at our recommendation and  
8 our justification. I think we can do that. I think  
9 we're very close to it. We've probably mentioned it  
10 several times already and didn't recognize it as  
11 justification, but I think it was. Robert.

12  
13 MR. SCHROEDER: Mr. Chairman, a couple of  
14 things. Don just pointed out to me that the motion  
15 before you is strictly to have a season, so you don't  
16 have a motion before you to open a C&T or a proposal  
17 before you to establish a C&T, so you'd have to work  
18 around that.

19  
20 On the question of C&T, I'd just offer that the  
21 usual ways that C&T determinations have been made to my  
22 understanding is to look at a species in an area and in a  
23 community. How the regional council makes its C&T  
24 recommendations is, of course, up to the council, but  
25 what we do as staff is we look at both the obvious  
26 subsistence orientation of Haines and Klukwan, which have  
27 recognized C&T uses of most species that occur in the  
28 area, so that would be part of a C&T analysis, but then  
29 we specifically focus on what use residents of that area  
30 make of deer. So, without actually doing this, I'm not  
31 exactly sure how it would come out, but it would clearly  
32 show that people from Haines and Klukwan use deer.

33  
34 The area that we need to talk about and to make  
35 some record on is whether anyone has used deer in 1(D).  
36 That's what we'd be presenting to you and it would be up  
37 to you to decide how you're going to weigh these  
38 different factors and how you'd evaluate this  
39 information. I just wanted to point out that that's what  
40 you could expect from staff if we did have the time to do  
41 this analysis and it would involve -- obviously, this  
42 needs to be something other than a textbook exercise  
43 because you need to talk to people in Haines and Klukwan  
44 about their subsistence uses and that would be a part of  
45 what would take place.

46  
47 CHAIRMAN THOMAS: Do I understand that in  
48 management area 1(D) that all but 1,000 acres -- out of  
49 the whole area, 1,000 acres is actual Federal public  
50 lands. Dave.

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1 MR. JOHNSON: Actually, it's not even  
2 1,000 acres. Did I say if it's Federal land or National  
3 Forest land?

4  
5 CHAIRMAN THOMAS: What's the difference?  
6

7 MR. JOHNSON: Well, there's actually some  
8 National Park Service lands in the area and also some BLM  
9 lands.

10  
11 CHAIRMAN THOMAS: Those are not  
12 considered Federal public?  
13

14 MR. JOHNSON: Yes, they are, but the  
15 total acreage is 1,000 acres.

16  
17 MR. LITTLEFIELD: Mr. Chair.

18  
19 CHAIRMAN THOMAS: John.  
20

21 MR. LITTLEFIELD: Mr. Chair, as you read  
22 the -- well, first, I guess, I should speak for the  
23 reason why I'm going to postpone it. Upon reading this,  
24 it required a positive C&T for the Haines residents.  
25 Assuming my motion was defeated and we went back and  
26 passed this regulation number 7 as submitted without a  
27 positive C&T by the residents of Haines, that area would  
28 be open to all rural residents of the state of Alaska  
29 because we would establish a season there for which there  
30 was not a positive C&T, which means everyone who is a  
31 rural resident for the state of Alaska could thereby hunt  
32 there and I don't think that's what the proponents  
33 intended.

34  
35 I fully expect that my motion, and maybe we could  
36 direct staff, would require them to have that C&T  
37 analysis for us one year henceforth and then we could  
38 create this the way they want to, but I don't see it as  
39 possible right now to accomplish the results of the  
40 proponent or the Board would approve either. It's the  
41 Board's responsibility to establish C&T. It is not ours,  
42 so I don't know how they would look on this. I don't  
43 think they would look on it very favorably.

44  
45 CHAIRMAN THOMAS: The question before us  
46 is to establish a deer season in Game Management 1(D) or  
47 not establish a season. What is the wish of the Council?

48  
49 MS. GARZA: Mr. Chairman, the question  
50 before us is to postpone it until the next deer cycle. I

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1 I guess I can go either way, John. I think we can get to  
2 the same ends. I mean if we defeat your postponement, it  
3 can go forward as an amendment or I put in C&T  
4 determination and the Federal Subsistence Board votes it  
5 down, then someone can resubmit it from Haines and just  
6 go through that whole process again. So we've made one  
7 run at it. But it would still serve the same purpose if  
8 we go through your process of saying, okay, let's go  
9 through the proper channels of the process we've used for  
10 C&T determination.

11  
12 The fundamental question that I have is why do we  
13 need a report from outsiders saying that there's C&T for  
14 people who've lived in their communities for thousands of  
15 years? In my mind, Haines and Klukwan obviously have  
16 C&T. I'm willing to say that to the Federal Subsistence  
17 Board. If residents outside of that area wanted C&T, I  
18 think we would have to go through -- I would, in my mind,  
19 have to go through a determination. But having gone  
20 through the C&T work for game before, it was easy work  
21 for our council because it was so obvious. If we got a  
22 10-page report, to me, it would still be obvious. I also  
23 agree with John that perhaps that other process is  
24 necessary because I don't know what the Federal  
25 Subsistence Board would do.

26  
27 On the other point, if there was a hunt in that  
28 area, I don't think it would be open to all the rural  
29 residents of Alaska. I mean I think that easily 804  
30 could be kicked right in. If there's a surplus of 10  
31 deer, then it's going to go to 10 Haines residents.

32  
33 CHAIRMAN THOMAS: Further comments.

34  
35 MS. PHILLIPS: Mr. Chairman.

36  
37 CHAIRMAN THOMAS: Patty.

38  
39 MS. PHILLIPS: I agree with what Dolly  
40 has been saying. If this is about how do we get there  
41 faster, then we're talking about a bureaucratic process.  
42 We all know what we want, which is to give C&T to Haines  
43 and Klukwan. The burden of proof of C&T determination is  
44 an agency requirement in my opinion and from time  
45 immemorial, the traditional villages of Haines and  
46 Klukwan have C&T for all fish and wildlife resources for  
47 their area. It's the system that requires the eight  
48 questions be answered. We already know they have C&T.  
49 So what is going to be the faster process? What is going  
50 to get us what we want? That's the bottom line. John is

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1 saying do it his way. We're saying they already have it.  
2 C'mon, just admit it and let's move on.

3

4 In 1(D), there are probably people there taking  
5 deer already. That's why this proposal is before us. So  
6 we're just recognizing that it happens. We know it's  
7 limited. If we open it up, is everybody in southeast  
8 Alaska going to run to Haines to shoot a deer? No. It's  
9 just giving them that opportunity, legalizing that right.

10

11 CHAIRMAN THOMAS: Thank you, Patty.  
12 Further comment. Harold.

13

14 MR. MARTIN: Mr. Chairman, I fully agree  
15 with Dolly's concerns. However, as I understand John's  
16 motion, merely postponing this issue so that we can put  
17 it through the proper channels, we'll have more time to  
18 analyze this issue and I think it's safer to go through  
19 the proper channels.

20

21 CHAIRMAN THOMAS: Marilyn.

22

23 MS. WILSON: I changed my mind and I  
24 think I'll go John's way.

25

26 CHAIRMAN THOMAS: John.

27

28 MR. LITTLEFIELD: As we read the motion,  
29 it would open all of the residents of 1(C) -- assuming we  
30 had a C&T, 1(C) and (D) and the residents of Hoonah, Kake  
31 and Petersburg. To get to the 804, we would have to  
32 restrict this to the residents of Haines and Klukwan to  
33 rural residents and I'm fully in favor of that, but I  
34 think we need to work our way through this process. We  
35 know we're here as bureaucrats. We're supposed to be  
36 looking at all these regulations and I see this is  
37 actually a quicker way to get there than going the other  
38 way.

39

40 CHAIRMAN THOMAS: Time out. I've got to  
41 read 804. What does yours read, John?

42

43 MR. LITTLEFIELD: From memory, 804 says  
44 there can be restrictions based on the rural users based  
45 on length of residency, customary and traditional  
46 dependence on the resource and there's a third one. Help  
47 me out.

48

49 MR. RIVARD: I think it's availability of  
50 resources.

00174

1 MR. LITTLEFIELD: Availability of  
2 resources. So, if they meet those, it's quite possible  
3 that Haines and Klukwan would be the 804 recipients  
4 because it's a very small resource.

5  
6 CHAIRMAN THOMAS: Okay. Further  
7 discussion.

8  
9 MS. WILSON: Call the question.

10  
11 CHAIRMAN THOMAS: The question has been  
12 called. I don't know if I'm clear on what the motion is.

13  
14 MR. LITTLEFIELD: The motion is to  
15 postpone until the next Wildlife meeting, at which time  
16 we will have a C&T report from staff.

17  
18 CHAIRMAN THOMAS: The motion to postpone  
19 has been seconded. We've had discussion. Are there  
20 further comments? The question is called for. All those  
21 in favor say aye.

22  
23 IN UNISON: Aye.

24  
25 CHAIRMAN THOMAS: Those opposed.

26  
27 (No opposing votes)

28  
29 CHAIRMAN THOMAS: Motion carries. Okay.  
30 That takes us now into 8, reduce bag limit for some  
31 subsistence users of GMU 2, but before that we're going  
32 to take a break.

33  
34 (Off record)

35  
36 (On record)

37  
38 CHAIRMAN THOMAS: Okay. We'll call the  
39 meeting back to order. If that caucus would break up in  
40 the back so I could introduce Mr. Frank Wright. Ms.  
41 Jacqueline Martin, the owner of the Bureau of Indian  
42 Affairs is here, the wife of our esteemed Harold Martin.  
43 And I see John Ashcroft II back there. John, would you  
44 stand up and tell us who you are.

45  
46 MR. HERRICK: I'm John Herrick. I'm the  
47 special agent in charge of the Forest Service.

48  
49 CHAIRMAN THOMAS: Thank you very much.  
50 Did I miss anybody or did anybody want to be mentioned?

00175

1 Okay. We appreciate you all for being here. Mr.  
2 Johnson, if you would lead us into the wilderness of  
3 Proposal 8.

4

5 MR. JOHNSON: Thank you, Mr. Chairman,  
6 Council Members. I want to give the Council a little bit  
7 of background information here because from the time the  
8 proposal was made until now, there have been several  
9 meetings, several teleconferences relating to  
10 clarification of what the proponent sent, further  
11 discussion at staff committee level, additional  
12 teleconference follow-up after that, additional data  
13 analysis after that, and additional e-mails after that.

14

15 To start off, Proposals 8 and 9 are both about  
16 deer in Unit 2, but they're different in that Proposal 8  
17 wanted to restrict Ketchikan hunters and also other rural  
18 hunters in Unit 3, Wrangell, Petersburg. The Proposal 9  
19 dealt with eliminating non-Federal users from part of the  
20 season. The reason I'm giving you this up front is  
21 because the errata that I'm going to explain needs to  
22 clarify what the proponents actually sent and then what  
23 actually occurred in the analysis, so bear with me.

24

25 The original Proposal 8 included Klawock  
26 Cooperative Association in terms of the errata portion of  
27 this, but it was not included in the green book and I  
28 think it was just a matter of something didn't happen in  
29 getting it in the green book.

30

31 If you look at the executive summary for Proposal  
32 8, page 62, the executive summary is still in error. If  
33 you notice there in the proposed regulation for both  
34 sections, it eliminates the antlerless season. Again,  
35 that was not part of either Proposal 8 or Proposal 9.  
36 The same being true following through, if you look at the  
37 analysis, going over to page 63.

38

39 CHAIRMAN THOMAS: Let me get something  
40 straight here. You say that the strike-throughs  
41 shouldn't be there?

42

43 MR. JOHNSON: That's correct, Mr.  
44 Chairman. I have additional follow-up from the Craig  
45 Community Association with regard to what the  
46 clarifications are for the proposals that they actually  
47 sent in originally. Myself and Ellen Lance sat down with  
48 the proponents after we were pretty far into the analysis  
49 and found out that what the Craig Community Association,  
50 Klawock Community Association and the Organized Village

00176

1 of Kasaan had sent in was not, in fact, what was in the  
2 booklet. If you look over on page 111, you'll see under  
3 written public comments from Klawock Cooperative  
4 Association, Craig Community Association and Organized  
5 Village of Kasaan, their comments regarding the original  
6 proposal. I also have, for the record, actual copies of  
7 comments that were sent from the chairman of the Craig  
8 Community Association and I would like those to be  
9 included in the record as well.

10

11 CHAIRMAN THOMAS: I have another  
12 question. Those strike-throughs, if they're removed, are  
13 asking for the antlerless season to be open from August 1  
14 to December 1?

15

16 MR. JOHNSON: October 15th to December  
17 31.

18

19 CHAIRMAN THOMAS: Okay. That's where  
20 it's at now, right?

21

22 MR. JOHNSON: That's correct. The only  
23 things that should be changed that's being proposed is  
24 the proponents wanted to increase the deer for Unit 2  
25 residents from four to five and to reduce the harvest bag  
26 limit for Unit 1(A) and 3 from four to two deer. That's  
27 the only change.

28

29 CHAIRMAN THOMAS: Thank you. Continue.  
30 John.

31

32 MR. LITTLEFIELD: Just a question for  
33 Dave, Mr. Chair. The correct wording is on page 84, is  
34 that right, in the center, page 84. That is the Proposal  
35 8 before us, is that correct? Although it says  
36 antlerless deer, we meant antlerless, but I believe  
37 that's the correct proposal.

38

39 MR. JOHNSON: That is correct.  
40 Additional errata, if you look at the last three lines on  
41 page 64, those also are still in error. That's  
42 additional corrects that need to be made in your booklet.

43

44 CHAIRMAN THOMAS: Dave, when you get  
45 through with your presentation, if I may, I'd like to ask  
46 you to have a correct version of exactly what we're  
47 considering, having omitted the errors, and we'll do that  
48 at the latter part of the discussion on this particular  
49 proposal just for clarification.

50

00177

1 MR. JOHNSON: Mr. Chair, if you'll look  
2 again at page 84, that is the corrected proposal before  
3 you from the proponents.

4  
5 CHAIRMAN THOMAS: Thank you.

6  
7 MR. JOHNSON: If you'll look on page 84  
8 again, this is what's partly confusing, where it says  
9 written public comments, the reason it says support with  
10 modification, it is not support with modification  
11 formally from the staff committee, it is support with  
12 modification from the proponent who sent the comments in.  
13 You could scratch modification and you would still have  
14 the corrected version before you.

15  
16 CHAIRMAN THOMAS: I thought we got past  
17 this yesterday.

18  
19 MR. JOHNSON: Under discussion, the  
20 proponents are alleging that they're not getting what  
21 they need. They also believe the population is  
22 declining. It's also important to note that when the  
23 proponents made this proposal, they did not take into  
24 account Section 804 that relates to not restricting other  
25 rural residents before restricting or eliminating non-  
26 rural residents.

27  
28 The reason for that is the proponents were saying  
29 -- and, again, we sat down with the proponent and this is  
30 what they told us. We don't care if they're from  
31 Wrangell or Petersburg. We don't care if they're from  
32 Ketchikan. All we care about is we're not getting the  
33 deer we need and we also feel that the population is  
34 declining. So that's what the proponent was advocating.  
35 And they also didn't feel it was right to propose a  
36 regulation that would restrict residents of either  
37 communities, any of these communities, unequally. So,  
38 basically, they didn't look at Title 8, they were just  
39 not wanting to discriminate against any community.

40  
41 The rationale for increasing the bag limit for  
42 Unit 2 from four to five, although the current harvest is  
43 only a little over 1.1 across all harvesters, the reason  
44 they requested -- or the rationale for increasing this  
45 was, through the designated hunter concept, if you're  
46 able to get five instead of four, it's much more  
47 efficient than if you are out there harvesting and you  
48 have the opportunity to get additional deer, it would  
49 increase that bag limit and it just increases the  
50 efficiency of it.

00178

1 If you look at page 67, it's important to keep  
2 this particular table in mind as we talk about Proposal 8  
3 and Proposal 9 because this provides a complete history  
4 of Unit 2 game regulations, so you'll want to have that  
5 information.

6  
7 The four deer bag limit in August 1 to December  
8 31 season has been currently in place in Unit 2 since  
9 1988. The C&T use determination is residents of Units  
10 1(A), 2 and 3. Biological background. The primary deer  
11 winter habitat depends on the quantity and quality of  
12 old-growth forest. The availability of this habitat is  
13 thought to be the most limiting factor for deer in  
14 southeast Alaska. Forage available and clear-cuts has  
15 less nutritional value.

16  
17 Thirty-six percent of the high-volume old-growth  
18 on Prince of Wales Island has been harvested and that  
19 does not include what percent of old-growth that has been  
20 harvested on approximately 280,000 acres of Native  
21 corporation lands. Prince of Wales wolf population is  
22 thought to be stable or increasing, with a likely  
23 population between 100 and 200 wolves. Wolf predation is  
24 a signification factor in deer population status.

25  
26 Now, if you will go over to -- well, we'll go to  
27 Proposal 9 in a minute. At this time, Mr. Chairman, I'd  
28 like to request that deer hunting patterns, resource  
29 population and management issues on Prince of Wales  
30 Island be entered into the record in its entirety because  
31 it will comprise much of the analysis that will be  
32 presented to you and focuses on much of the discussion  
33 relative to the data that will be presented.

34  
35 CHAIRMAN THOMAS: Is it in that volume  
36 there?

37  
38 MR. JOHNSON: Yes.

39  
40 CHAIRMAN THOMAS: And that contains what?

41  
42 MR. JOHNSON: It contains deer hunting  
43 patterns, resource population and management issues on  
44 Prince of Wales Island. It was a contracted project and  
45 much of the data that this analysis centers on centers on  
46 the results of this research.

47  
48 CHAIRMAN THOMAS: Is that the only copy  
49 in captivity?

50

00179

1 MR. JOHNSON: No, there's several copies.  
2 I was going to make sure that Salena had a copy and I  
3 think Mr. Douville has a copy and there are some other  
4 folks that have copies. We can get more copies, too, but  
5 I didn't think you wanted to read this last night or I  
6 would have given it to you.

7  
8 CHAIRMAN THOMAS: I had nothing to do  
9 last night, so I did it. Okay, John.

10  
11 MR. LITTLEFIELD: Mr. Chair, Figure 1 and  
12 8 are unreadable. I tried to make sense out of it.

13  
14 CHAIRMAN THOMAS: What page?

15  
16 MR. LITTLEFIELD: Page 69. It's not in  
17 color and I was wondering if there was a color  
18 presentation of that that the Council could have because  
19 everything looks the same to me. I can't tell which  
20 years are which.

21  
22 MR. JOHNSON: Mr. Chair, Council, we will  
23 have other information that presents that same  
24 information that's in Figure 1, so, if you'll bear with  
25 me, John. If you find later that you still need a color  
26 version, we'll get one.

27  
28 The effect of this proposal would increase the  
29 subsistence priority for some rural residents, while  
30 restricting other rural users. It would also restrict  
31 non-rural users. The preliminary conclusion of Proposal  
32 8 is to oppose and the justification being that ANILCA  
33 804 prohibits restricting other rural users before  
34 eliminating other uses.

35  
36 That is not the complete analysis, Mr. Chair.  
37 Proposal 9 we will get into much more detail that is  
38 germane to the analysis in 8. Again, the only difference  
39 is that the proposals were very different from the  
40 proponents. That concludes my presentation on Proposal  
41 8.

42  
43 CHAIRMAN THOMAS: Thank you. Any  
44 questions from the Council for Dave? Dolly.

45  
46 MS. GARZA: Mr. Chairman, I actually have  
47 a question for you in terms of process. It's my  
48 understanding from this proposal that it would be  
49 extremely difficult for this Council to support it  
50 because it would restrict other rural residents before

00180

1 restricting urban, so it's likely that this proposal will  
2 not pass. I'm hoping that we could try and get through  
3 Proposal 8 quickly because I think Proposal 9 is the  
4 proposal of issue.

5

6 In terms of Proposal 8, I know that Dave and Mike  
7 have met with the Prince of Wales tribes that submitted  
8 this proposal and it was my understanding that they  
9 understood that because of 804 that this proposal would  
10 not likely pass. Is that true, Mike?

11

12 CHAIRMAN THOMAS: Mike.

13

14 MR. DOUVILLE: Thank you, Mr. Chairman.  
15 Yes, that is correct. They do realize that it does have  
16 a basic flaw in it and they recognize that and I don't  
17 think they expected it to pass.

18

19 CHAIRMAN THOMAS: Thank you. In other  
20 words, it's not consistent with the intent to Title 8.

21 So a motion is in order. Patty.

22

23 MS. PHILLIPS: Is this Council  
24 deliberation or what? No.

25

26 CHAIRMAN THOMAS: That's my fault. My  
27 eighth mistake of the day. Was that your biological,  
28 social, cultural? Did that complete?

29

30 MR. JOHNSON: For Proposal 8.

31

32 CHAIRMAN THOMAS: Okay. Now we're up to  
33 agency and government comments. I apologize for  
34 overlooking that. Mr. Titus.

35

36 MR. TITUS: Thank you, Mr. Thomas. I  
37 would first like to ask where the Council wishes to go  
38 with this. In large part, I'll ask that, if I may, even  
39 though it's inappropriate for me to ask for some  
40 clarification from you, in part because at this juncture  
41 in time I'm prepared to introduce Dave Person, Boyd  
42 Porter and Mike Turek, who will give an overview very  
43 briefly of the history of deer pellets and the survey  
44 information both that Division of Wildlife Conservation  
45 collects and the subsistence surveys. So, depending on  
46 the pleasure of the Council, we can do that now or we can  
47 wait if you'd prefer to do it on the next proposal.

48

49 CHAIRMAN THOMAS: Dave, you weren't quite  
50 done?

00181

1 MR. JOHNSON: Mr. Chairman, my  
2 recommendation would be to wait for that following  
3 Proposal 9 because the analysis is much more in-depth and  
4 there will be many questions that Fish & Game will be  
5 able to respond to following Proposal 9.

6  
7 CHAIRMAN THOMAS: The Chair has a  
8 tendency to agree to that unless you have some compelling  
9 differences with that. We're equally as interested in  
10 the information you're prepared to deliver. It looks  
11 like, from what I gather, that this is not going to pass.  
12 We're going to not do this because of it's inconsistency  
13 with Title 8, is that correct? Okay. So, if it's fine  
14 with you, it's fine with us. Thank you. Tribal  
15 governments. Other government or organizations. Mr.  
16 Titus, you had your hand up.

17  
18 MR. TITUS: I will just say briefly for  
19 the record that the State does not support the proposal  
20 before you.

21  
22 CHAIRMAN THOMAS: Thank you. Summary of  
23 written public comments.

24  
25 MR. SCHROEDER: Mr. Chairman, quite a few  
26 people commented on the deer population on Prince of  
27 Wales Island. You have three comments summarized in your  
28 Board booklet. One from Mr. Jim Baichtal and the East  
29 Prince of Wales Advisory Committee opposing this  
30 proposal. We do have a petition from residents in many  
31 of the communities supporting this proposal. We have two  
32 comments from Ketchikan residents who oppose this  
33 proposal. One person brings up the doe season. I'd like  
34 to spend a good deal of time when we're discussing  
35 Proposal 9 going through the extensive public comments  
36 real carefully. I don't think we'll gain anything at  
37 this point from doing that. That's all I have.

38  
39 CHAIRMAN THOMAS: Anybody from the public  
40 have any comments? Okay. Regional council deliberation,  
41 recommendation and justification. Marilyn.

42  
43 MS. WILSON: Mr. Chairman, I make the  
44 motion we adopt WP02-08.

45  
46 MR. STOKES: Second.

47  
48 CHAIRMAN THOMAS: It's been moved and  
49 seconded that we adopt the proposal Marilyn just read,  
50 Proposal 8. Discussion. Bert.

00182

1 MR. ADAMS: There's a petition here with  
2 112 signatures on it for support. It's evidently by  
3 Tribal Environmental Coalition. I'd like to know who  
4 this group is and understand where they're coming from.  
5 Thank you.

6  
7 CHAIRMAN THOMAS: Do we have that  
8 petition, who they are, where they come from? Bob.  
9

10 MR. SCHROEDER: Mr. Chairman, Bert. I  
11 have a copy of the petition in front of me and I'll  
12 circulate it to Council members who wishes to see this.  
13 The Tribal Environmental Coalition includes the  
14 environmental divisions of the Craig Community  
15 Association, Klawock Cooperative Association, Organized  
16 Village of Kasaan and Hydaburg Cooperative Association.  
17 I believe that these tribes have staff -- possibly all  
18 the staff are through the Environmental Protection Agency  
19 Program. I think you're familiar with Bert. My  
20 understanding, and Dolly may have further detail, is that  
21 these organizations meet from time to time on issues of  
22 common concern. The petitions were put forth by this  
23 group and signed by 112 signatories from all of Prince of  
24 Wales communities. We don't know exactly where people  
25 came from, but probably most of the signatures are from  
26 members of those communities. Do you want to take a look  
27 at the petitions, Bert?

28  
29 CHAIRMAN THOMAS: Okay. We're still in  
30 discussion. We've got a motion and a second. Dolly.  
31

32 MS. GARZA: Mr. Chairman, I would speak  
33 against Proposal 8 primarily because it would restrict  
34 rural residents in Unit 1(A). I think it's under 804, I  
35 never keep track of these sections, we shouldn't be  
36 restricting other rural residents before we restrict  
37 urban residents, so this would be inconsistent with the  
38 intent of the subsistence law. As I stated earlier and  
39 Mike stated earlier, the four tribal bodies that worked  
40 together to submit these proposals understand the  
41 inconsistencies with 804 and their primary interest now  
42 is in Proposal 9. Thank you.

43  
44 CHAIRMAN THOMAS: The Chair shares those  
45 sentiments exactly.

46  
47 MR. MARTIN: Mr. Chairman.

48  
49 CHAIRMAN THOMAS: Harold.  
50

00183

1 MR. MARTIN: I agree with the proposal,  
2 but there is that one technicality in that it is  
3 inconsistent with Title 8 and I will oppose this  
4 proposal.

5  
6 CHAIRMAN THOMAS: Further comments.  
7 Bert.

8  
9 MR. ADAMS: Mr. Chairman, the reason why  
10 I asked for this information is because I put a lot of  
11 reliance in tribal governments. Supposedly, you know,  
12 they're representing their constituencies. So I just  
13 wanted to get some clarification on that. It is  
14 inconsistent with Title 8 and, if they understand that, I  
15 guess they'll accept where we're coming from on this. So  
16 I just wanted to clarify that and make sure you know that  
17 those are people that we really should be listening to.  
18 Thank you.

19  
20 CHAIRMAN THOMAS: John.

21  
22 MR. LITTLEFIELD: I have a question for  
23 Mr. Schroeder, Mr. Chair. That petition, the 112  
24 signatures, is also going to be presented in support of  
25 the next proposal, is that not correct?

26  
27 MR. SCHROEDER: Mr. Chairman, John. This  
28 petition will be presented. The petition refers to both  
29 proposals 8 and 9. I think Ms. Garza and John worked  
30 with the community and clarified their intent.

31  
32 MR. LITTLEFIELD: Call for the question.

33  
34 CHAIRMAN THOMAS: The question has been  
35 called. All those in favor of adopting say aye.

36  
37 (No votes in favor of)

38  
39 CHAIRMAN THOMAS: Those opposed, no.

40  
41 IN UNISON: No.

42  
43 CHAIRMAN THOMAS: The motion is defeated.  
44 It's the policy of the Chair to break every hour. Our  
45 second hour has passed and we are out of five minutes and  
46 we have no more full time-outs left, so this will be  
47 a 20-second time out.

48  
49 (Off record)

50

00184

1 (On record)

2

3 CHAIRMAN THOMAS: Call back to order.

4 Mr. Introducer, would you introduce us to Proposal 9,  
5 please.

6

7 MR. JOHNSON: Mr. Chairman, as part of  
8 the introduction to Proposal 9, you have several  
9 documents in front of you that, in addition to this  
10 document, the deer population hunting patterns on Prince  
11 of Wales, there's some additional errata that needs to be  
12 taken care of and there also needs to be some explanation  
13 of the documents you have in front of you.

14

15 The first thing you should have in front of you  
16 is a table that looks something like this. If you refer  
17 to page 97, that particular figure is in error. What  
18 should be in there is the figure you have before you that  
19 looks like this, so I want to make sure all of you have  
20 that.

21

22 Secondly, with respect to providing information  
23 to the Council, you have a press release from Wildlife  
24 Conservation Division. I believe Boyd Porter is here and  
25 he may be able to comment later on various aspects of  
26 Unit 2 deer population. It talks about several things,  
27 but of particular interest is the deer portion of that.

28

29 In addition to that, if you look at a publication  
30 that says the 2001 report deer pellet group surveys, and  
31 you'll also look at about page -- this is particularly  
32 for John Littlefield's benefit and for the rest of the  
33 Council, but there's a colored map there, John. Also,  
34 the introduction and results explains what Mark Kirchhoff  
35 and Kevin White have to say about the 20-year pellet  
36 survey data in Unit 2.

37

38 In addition to that, you should have a stapled  
39 publication, two-pager, looks like this. If you look at  
40 the numbers, those numbers refer to the next page, which  
41 is a figure showing the mean pellet groups sampled by  
42 year since 1985, keeping in mind that the plots or the  
43 points on that figure have to have at least a certain  
44 number of points in order to be on there. So what's on  
45 the figure relates to the numbers on the back and, of  
46 course, the year relates to when those transects were run  
47 for the deer pellet surveys.

48

49 Again, we're fortunate to have Dr. Kim Titus,  
50 Dr. Dave Person that will provide additional explanation

00185

1 of the deer pellet data later.

2

3 In addition to that, you also have a synopsis  
4 that's been provided by Dr. Titus that relates to, again,  
5 much of the deer pellet discussion you'll hear more about  
6 later today.

7

8 I'd like to back up for just a minute,  
9 Mr. Chairman. As a result of the Staff Committee meeting  
10 that occurred, it was determined because of the ambiguity  
11 of the data and the lack of understanding on the part of  
12 myself, particularly who was presenting the information,  
13 that the department felt there was a need to meet to  
14 further clarify some of the questions that were raised  
15 about the data. So we had an additional teleconference  
16 and on that teleconference we had Marianne See, who is  
17 with the head of the ADF&G Subsistence Division, Ken  
18 Thompson, who is staff committee for the Forest Service,  
19 Don Rivard, who is the OSM division chief, Mike Turek  
20 from Subsistence Division, myself, Terry Haynes of ADF&G.  
21 We had Regional Advisory Council members Mike Douville  
22 and Dolly Garza and I would like to express appreciation  
23 to both of them for taking the time to be a part of that  
24 meeting. In addition to that, we also had Dr. Kim Titus,  
25 ADF&G; Dr. Dave Person, ADF&G; Boyd Porter, ADF&G; Craig  
26 district ranger, Dale Kanen; Forest Service wildlife  
27 biologist from Thorne Bay District, Ellen Lance; Forest  
28 Service Fish & Wildlife staff for the Craig/Thorne Bay  
29 District, Susan Howell. We also had the Forest Service  
30 Regional Fish & Wildlife subsistence director, Dr. Wini  
31 Kessler. By the way, I forgot to mention that Dolly  
32 Garza is Dr. Dolly Garza. Sorry about that.

33

34 Following that meeting, we had additional  
35 clarification of the data and I'm ready to present the  
36 remainder of my analysis now, Mr. Chairman.

37

38 CHAIRMAN THOMAS: Proceed.

39

40 MR. JOHNSON: As it's been pointed out,  
41 the proponents were the four different tribal  
42 organizations. I'm not sure why one of those did not get  
43 included in the listing of the four tribes. Apparently  
44 something was received late, but I know Klawock also  
45 submitted -- was one of the proponents of Proposal 9.

46

47 The proponents indicated they're not getting what  
48 they need. The proposal is to close Federal lands in  
49 Unit 2 during parts of the season to non-Federally-  
50 qualified users. The proposed regulation. Federal

00186

1 public lands are closed to the hunting of deer except by  
2 Federally-qualified subsistence users during the period  
3 October 16th to November 14th and also August 1 to August  
4 31st. If you'll look at page 87, you can see the  
5 existing regulation as presented there and, again, the  
6 errata, if you look at page 87, in bold, where it says  
7 December 1 to December 31st, that should be October 16 to  
8 November 14th.

9

10 Again, if you'll reference this same regulatory  
11 history, you can look at Table 1, which is page 91 of  
12 your booklets, and that is the same table that's in  
13 Proposal 8. Deer population status and biological  
14 background. The literature indicates that in quality  
15 old-growth forest you would have approximately 70 deer  
16 per square mile. In clear-cuts that are between the ages  
17 of 0 to 5 years, you would have 40 deer per square mile,  
18 and in the 25 to 30 year old second-growth, you would  
19 have three deer per square mile. I would just point out  
20 again, as in Proposal 8, 36 percent of the old-growth  
21 forest on National Forest lands in Unit 2 have been  
22 harvested. Also in the literature it indicated that wolf  
23 predation is a significant factor in this unit. There is  
24 no accurate population count for deer in Unit 2. The  
25 trend data that we're using is the best that we have, so  
26 we do not have an accurate number of deer.

27

28 Figure 6, on page 98, shows the breakdown over  
29 the last 10 years for urban and rural harvesters. Thirty  
30 to 40 percent of all Unit 2 hunters are urban and that's  
31 not just Ketchikan, there are hunters from Juneau and  
32 other locations. Over the past 10 years, there has been  
33 a 24 percent increase in the number of hunters. It also  
34 should be pointed out, however, that the harvest of deer  
35 in Unit 2 has remained constant, so there has not been a  
36 drop in the total number of deer harvested, but who is  
37 harvesting the deer and the effort taken to harvest a  
38 deer has increased.

39

40 C&T use determination Units 1(A), 2 and 3. The  
41 effects of this proposal would be to reduce competition,  
42 providing easier hunting opportunities and may result in  
43 reduced harvest if there were fewer hunters there during  
44 those periods of time.

45

46 Preliminary conclusion. Again, there is no  
47 conclusion. The justification for that is the data  
48 results are inconclusive. Consensus among the Staff  
49 Committee felt that additional analysis and  
50 interpretation of data was needed. As I mentioned, we

00187

1 met with ADF&G, myself and Bob Schroeder. By the way, I  
2 don't remember if I mentioned Dr. Bob Schroeder or not in  
3 that cast of thousands, but he was also there. So,  
4 anything that went wrong you can blame him. That  
5 concludes my presentation, Mr. Chairman.

6

7 CHAIRMAN THOMAS: Any questions regarding  
8 the information just presented to you? Dolly.

9

10 MS. GARZA: Mr. Chairman, I guess I just  
11 need a clarification in terms of the order so I can  
12 figure out when to start asking questions. You've given  
13 us a general overview. That will be followed by reports  
14 from whom?

15

16 MR. JOHNSON: I'll be glad to provide  
17 some information about the information you have in front  
18 of you. For example, the deer pellet data that you have  
19 on the map shows that the deer pellet surveys in Unit 2  
20 are at the 20-year low, according to the data. That's in  
21 the front, I think it's the second page, of your  
22 publication there. Also, of all of the areas that you  
23 see in Unit 2, all of the areas were at the low or  
24 extremely low category except for two and that criteria  
25 for that classification is based, again, on the State's  
26 classification for deer pellets and they may provide  
27 additional information on that.

28

29 CHAIRMAN THOMAS: Dolly.

30

31 MS. GARZA: Okay. I still didn't get my  
32 question answered. Who else will be giving reports on  
33 matters pertaining to Proposal 9?

34

35 MR. JOHNSON: I don't believe there will  
36 be any additional information coming forward in reports;  
37 however, the State will be commenting on Proposal 9 and,  
38 in that context, we'll be providing additional  
39 information. As far as staff, we have completed the  
40 staff presentation.

41

42 MS. GARZA: So I guess I still have a  
43 question and it's a question I posed after the audio.  
44 Are there Federal staff members that work on deer  
45 conservation on Prince of Wales Island?

46

47 MR. JOHNSON: I've been there for 16  
48 years, Dr. Garza.

49

50 MS. GARZA: Do you do the pellet counts?

00188

1 MR. JOHNSON: I was involved in doing  
2 deer pellet counts and actually helped lay out some of  
3 the early locations in the mid '80s to early '90s.

4  
5 MS. GARZA: Does Forest Service have a  
6 designated deer biologist on Prince of Wales Island?

7  
8 MR. JOHNSON: Ellen Lance is the wildlife  
9 biologist that we have and she performed the initial  
10 draft of the analysis that was performed.

11  
12 MS. GARZA: Thank you. And she is not  
13 here?

14  
15 MR. JOHNSON: She is not here.

16  
17 CHAIRMAN THOMAS: Bob.

18  
19 MR. SCHROEDER: Mr. Chairman. I'm not  
20 sure right this minute is the time to do it, although I  
21 could launch into it. I'd like to walk the Council  
22 through some of the information concerning household  
23 survey data and opinion data. Dave referred to these  
24 data already, but I think they require a little bit of  
25 explanation.

26  
27 MR. LITTLEFIELD: Mr. Chairman, I have a  
28 question of Dave.

29  
30 CHAIRMAN THOMAS: John.

31  
32 MR. LITTLEFIELD: Before we go to that,  
33 I'd like to ask Dave a question on Table 2. There was,  
34 on page 101, a lot of missing data. I was wondering if  
35 you could just tell me why we don't keep pretty good  
36 records on this system. There's a lot of open blanks in  
37 there. I was wondering what the reason was for.

38  
39 MR. JOHNSON: I don't know the reason for  
40 the missing data. This, again, was information contained  
41 through the hunter harvest reporting process. I guess,  
42 along with what Bob said, if I could have another five  
43 minutes, Mr. Chairman, I think providing summary to the  
44 analysis might be beneficial as well.

45  
46 CHAIRMAN THOMAS: You got it.

47  
48 MR. DOUVILLE: Mr. Chairman.

49  
50 CHAIRMAN THOMAS: Mike.

00189

1 MR. DOUVILLE: I'd ask Mr. Johnson to  
2 clarify this proposal. It's the same on two pages and  
3 different on a third page, so we need to be very clear on  
4 which one we are -- which is the real one in other words.  
5

6 MR. JOHNSON: If you look again at 87,  
7 Mr. Douville, Council, you'll see that the proposal is to  
8 restrict non-rural users in Unit 2 on Federal public  
9 lands that would be closed to the hunting of deer except  
10 by Federally-qualified subsistence users during the  
11 period August 1 to August 31 and October 16 to November  
12 14.  
13

14 With respect to the summary again, the three  
15 types of data sets that you're looking at both in the  
16 things you have before you and in the analysis have to do  
17 with hunter harvest data, community use data and key  
18 respondent data, as well as deer pellet data. I would  
19 like to read a little bit. If you'll bear with me for a  
20 few minutes, unless Mr. Littlefield has something that he  
21 really needs to.....  
22

23 MR. DOUVILLE: Mr. Chairman.  
24

25 CHAIRMAN THOMAS: Yes, Mike.  
26

27 MR. DOUVILLE: The reason I raised this  
28 question is because if you look on page 88, down next to  
29 -- it says October 16 to November 14. I want to know  
30 what that is.  
31

32 MR. JOHNSON: October 16 to November 14  
33 also should be underlined as part of the new proposal.  
34 That is the change in the existing regulation. The  
35 proposal is again to restrict non-rural users during the  
36 period of time August 1 to August 31 and October 16 to  
37 November 14. Part of the confusion again was that the  
38 proponents' original proposal did not come in that way in  
39 the green booklet, so there was a considerable amount of  
40 analysis before we were able to get back and to begin  
41 correcting some of this.  
42

43 MR. LITTLEFIELD: So, when you mentioned  
44 page 87, that is not the correct one, the correct one is  
45 on page 88. That is the proposal before us.  
46

47 MR. JOHNSON: That is correct. I made a  
48 correction in my book on 87. My apologies.  
49

50 MS. GARZA: And 86 also.

00190

1 MR. JOHNSON: And 86 also. That's  
2 correct, Dolly. And there may be other places where it's  
3 incorrect as well and I apologize for that.

4  
5 CHAIRMAN THOMAS: 88 is what we're using.

6  
7  
8 MR. JOHNSON: Yes. So, if you want to  
9 beat me up, stand in line because you're going to have to  
10 take a number. I would like to read some things into the  
11 record. First of all, with respect to the blue book  
12 again, as a result of the '95 decision by the Federal  
13 Subsistence Board that rejected this Council's  
14 recommendation because of lack of substantial evidence,  
15 the Forest Service contracted with Division of  
16 Subsistence and, at that time, Dr. Robert Schroeder was  
17 also part of the research division, Mike Turek and Dr.  
18 Robert Wolfe. So that is the document I'm going to  
19 reference here.

20  
21 The folks that reviewed this and that were  
22 involved in this in terms of the community use surveys  
23 are listed here and I will read them into the record.  
24 The Craig Community Association, the Hydaburg Cooperative  
25 Association, the Klawock Cooperative Association, the  
26 Summer Straits Fish & Game Advisory Committee gave its  
27 invaluable support. Federal Subsistence Regional  
28 Advisory Council members Jeff Nickerson and Vicki  
29 Lecourneau were especially helpful. Dale Kanen, Craig  
30 Ranger District, provided logistical support. Fred  
31 Clark, Southeast Regional Advisory Council coordinator,  
32 Forest Service, and Stewart Allen, forest science  
33 laboratory, U.S. Forest Service, participated in the  
34 study designed for this project. Fred Clark also acted  
35 as a Forest Service technical contact for this project  
36 and facilitated the timely completion of the project.

37  
38 On the State side, Doug Larson, Tom Paul, Matt  
39 Kirchhoff, Bruce Deniford, Alaska Department of Fish &  
40 Game Wildlife Conservation provided biological and  
41 harvest report information on deer in Game Management  
42 Unit 2 and critical review of this project. Matt  
43 Kookesh, ADF&G, and Rachel Mason, U.S. Fish & Wildlife  
44 Service, Office of Subsistence Management, helped conduct  
45 and write up key respondent interviews. Bob Wolfe,  
46 Division of Subsistence Research Director, provided  
47 careful editing and review of this report. Andie Page,  
48 Division of Subsistence, included her expertise in layout  
49 and final editing of the report.

50

00191

1 A draft version of the report was presented to  
2 the Southeast Regional Federal Subsistence Regional  
3 Advisory Council, this body here meeting, in Saxon, March  
4 9 to 11, 1998. The final version of this report  
5 benefitted from the review and comments of council  
6 members and Forest Service and Fish & Wildlife staff  
7 attending that meeting.

8

9 This document reports findings from key  
10 respondent research conducted in Prince of Wales Island  
11 communities and in Ketchikan in fall 1997. The document  
12 also compiles a number of existing data sources relevant  
13 to subsistence deer hunting on Prince of Wales Island.  
14 In addition to summarizing the 1997 interview data, the  
15 report provides analysis of deer harvest over time,  
16 outlines demographic change for Prince of Wales Island  
17 communities, summarizes general subsistence harvest  
18 patterns for select Prince of Wales Island communities  
19 and abstracts a number of subsistence papers relevant to  
20 deer hunting. An historic summary of hunting regulations  
21 is also provided.

22

23 Existing sources were compiled to provide a  
24 thorough briefing document and would be useful as a  
25 reference. Each of the data sources represents part of  
26 our current understanding of deer and their use on Prince  
27 of Wales Island. We provide these sources in one volume  
28 so that readers will be more able to more easily use the  
29 array of existing data selecting the type of information  
30 needed for the reader's purposes. The key respondent  
31 interviews and the other data sources all have their own  
32 strengths and weaknesses. I want to emphasize this next  
33 sentence. Taken together, these sources allow the reader  
34 to triangulate between the different kinds of  
35 information, clarifying discrepancies and highlighting  
36 similarities.

37

38 This report was prepared to address regulatory  
39 issues anticipated in the 1998-1999 regulatory year.  
40 During deliberations, which would have affected the 1997-  
41 98 Federal subsistence program regulatory year, the  
42 Southeast Regional Advisory Council recommended changes  
43 to deer regulations in Game Management Unit 2, Prince of  
44 Wales Island. The Council recommended that the Federal  
45 Subsistence Board eliminate non-subsistence hunting in  
46 GMU 2. The Federal Subsistence Board did not accept this  
47 recommendation, stating that the Council did not provide  
48 sufficient evidence that this regulatory change was  
49 necessary.

50

00192

1 U.S. Forest Service staff believed that new and  
2 more detailed information would help the Southeast  
3 Regional Advisory Council address their management issues  
4 in its 1998 meetings. Forest Service provided support  
5 for a short field project to systematically collect  
6 information from experienced Prince of Wales Island deer  
7 hunters. These key respondent interviews, along with  
8 other data sources, would provide decision-making tools  
9 to the council and the board in deciding Prince of Wales  
10 Island regulatory issues.

11  
12 The key respondent interview data were collected  
13 specifically to address Prince of Wales Island  
14 subsistence uses and they supplement rather than replace  
15 other more quantitative data sources. In addition to  
16 that, the contents of the report includes: key  
17 respondent responses from Prince of Wales Island and  
18 Ketchikan, deer harvest estimates Prince of Wales Island  
19 from 1980 to 1995, human population estimates and other  
20 demographic information for Prince of Wales Island by  
21 year and community, wild food harvest Prince of Wales  
22 Island by survey year and community, estimated harvest of  
23 fish and game and plant resources for POW communities and  
24 also wildlife resource harvest for Prince of Wales Island  
25 communities in 1996.

26  
27 The first section exam is deer hunting patterns,  
28 resource populations and deer management issues on POW  
29 based on interviews conducted with 34 key respondents.

30  
31 CHAIRMAN THOMAS: Dave, let me ask you  
32 something. How much more of that do you have to read?

33  
34 MR. JOHNSON: Not much.

35  
36 CHAIRMAN THOMAS: I keep waiting to hear  
37 a reference to Title 8. So far I haven't heard that.  
38 Somewhere in this mix of data information I want to hear  
39 some reference to Title 8.

40  
41 MR. JOHNSON: The reference to Title 8,  
42 Mr. Chairman, relates to -- I forget what section it is,  
43 but I'm sure you can tell me, that staff will provide the  
44 best scientific information, local knowledge to regional  
45 councils deliberating on regulatory issues. I can read  
46 you the exact section if you'd like.

47  
48 CHAIRMAN THOMAS: Well, the reason for my  
49 statement is if you're going to do any restricting at  
50 all, a determination has to be made that the resource is

00193

1 in peril. I just wanted to remind you of that and I  
2 haven't heard anything like that yet.

3

4 MR. JOHNSON: Mr. Chairman, I'd remind  
5 you that the staff committee that came forward had no  
6 conclusion and did not make any recommendation with  
7 respect to restrictions or any inference to that, so this  
8 is simply presenting information that will help you  
9 better assess what the proponents who were asking for a  
10 change in the season.

11

12 CHAIRMAN THOMAS: Please continue, but  
13 anybody asks for anything as to take something out of  
14 Title 8 has got to have a direct association with the  
15 contents and intent of Title 8.

16

17 MR. JOHNSON: That's correct. And I  
18 believe if there's a decline in the resource or if  
19 subsistence users are not getting what they need, that is  
20 to the aspects of Title 8.

21

22 CHAIRMAN THOMAS: Please proceed.

23

24 MR. JOHNSON: The first section exam is  
25 deer hunting patterns, resource population and deer  
26 management issues on POW based on interviews conducted  
27 with 34 key respondents. The key respondent data  
28 provided a systematic view of community experience with  
29 an opinion about key deer management issues. In all the  
30 key respondent interviews, questions were included in  
31 household surveys conducted in 1998 in Craig, Klawock and  
32 Hydaburg. These later data will be available in 1998. I  
33 believe that's probably adequate for the blue book.

34

35 With respect to the summaries, in summary, the  
36 deer population on Prince of Wales Island is likely to  
37 decline over time due to change in habitat capability.  
38 Wolf predation is a significant factor in the game  
39 management unit. While we have no accurate population  
40 count for deer in Unit 2 at the present time, deer pellet  
41 count data indicate that deer densities are at the low  
42 end of the 20-year range.

43

44 The data are indicative of a declining deer  
45 population in most of the areas studies. Based on deer  
46 pellet data for Unit 2, there appears to be a  
47 conservation concern for deer in this management unit. I  
48 would also reference in the handout that you received  
49 from the Department of Fish & Game, in the last  
50 paragraph. Trend analysis of pellet group data from GMU

00194

1 2 from 1990 to 2001 indicate that a slight but  
2 statistically significant decline in deer population may  
3 have occurred between 1990 and 2000. The chart you have  
4 before you, the analysis that we conducted, if you look  
5 back prior to 1990 and go all the way back to 1985 or  
6 19980, this is what the graph shows here in terms of, at  
7 least based on pellet data, that there was a decline.

8

9 Also, in summary, the overall harvest trend is  
10 ambiguous for Unit 2. The total number of deer taken and  
11 the number of deer taken for subsistence shows no clear  
12 trend. The number of deer per hunter has decreased  
13 sharply. There has been no striking change in the number  
14 of non-subsistence hunters hunting on POW Island nor in  
15 the proportion of deer they take. Subsistence household  
16 survey data do show that deer per hunter has declined in  
17 recent years.

18

19 This also held true for Ketchikan residents where  
20 67 percent agreed with the statement -- I'm sorry.  
21 Overwhelmingly, respondents in all studied communities in  
22 three study years thought that over the past five years  
23 it was taking much more time and effort to harvest deer  
24 in the areas that they hunted. This held true for  
25 Ketchikan residents where 67 percent agreed with the  
26 statement, as well as for Prince of Wales Island  
27 communities.

28

29 In summary, the hunter opinion data shows that  
30 the respondents believe that it is taking more time and  
31 effort to harvest deer on POW Island and that the island  
32 deer population is in decline and that's in the context  
33 of what they believe. That's not to say that they're  
34 saying that it is, they're just saying that they believe  
35 that it is.

36

37 A large proportion of respondents believe  
38 Ketchikan and other off-island hunters were hurting their  
39 hunting success and community deer harvests were  
40 perceived as being less than what was needed for Craig,  
41 Hydaburg and Klawock respondents for the 1997 harvest  
42 year.

43

44 Additional information starting this year, the  
45 Inter-Island Ferry Authority, which has begun taking  
46 passengers back and forth to Ketchikan, will have two  
47 daily scheduled runs from Ketchikan to Hollis each day.  
48 The effects of this would be to reduce hunting  
49 competition during August and October, November rut,  
50 providing easier opportunities for subsistence users,

00195

1 increasing the rural priority. Closing Federal lands  
2 during these two months would also be likely to reduce or  
3 may reduce the total number taken by non-subsistence  
4 users since over 50 percent of the deer are taken during  
5 this time.

6  
7 The actual reduction in non-subsistence deer  
8 harvest would likely be lower since some non-subsistence  
9 hunters would reschedule hunting trips to date during the  
10 three months when Federal land would be open.  
11 Competition between subsistence and non-subsistence  
12 hunters could increase during these three months.

13  
14 The effects of Proposal 9 on subsistence hunters,  
15 there would be less competition during the two months  
16 when the Federal land is closed to non-subsistence  
17 hunters and there would be reduced harvest of deer by  
18 non-subsistence hunters, which may result in a greater  
19 number of deer available for subsistence hunters.

20  
21 The preliminary conclusion. No recommendation at  
22 this time. The justification. After reviewing the  
23 available data, staff are unable to make a recommendation  
24 at this time. Regional Council review of the information  
25 presented in this analysis, consideration of local  
26 knowledge not summarized in this report and the public  
27 testimony and written comments that will be directed at  
28 Unit 2 deer proposals should guide the Councils  
29 recommendation. That concludes my presentation,  
30 Mr. Chairman.

31  
32 CHAIRMAN THOMAS: Thank you. Questions  
33 of the Council. Dolly.

34  
35 MS. GARZA: You covered quite a bit,  
36 David. I've had questions with this data since I first  
37 got it. Actually, how the proposal reads has been  
38 changed from the green book that was mailed out to the  
39 public that you commented on, so we'll have some issues  
40 there as a council to make sure that we're voting on what  
41 people thought they were writing comments on. However,  
42 looking at the staff report and then trying to pull it  
43 together with the errata stuff, I have questions.  
44 Because your report was so comprehensive, I want to go  
45 back and just kind of go piece by piece and make sure  
46 that we, as a council, understand the data that you're  
47 providing.

48  
49 We, as a council, need to be asking is there a  
50 conservation concern and is there a subsistence need

00196

1 concern. Those are the two basic questions we should be  
2 asking ourselves as we listen to this information so that  
3 when we make a decision, the Federal Subsistence Board  
4 understands the criteria that we used to make it.

5

6 Dave, on page 91, the Table 1, Southeast Alaska  
7 Game Regulations, Game Management Unit 2, the number of  
8 deer you could take per season has varied from one up to  
9 four.

10

11 CHAIRMAN THOMAS: The Chair will  
12 recognize a one-on-one dialogue between Ms. Garza and Mr.  
13 Johnson without going through the Chair to get through  
14 these.

15

16 MS. GARZA: Thank you. Dave.

17

18 MR. JOHNSON: That's correct, Dolly.

19

20 MS. GARZA: So, I guess when I look at  
21 this, what I see is that the population of deer on Prince  
22 of Wales generally go up and down over time and that the  
23 season bag limit for deer varies in response to the  
24 health of that population. That's the only thing I'm  
25 getting out of that table other than it's gone from  
26 Federal to State to Federal.

27

28 MR. JOHNSON: That's correct. Also, as a  
29 part of that table, it also reflects when you see a  
30 change in the season of bag limit. For example, starting  
31 in 1961, there was an antlerless season that went all the  
32 way down through until 1977 and that was during a period  
33 of time when there also was one of the more severe  
34 winters or the most severe winter I'm aware of in recent  
35 time in the early '70s. The length of the season was  
36 changed by one month. Then, if you look at your deer  
37 pellet data, again, with all the problems there are with  
38 deer pellet data, I would concede with that. If you look  
39 in 1973, '74 through '77, up until 1978, there was still  
40 an antlerless season and then in '84, '85, '86 and again  
41 in 1987, that was when there was -- and again in '88 is  
42 when, if you look at your deer pellet data, you were  
43 still seeing a decline based on that data, whereas the  
44 department reinstated a full five-month season and  
45 increased the bag limit from three back to four.

46

47 MS. GARZA: Mr. Chair, Dave. The other  
48 thing I see here is that there has been a fluctuation in  
49 the population of deer on Prince of Wales even before  
50 there was substantial logging on this island.

00197

1 MR. JOHNSON: That is correct.

2

3 MS. GARZA: Mr. Chairman, Dave. When we  
4 look at Figure 1, the figure on page 93 that John  
5 Littlefield can't read, is that information reflected in  
6 the 2001 report that you handed out on the color?

7

8 MR. JOHNSON: That is correct. If you  
9 look at your colored version, starting with the port  
10 protection page, I think it's the second page, those are  
11 the VCU's that have been surveyed over approximately the  
12 last 15 years and you'll see that the number on the left  
13 corresponds to the VCU, the value comparison unit, which  
14 is basically watersheds or drainages.

15

16 MS. GARZA: Could you give me the page  
17 again? I lost you.

18

19 MR. JOHNSON: If you look at page 4 of  
20 your handout, it's the colored map, that map corresponds  
21 to and the colors correspond to the next page and  
22 starting with 527, you'll see a 527 down there,  
23 Protection, starting at Protection, going on through the  
24 next page, and the next page.....

25

26 CHAIRMAN THOMAS: Dave, excuse me. It is  
27 brought to my attention by a Federal staffer that perhaps  
28 we should take a time out and allow for some of these to  
29 be better aligned, so it would be more presentable, more  
30 understandable. So, that being the case, we'll honor  
31 that so that we can have a better product when we get  
32 through.

33

34 MR. JOHNSON: You bet.

35

36 CHAIRMAN THOMAS: About five minutes.

37

38 (Off record)

39

40 (On record)

41

42 CHAIRMAN THOMAS: Okay. If we can find  
43 our way back to our chairs, we'll continue with the  
44 dialogue between Ms. Garza and Mr. Johnson. We just  
45 needed to take a break to make sure that we were getting  
46 the most effective information and we determined that we  
47 were. So we'll continue with the dialogue for as long as  
48 it will take, so long as it doesn't go past 1200 hours.

49 Proceed.

50

00198

1 MR. JOHNSON: Mr. Chairman, if it's okay  
2 with the wishes of the Council, I'd kind of like to let  
3 Dr. Schroeder perhaps continue some portions of this  
4 dialogue. In the interest of time, he may be able to say  
5 it quicker.

6  
7 CHAIRMAN THOMAS: Mr. Schroeder.

8  
9 MR. SCHROEDER: Mr. Chair, I think we're  
10 going in a really good direction. I called for a time  
11 out because I thought we had one left in the morning  
12 session before half-time and we don't want to go to half-  
13 time with a time out still sitting there. I think we  
14 were going in a good direction. This is a pretty  
15 complicated set of things for Council to consider. Dr.  
16 Garza was walking the Council through pretty  
17 methodically, so maybe we should just continue, Dolly,  
18 with where you were going.

19  
20 I could summarize on the pellet data. Being an  
21 anthropologist and not a wildlife biologist, I come at  
22 this from the outside. You have a couple things that the  
23 Forest Service staff has presented to you. You were  
24 discussing Figures 1 and 2 and referencing those to the  
25 deer pellet group survey document. You also had Figure  
26 3, which is one way of analyzing these data. This was  
27 simply looking at the latest count of how much of the  
28 deer pellet density against the average counts over the  
29 time period for which these are available.

30  
31 Dave also passed out this handout, which was yet  
32 another look at trying to understand these data and these  
33 showed a trend based simply on averages over the full  
34 time period for which there are data and it's a downward  
35 slope. When Forest Service is done with its  
36 presentation, we'll hear from Dr. Dave Person, who has  
37 done a more sophisticated analysis of this same data set.

38  
39 Dolly, I don't know if that does it on the deer  
40 pellet part of where we're at, but maybe we could close  
41 up on that and we'll be receiving further information  
42 from Division of Wildlife Conservation when we're done  
43 with this.

44  
45 MS. GARZA: Mr. Chair, Dave and Bob. So  
46 then in regards to mean pellet groups or deer poop, we  
47 are looking at basically three major figures or graphs.  
48 The Figure 1 and 2 is summarized in this colored map,  
49 that's my understanding, so Figure 1 and 2 we don't need  
50 to figure out how to pull out a magnifying glass and read

00199

1 it better.

2

3 I did have questions with Figure 3, latest mean  
4 pellet group content as a percent of previous mean, field  
5 surveys with four or more years of data. This is in here  
6 from the Federal Subsistence Staff analysis and I  
7 understand that ADF&G will be making a report, so I'm not  
8 sure who I should be asking these questions to. I'm just  
9 trying to get a better idea of what I'm looking at.

10

11 MR. SCHROEDER: Okay. This is a not  
12 particularly sophisticated way of trying to understand  
13 these data. What Figure 3 does is it looked at all the  
14 transects, the areas where Division of Wildlife  
15 Conservation and Forest Service had collected deer poop.  
16 It did two things. It added them up and found the  
17 average density over the whole time period and then it  
18 looked at what the most recent count was compared to that  
19 longer-term average. So it's one view of those data. As  
20 I say, we'll be hearing more about that at a more  
21 methodologically sophisticated way of looking at these  
22 data from Dr. Persons.

23

24 MS. GARZA: So then on Figure 3, all of  
25 these sites, Dave, are only Prince of Wales?

26

27 MR. JOHNSON: Actually, it's Prince of  
28 Wales and the outside islands. Again, if you'll refer to  
29 your map in your document there on the 2001 pellet data,  
30 it shows exactly where those different transects occur.

31

32 MS. GARZA: So then Figure 3, Red Bay  
33 through Kitkun Bay are all represented by one of these  
34 mostly yellow-shaded areas on the Prince of Wales map?

35

36 MR. JOHNSON: That's correct.

37

38 MS. GARZA: And then on Figure 3, Bob,  
39 when you were saying it was with four or more years, when  
40 you were saying compared to the recent data, that's only  
41 if the recent data has four or more years?

42

43 MR. SCHROEDER: That's correct, Dolly.  
44 This was a first attempt to try to see what was going on,  
45 how the most recent counts compared to the average for  
46 these areas. So, what this would say for Red Bay, that  
47 the latest count was 89 percent of this previous average.

48

49 MS. GARZA: So, by 89 percent, that would  
50 be out of 100 percent. So, in one instance we have the

00200

1 recent mean average above the historic mean average.

2

3 MR. SCHROEDER: That is correct. All the  
4 others are slightly below, which wouldn't be very  
5 significant or they're quite a bit below. So that's all  
6 that's going on in that one.

7

8 This graph -- are we ready to move to this one?  
9 This graph is very much like some information that Dave  
10 Person will be presenting. This simply looks at all the  
11 counts that were done in each year and it finds an  
12 average of those. So this is also not a real  
13 sophisticated look at it, but this is looking at each  
14 year, finding the average density, putting that on a  
15 graph and then running a line through that's the best  
16 fit. As I say, this is a not very sophisticated look at  
17 the data, but it does give you some way of better  
18 understanding some complicated numerical results.

19

20 MS. GARZA: Okay. Then, Dave, you had  
21 also referred to that blue book that you have underneath  
22 you and that looks at deer Southeast-wide?

23

24 MR. JOHNSON: No, Dolly, this is strictly  
25 on Prince of Wales Island and Ketchikan.

26

27 MS. GARZA: So then I've looked at the  
28 book because Mike Douville has it, as well as another  
29 document you have, Mike, with the deer on the front of  
30 it.

31

32 MR. DOUVILLE: Oh, that's the State.  
33 This one.

34

35 MS. GARZA: Okay. So, what I had read --  
36 the confusion I have is that in the end there's no staff  
37 recommendation. However, the summary in terms of the  
38 biology is leading me to believe that there is a decline  
39 in deer population on Prince of Wales in the long run.  
40 If you look at that in a staff analysis and then you look  
41 at it in the two documents that Mike shared with me  
42 yesterday, it was my understanding from both of those  
43 documents that there is an agreement that there is a  
44 decline or a downward trend in deer population.

45

46 MR. JOHNSON: That is correct. The data,  
47 as I've presented it and as I understand it, indicates  
48 that there is a decline.

49

50 MS. GARZA: So who did the blue book?

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1 MR. JOHNSON: The Forest Service  
2 contracted with the State to do the blue book. Mike  
3 Turek, Bob Schroeder, Robert Wolfe.

4  
5 MS. GARZA: One final question and I'm  
6 going to be asking these same questions of the State. So  
7 deer pellet is the only indication that we have in the  
8 change in deer population trends for any place in  
9 Southeast, any place in the United States or only Prince  
10 of Wales?

11  
12 MR. SCHROEDER: Dolly, again, I'm  
13 speaking as a social scientist, not as a deer biologist,  
14 but our understanding is that this would be -- the  
15 collection of deer pellet data was designed to be an  
16 independent to provide a biological assessment that was  
17 independent of other information you might have. So  
18 other information would be hunter success rates or what  
19 people in communities believe is happening with deer or  
20 modeled numbers of deer, but this is a field technique  
21 that is used to provide some indication, as Dr. Titus  
22 said earlier, of overall trends in deer population.

23  
24 CHAIRMAN THOMAS: Do we anticipate at  
25 some point to where we can collect our own data?

26  
27 MR. JOHNSON: Mr. Chairman, we currently  
28 have been collecting this data ourself. The deer pellet  
29 surveys are conducted in the spring and it's been a  
30 cooperative effort between us and ADF&G, Wildlife  
31 Conservation Division. We got into it initially in  
32 addition to deer pellet information to provide  
33 information on the deer population. It was also to take  
34 a look at what changes in habitat occur in corresponding  
35 population when you harvest timber. So that's how we got  
36 into this cooperative aspect because neither the  
37 Department nor the Forest Service has the money to, in an  
38 area like Unit 2 deer that's two million acres, to look  
39 at every single piece of ground out there to determine  
40 the exact number of deer. I'm not sure we could do it  
41 even then, but it would require a lot more money. Again,  
42 we're looking at trends over time rather than population  
43 in any given year.

44  
45 CHAIRMAN THOMAS: Well, I guess I see us  
46 filling up more offices with personnel when we could be  
47 very well putting them out in the field instead. Dolly.

48  
49 MS. GARZA: Mr. Chairman, Dave. What  
50 I've noticed is that it seems like the first three

00202

1 figures in the table and the additional data is basically  
2 focused on deer pellets. But, when I read the staff  
3 analysis, there's the issues of the declining habitat for  
4 deer on Prince of Wales due to the extensive harvesting  
5 of timber. That extensive harvesting of timber has  
6 changed the habitat from one that is initially favorable  
7 toward deer and then to the point of not being favorable  
8 to deer, as you have really tall, skinny trees crowding  
9 out any type of undergrowth, but I don't see any  
10 information on the change in habitat. I don't know if  
11 there's anything like a map we could look at in the blue  
12 document or the ADF&G document with the deer on it that  
13 could give us a better idea of what the habitat looks  
14 like for Prince of Wales.

15

16 MR. JOHNSON: One of the things I hope to  
17 have next time is a GIS analysis of all of Unit 2 that  
18 will show by age class how many acres are in the 0 to 25  
19 age class, which is less of a problem for deer than the  
20 25-year-plus category. Again, I would just point out  
21 that the analysis shows that old-growth supports 70 deer  
22 per square mile, 0 to 5 age stands of timber clear-cuts  
23 supports 40 deer per square mile, and habitat that's 25  
24 to 30 years old only supports three deer per square mile.

25

26 CHAIRMAN THOMAS: Bert has a question.

27

28 MR. ADAMS: Thank you, Mr. Chairman. I  
29 think Dolly asked a couple questions earlier that I can  
30 probably shed some light on and one of them was does deer  
31 pellet just apply to Prince William Sound and we did a  
32 deer pellet survey in Yakutat several years ago. The  
33 other question was who does it. The Forest Service  
34 spearheaded it and they worked with the tribe and we  
35 hired a couple tribal members to learn how to do that. I  
36 think that's how we handle it up there. Deer population,  
37 for your information, in Knight Island particularly is  
38 pretty much like it is in Prince William Sound. Thank  
39 you.

40

41 MS. GARZA: POW, not Prince William  
42 Sound. Anyway, that's okay. It's good to hear that  
43 there are tribal people involved with deer counting and  
44 maybe that's something we need to do with Prince of  
45 Wales. But back to my tirade. Bob Loescher just walked  
46 in, so maybe he can help me. Can we get a hold of a map  
47 of Prince of Wales that will show us how much of the  
48 island has been harvested by Forest Service as well as by  
49 private land owners?

50

00203

1 MR. LOESCHER: Mr. Chairman. Yes, but it  
2 will be two maps, not one.

3

4 MS. GARZA: Can we get two maps then?

5

6 MR. LOESCHER: Yes.

7

8 MS. GARZA: Is that something that  
9 Sealaska could do for us over lunch? Does Forest Service  
10 have that somewhere in their back pocket?

11

12 MR. LOESCHER: I'm not sure. It would  
13 take a little while to get this stuff.

14

15 CHAIRMAN THOMAS: Well, this  
16 organization, we don't use time. We have no time lapse.  
17 Back of the room.

18

19 UNIDENTIFIED SPEAKER: I've got a relatively  
20 small one hanging on my wall I could bring in after  
21 lunch. It integrates both Federal and non-Federal lands.

22

23 CHAIRMAN THOMAS: I like that better  
24 because we're bowing out of proportion now and I want to  
25 bring it back down to size. John, then Patty.

26

27 MR. LITTLEFIELD: Thank you, Mr. Chair.  
28 You'd asked a question earlier where is ANILCA in this  
29 and there are three sections in ANILCA and they're all  
30 consisted in talking about the continued viability or  
31 conservation concern and we hear that mentioned a lot,  
32 but there is also in those three sections the continued  
33 use of subsistence users. In this case, this would be  
34 the residents that have a positive C&T that are listed in  
35 the book. So we can look at these and I have the same  
36 concerns that Dolly mentioned earlier.

37

38 I looked through this book and I highlighted a  
39 bunch of stuff in here starting on page 92 under the deer  
40 pellet group. There you have deer populations on Prince  
41 of Wales appear to be at the low end of the scale.  
42 Toward the end of that paragraph, it says this data is a  
43 strong indication that the deer population in Unit 2 is  
44 in significant decline. The next page, 95, it says based  
45 on deer pellet data for Unit 2, there appears to be a  
46 conservation concern for deer in this management unit.  
47 If we flip to your no recommendation on page 108 where  
48 you have no recommendation on this even though the tribal  
49 government said that they were not getting what they  
50 intended, what they needed to get to continue their use,

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1 and in the second paragraph you say that deer pellet  
2 again is in decline. There may be a resource concern, so  
3 I'm somewhat puzzled why there's no recommendation at  
4 this time because it seems fairly clear to me.

5

6 CHAIRMAN THOMAS: Dave.

7

8 MR. JOHNSON: Thank you, Mr. Chair.  
9 John, again, I want to reiterate the three types of data  
10 that you have may have different interpretations, so in  
11 terms of what you see may not, in fact, be what it is.  
12 The analysis was based on strictly as it appears in the  
13 reports from both the State and both in the blue booklet  
14 as what it appears. Again, the interpretation of that  
15 data, I think you'll hear more about that at some point.

16

17 MR. LITTLEFIELD: Mr. Chair.

18

19 CHAIRMAN THOMAS: John.

20

21 MR. LITTLEFIELD: I specifically did not  
22 bring up the household survey data because I believe Mr.  
23 Schroeder is going to address that, but, again, clearly  
24 the respondents felt that there was a decline and I hope  
25 we're going to -- we're going to hear more information on  
26 that, but I didn't ask. It was only on your  
27 presentation.

28

29 MR. JOHNSON: The term significant is a  
30 term that I used. That is not a term from the literature  
31 or from the analysis. It was based on my observation.  
32 What probably would have been a better statement is these  
33 data are a strong indication that the deer population in  
34 Unit 2 is in decline. So, to clarify that one. The  
35 second one you requested was on what page again, John?

36

37 MR. LITTLEFIELD: There were three of  
38 them, starting on 92. The center of it, "Deer  
39 populations on Prince of Wales appear to be at the low  
40 end of the scale based on twenty years of trend counts."

41

42 MR. JOHNSON: That is a quote from the  
43 report that you have in front of you, this report here of  
44 Kirchhoff's, the deer pellet report, from the State. If  
45 you look on page 3, the third page in, the results of the  
46 2001 deer pellet survey. This report summarized the deer  
47 pellet group survey work conducted by the Alaska  
48 Department of Fish & Game and the United States Forest  
49 Service in 2001. Pellet group data are used by  
50 biologists to monitor deer population trends in specific

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1 watersheds throughout the region, et cetera. If you look  
2 down at Unit 2, it states, and I quote, "Prince of Wales  
3 Island. During 2001 seven VCUs were surveyed in Unit 2.  
4 Two were about the same from the previous year surveyed,  
5 and five were lower." This next statement is based on  
6 the total available data from roughly 1985 to now. "Deer  
7 populations on Prince of Wales appear to be at the low  
8 end of the scale based on twenty years of trend counts."  
9 That, again, gets back to your map on the next page which  
10 shows the yellow and orange, yellow being low. Again,  
11 you need to understand that low is a certain number of  
12 deer pellet groups per plot, and very low, and then there  
13 is the medium. If you look throughout all of Unit 2,  
14 there are only a couple of locations that are in the  
15 medium. The rest are in the low or very low based on  
16 ADF&G's 2001 deer pellet report.

17

18 CHAIRMAN THOMAS: John.

19

20 MR. LITTLEFIELD: The second one was at  
21 the end of that paragraph on page 92 that says, "These  
22 data are a strong indication that the deer population in  
23 Unit 2 is in significant decline." Then continuing to  
24 the next paragraph, the last line there says, "Based on  
25 deer pellet data for Unit 2, there appears to be a  
26 conservation concern for deer in this management unit."

27

28 MR. JOHNSON: Again, that comment was  
29 based on my observation of the data that was presented  
30 from ADF&G's 2001 report. It appears that if in all of  
31 Unit 2 there are only two locations that are in the  
32 medium and the rest of the unit overall is either low or  
33 very low, I consider that to be significant. Whether or  
34 not that really is is debatable, so I want to qualify  
35 that. That was my comment.

36

37 The next one is that, again, this also is part of  
38 that same quote. While we have no accurate population  
39 count for deer in Unit 2 at the present time, deer pellet  
40 count data indicate that deer densities are at the low  
41 end of the 20 year range, according to the State's  
42 report. Indicative of a declining deer population,  
43 getting back to Mr. Schroeder's report, if you look at  
44 how the data are plotted, there is a decline, a  
45 continuing decline. Based on the deer pellet data alone,  
46 there appears to be a conservation concern. Whether or  
47 not there is, that's the part we're here to talk about.  
48 In clarifying that, those were my comments in the context  
49 of the available data that we had both from this  
50 particular chart that was graphed out or this figure and

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1 ADF&G's deer pellet report.

2

3 Also, it also states the same thing in the  
4 synopsis that you have. This is a synopsis from Dr. Kim  
5 Titus that was done as a result of the meeting we had  
6 that Dolly was involved with and the cast of thousands  
7 that I mentioned. If you look at the last paragraph, and  
8 this is before we had the additional analysis done by Dr.  
9 Person, who will present that later, the more  
10 sophisticated analysis, it states trend analysis of  
11 pellet group data from GMU 2 from 1990 to 2001 indicate  
12 that a slight but statistically significant decline in  
13 deer population may have occurred between 1990 and 2000.  
14 I want to point out again that did not go into the 1980s,  
15 it was only a 10-year period for that, but that also  
16 showed a decline.

17

18 CHAIRMAN THOMAS: I got lost in the haze  
19 of things. I didn't recognize Patty. I did, but then I  
20 forgot again. Sorry about that.

21

22 MS. PHILLIPS: That's all right. He  
23 needed to finish. Chairman Thomas, Mr. Johnson. Page 90  
24 and 92, there's discussion about deer population status  
25 habitat. In my opinion, it minimally identifies the  
26 effects of Forest Management practices on the viability  
27 of deer population. Are there alternatives to clear-cuts  
28 in future timber harvest sales on Prince of Wales Island?  
29

30 MR. JOHNSON: The Forest Service has gone  
31 to a variety of different kinds of harvest methods now.  
32 The selective tree harvest and smaller clear-cuts. To  
33 answer your question, yes, there's a number of kinds of  
34 culture practice, harvest practices that can be done in  
35 lieu of clear-cutting.

36

37 MS. PHILLIPS: Can we done or are going  
38 to be done on Prince of Wales Island?

39

40 MR. JOHNSON: Patty, with all due  
41 respect, if you fly over Prince of Wales Island and the  
42 adjacent islands, you will see very quickly that there  
43 are not a lot of opportunities to do any types of  
44 harvest. I'm not saying it's all been cut. The  
45 wilderness area to the southeast is a large block of  
46 unharvested timber. The outside islands have certain  
47 protections under different land use classification. We  
48 are currently doing some helicopter logging, yes.

49

50 CHAIRMAN THOMAS: By God, we're going to

00207

1 get the last one there. Patty.

2

3 MS. PHILLIPS: Are there thinning and  
4 second growth management taking place and going to take  
5 place on Prince of Wales Island?

6

7 MR. JOHNSON: Yes, there is thinning  
8 taking place, but it's akin to trying to get all the sand  
9 off the beach using a teaspoon because the amount of  
10 acreage that we have that's in second growth and the  
11 amount of funding to do second growth is -- we're still  
12 receiving an insignificant amount of money.

13

14 Secondly, the types of thinning and the spacing  
15 of thinning can have a dramatic effect on the benefits to  
16 wildlife, so there's a whole range of are we going to  
17 manage this now for future timber production or are we  
18 going to manage this for future deer habitat. So we're  
19 trying to look at balances on that.

20

21 CHAIRMAN THOMAS: I think Mr. Kanen had  
22 something to offer. Dale, did you? Even if you didn't,  
23 bless us with something.

24

25 MR. KANEN: Dave needs a rest. My name  
26 is Dale Kanen. I'm the district ranger in Craig, so I'm  
27 responsible for the southern half of the island. With  
28 respect to thinning and second growth management in the  
29 latest proposals for economic stimulus packages that went  
30 back to DEC, I believe there was around three million  
31 that would go just for additional thinning. I think 75  
32 percent of the thinning that occurs on the Tongass occurs  
33 on Prince of Wales Island because of the amount of  
34 harvest that has taken place there in the past.  
35 Typically, we're looking at stands that are somewhere  
36 between 15 and 20 years old when we thin.

37

38 Working with AFN a little bit, we also included  
39 in the supplemental appropriation language authority to  
40 use those thinning dollars, if we wanted, and if the  
41 Native corporations were agreeable, to use those National  
42 Forest dollars for thinning second growth on the Native  
43 corporation lands as well, which is critical to the  
44 overall habitat for Prince of Wales Island. There are  
45 roughly, out of that two million acres, approximately  
46 300,000 acres are Native corporation lands. So we're  
47 trying to approach it comprehensively in terms of second  
48 growth management. Whether or not those thinning dollars  
49 go into thinning for wildlife or thinning for value or  
50 volume, there's no stipulation there.

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1 CHAIRMAN THOMAS: Patty.

2

3 MS. PHILLIPS: Mr. Kanen, is there  
4 identified wildlife corridors from old-growth patch to  
5 old-growth patch?

6

7 MR. KANEN: I think in the more recent  
8 work, yes. Currently, we do have a mix of cable and  
9 helicopter occurring on National Forest lands.

10

11 MR. JOHNSON: Patty, we also have  
12 identified in some of the older harvest over in Poke  
13 Inlet travel corridors from Saltwater up to Alpine and in  
14 some of those areas we've done some experimental permit  
15 opening or forest openings to see if we can get back some  
16 of the conditions that were in the old-growth condition.

17

18 CHAIRMAN THOMAS: Well, I don't know  
19 about you guys, but I'm kind of weary of Mr. Johnson. So  
20 we're going to take an hour and a half break and see if  
21 we can tolerate him sometime later in the day.

22

23 (Laughter)

24

25 So we'll reconvene at 1:31.

26

27 (Off record)

28

29 (On record)

30

31 CHAIRWOMAN GARZA: So where we finished  
32 before lunch, I think we were fairly wrapped up with the  
33 staff analysis on the biology part and we needed to go to  
34 the staff analysis on the social part. So, Mr.  
35 Schroeder, are you going to cover that for us?

36

37 MR. SCHROEDER: Yes, Dr. Garza. I'd just  
38 like to check for the choreography. Dave or Kim, is this  
39 the time the State would like to go over the biology and  
40 the deer pellet data or should we hold that until we go  
41 through these other items?

42

43 CHAIRWOMAN GARZA: I think it was the  
44 intent of the Council to finish the staff report and go  
45 to social and then we would go to ADF&G.

46

47 MR. SCHROEDER: Ms. Chair, if that's the  
48 wish of the Council, I'll proceed. I think further  
49 discussion with the other data in here hopefully will be  
50 a little less confusing than what we've been going

00209

1 through on the deer pellet data. Deer pellet data is  
2 inherently confusing, Dave.

3

4 Looking at hunter harvest trends, I think  
5 probably the best thing is just for us to eyeball the  
6 various graphs that we have in here. If Council members  
7 would look at Figure 4 on page 96, this is the total deer  
8 harvest in GMU 2 over a 17-year period. That's the time  
9 period for which we had data. These data are from the  
10 deer harvest ticket reports, the mail-out survey that's  
11 done by Division of Wildlife Conservation. These data do  
12 fluctuate from year to year as all of you know. Some  
13 years are much better for deer harvest than others.  
14 There may have been some population fluctuations over  
15 this 17-year time period, but we basically see no trend  
16 in these data, so we neither see that harvest is  
17 increasing or decreasing. Your best bet is your harvest  
18 is about the same.

19

20 We also looked at Figure 5 and we're asking you  
21 to substitute in the figure that Dave Johnson -- excuse  
22 me. Questions.

23

24 MR. LITTLEFIELD: In the book that I'm  
25 looking at, it says 1880 and 1883. I assume -- no, I  
26 shouldn't assume anything, but was that 1980 and 1983?

27

28 MR. SCHROEDER: John, it would be really  
29 great to get data from the 1800's. I'm not sure where  
30 you're looking. Is there a typo in there?

31

32 MR. LITTLEFIELD: Page 95.

33

34 MR. SCHROEDER: Oh, excuse me, John.  
35 That's the number of deer that were taken in that year.  
36 The number by the diamond is the number of deer that were  
37 taken in that year. That's our best estimate.

38

39 MR. LITTLEFIELD: Okay. 1,880 is the  
40 number of deer in 1994.

41

42 MR. SCHROEDER: That would be correct.

43

44 CHAIRWOMAN GARZA: 1984.

45

46 MR. SCHROEDER: It would be 1,883 deer  
47 taken in 1997, according to this data source. Can I move  
48 on to the next figure? This was going to be the data  
49 that wasn't confusing. I'd like you to look at the  
50 handout and staff apologizes for the printing Figure 5 in

00210

1 the book incorrectly. We had two bad data points in  
2 there that were misleading.

3

4 New Figure 5, which is this one, this one looks  
5 at the number of deer per successful hunter. This is  
6 kind of another look at this data. We looked at how many  
7 hunters were out there, how many deer did they get and  
8 then we drew a trend line, so the line going across shows  
9 some fluctuation at around two deer per hunter, but we  
10 see no trend in those data, so these data don't show that  
11 hunters are getting fewer deer. Do you have any  
12 questions about that one? Hearing none.

13

14 Figure 6 is looking at 10-year trends for who's  
15 getting the deer in GMU 2, so this basically breaks out  
16 the Federally-qualified subsistence harvest and the urban  
17 harvest. In GMU 2, the urban harvest would be made up  
18 primarily of hunters from the Ketchikan city and borough.  
19 So this is a cut. On the total number of deer taken in  
20 each of those years, the lighter colored bar would be  
21 subsistence deer and the black bar would be the number of  
22 deer we believe -- excuse me. These are the number of  
23 hunters. We don't see a real trend in the proportion of  
24 hunters that are urban. The line with the triangles on  
25 it shows the proportion of hunters who were urban hunters  
26 of all hunters in GMU 2 and that varies from 30 percent  
27 up to about 40 percent in some years according to this  
28 data. So this is number of hunters.

29

30 CHAIRWOMAN GARZA: Bob. So on Figure 6,  
31 those are actual numbers or estimated actual numbers.

32

33 MR. SCHROEDER: Ms. Garza, these are  
34 estimated numbers. These are from the best data source  
35 we have, which is the mail-out survey. Excuse me. The  
36 number of hunters would be from harvest ticket records,  
37 so people who got harvest tickets have to put place of  
38 residence.

39

40 CHAIRWOMAN GARZA: So this would not  
41 represent people who have gotten a ticket but didn't turn  
42 anything back in because they didn't get anything.

43

44 MR. SCHROEDER: I think I misstated that.  
45 These would be people who bought licenses, got deer tags.  
46 We're just talking about numbers. Excuse me. Let me  
47 contradict myself again. These would be people who  
48 reported hunting, so let's settle on that one.

49

50 CHAIRWOMAN GARZA: So then these are the

00211

1 guys who got a deer ticket, got at least one deer and  
2 turned their ticket back in.

3

4 MR. SCHROEDER: Or reported some hunting  
5 there.

6

7 MR. LITTLEFIELD: And Figure 6, is that  
8 the one that's the 24 percent upward trend in total  
9 numbers of hunters? The average number of hunters has  
10 increased 24 percent. Is that a correct statement for  
11 Figure 6?

12

13 MR. SCHROEDER: I believe that's correct.  
14 Can you help me on that, Dave? I think this is shown in  
15 the table further on. Can we hold on that until -- can  
16 we get through these and then get back -- if we don't  
17 answer that question or we haven't succeeded in confusing  
18 everyone so you forget the question, we'll come back to  
19 it.

20

21 MR. LITTLEFIELD: Madame Chair.

22

23 CHAIRWOMAN GARZA: Yes.

24

25 MR. LITTLEFIELD: The reason I'm asking  
26 these is because I'm trying to put a significant point on  
27 every one of these graphs as we go through, if it's up or  
28 stable or whatever. If you could maybe summarize those,  
29 it might help us to put a little mark on these graphs as  
30 you run through them of what the point you're trying to  
31 make.

32

33 MR. SCHROEDER: Basically, these data  
34 don't show a strong trend to my eyes, the data on Figure  
35 6, so this doesn't show a sharp rise or decline within  
36 the levels of estimation we're talking about. Can I move  
37 to Figure 7? Hearing no objections.....

38

39 MR. LITTLEFIELD: Madame Chair.

40

41 CHAIRWOMAN GARZA: Yes.

42

43 MR. LITTLEFIELD: I don't agree with that  
44 point, I guess is what I'm saying. I interpret Figure 6  
45 as showing -- the way you would do that is add these bars  
46 together and when you add the total number of hunter  
47 together, it shows a 24 percent upward amount of the  
48 number of hunters, so I think that is a significant  
49 number, not insignificant, and it is a certain trend.

50

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1 CHAIRWOMAN GARZA: Dave.

2

3 MR. JOHNSON: Dolly and Dr. Schroeder. I  
4 think there's also another errata in Figure 7. If you  
5 look at the legend, it shows urban harvest versus  
6 subsistence. I think that's just in reverse. If you  
7 read on the next page that Figure 7 shows subsistence and  
8 other deer harvest for Unit 2. Non-subsistence harvest  
9 accounted for about 30 percent. Does that sound correct?

10

11 MR. SCHROEDER: Let's wait until we get  
12 to Figure 7. We're still on Figure 6.

13

14 MR. JOHNSON: Oh, I'm sorry.

15

16 MR. SCHROEDER: Ms. Chair, John. We'll  
17 be giving you the gory details a little bit later on.  
18 That's why I was asking you to hold on that question.  
19 We've got a table in there, too. If I can do Figure 7,  
20 the left scale on there is number of deer harvested, so  
21 the bottom bar shows -- the line with a square on it  
22 shows the number of deer taken by urban residents,  
23 according to these data. The upper bar shows the number  
24 of deer taken by subsistence harvesters and the dotted  
25 line goes over to the right-hand part of this graph and  
26 it shows the proportion of deer taken by non-subsistence  
27 hunters, so that's somewhere -- the intersect is around  
28 30 percent, so you can see it goes somewhere between 29  
29 and 32 percent of the deer in GMU 2 had been taken by  
30 urban residents over this 10-year time period.

31

32 CHAIRWOMAN GARZA: Bob, if I'm comparing  
33 Figure 6 and Figure 7, Figure 6 shows me the total number  
34 of harvesters that have taken at least one deer and  
35 Figure 7 shows the total number of deer taken by all  
36 harvesters by either urban or rural.

37

38 MR. SCHROEDER: I believe that's true.  
39 At some later point, Dave can clarify that that's what we  
40 have in Figure 6. In Figure 7, the trend would be  
41 basically there's no strong trend there. The proportion  
42 of deer taken by urban residents has been essentially the  
43 same. Statistically, it's the same. It shows a slight  
44 decline. You'll also see that there is variation of  
45 total harvest, which we've also shown earlier.

46

47 Also relevant to this discussion is Table 2 and  
48 this shows an estimate based again from the harvest  
49 ticket data, the estimated number of total hunters and  
50 successful hunters from these different user groups who

00213

1 would have hunted in this game management unit. We see  
2 no particular trend in these data, although, John, you  
3 will note this is where you can see where your increase  
4 is and that you do have some increase in the total number  
5 of hunters. I think this is better data for you to look  
6 at to see that there are a higher -- these data estimate  
7 a higher number of hunters in 2000 than in 1991.

8

9 If I can summarize this set of data, we basically  
10 see that the total number of deer taken and the number of  
11 deer taken through subsistence doesn't show a clear  
12 trend. We have an error there. The number of deer per  
13 hunter really hasn't changed. We have an error on our  
14 table.

15

16 CHAIRWOMAN GARZA: What page?

17

18 MR. SCHROEDER: I'm reading on page 100,  
19 the summary. We have one sentence in there, the third  
20 sentence there, the number of deer per hunter has  
21 decreased sharply. That's incorrect. When we put in the  
22 correct data, we don't see a trend there. We don't see a  
23 striking change in the number of non-subsistence hunters  
24 or the proportion of deer they take.

25

26 We now need to look at household survey data, if  
27 I can move to that. It's probably easiest to look at  
28 Table 3. Again, this is a little opaque to try to figure  
29 it out. What I'd like you to look at, these data come  
30 from household surveys conducted by the Division of  
31 Subsistence with cooperation of POW communities. The  
32 1987 data that you'll note is from the famous truck (ph)  
33 study, the study everyone loves to hate. The other three  
34 studies are '97, '98 and '96 were different survey years,  
35 so that's when the surveys were done gathering data for  
36 those years.

37

38 Probably the thing to look at here, we were  
39 interested to see if these surveys showed -- we only had  
40 two data points for each community. We've got 1987 and  
41 then we either have '97, '98 or '96. We wanted to see  
42 whether the deer harvest per capita went up or down or  
43 stayed about the same. So just looking -- this is kind  
44 of a hard one to read. If we looked across Craig, deer,  
45 1987 pounds was 40.6, 1997 pounds is 43.7. This is on  
46 page 102.

47

48 Let me do that again. If we looked across on the  
49 line for Craig here, deer, under 1987 these data showed  
50 40.6 pounds per deer per capita in that year. In 1997,

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1 it showed 43.7 pounds per capita for deer. You can do  
2 this down the line. For Klawock, it would be 45 and 47.6  
3 pounds. Hydaburg, 42.8 and 34.6, et cetera.

4

5 These data, there's a little bit of variation.  
6 From the point of view of being a researcher, you'd  
7 expect there to be differences from year to year. There  
8 is no clear trend in these data that show the harvest is  
9 decreasing. We will point out that a number of  
10 communities by this estimation show an increase in deer  
11 harvest, specifically Point Baker, Port Protection --  
12 excuse me. Port Protection, according to this data  
13 source, goes up. Point Baker goes down a little bit and  
14 there may be another community in there that shows some  
15 increase in deer harvest. Coffman Cove goes up a little  
16 bit. Kasaan also goes up a little bit.

17

18 These numbers -- if you think of Kasaan, the  
19 numbers could be pulled around quite a bit in small  
20 communities simply by having one hunter who is really  
21 successful that year or present in the community. The  
22 other direction could be that a couple of hunters moved  
23 away from Point Baker. This table doesn't tell you that  
24 things are getting better, it doesn't tell you things are  
25 getting worse.

26

27 We also checked 1987 was a pretty good year for  
28 deer harvest. If anything, we might have expected that  
29 harvest would be less in that year because that was a  
30 good year for harvesting deer in southeast Alaska. So,  
31 our summary would be that those data don't show that deer  
32 per household has decreased.

33

34 The next set of data to consider are the survey  
35 questions. After the last intense look at deer on Prince  
36 of Wales, Forest Service and Department of Fish & Game,  
37 Division of Subsistence did a number of studies to try to  
38 provide better information on deer harvest. Included in  
39 those studies, Dave Johnson referred to a series of key  
40 respondent interviews that were done by Mike Turek and  
41 written up and submitted and presented to Regional  
42 Advisory Council. Those interviews came up with a set of  
43 key questions that seemed interesting to ask to residents  
44 of Prince of Wales in the next round of household  
45 surveys.

46

47 Table 4, Table 5 and Table 6 present the outcome  
48 of those survey questions. So these were questions that  
49 were added on to a harvest assessment survey. People  
50 first talked about all the deer they got, salmon, seals,

00215

1 et cetera, and then there was a small set of questions  
2 that dealt with deer. I just put in the answers to those  
3 questions. So just looking at those, looking at Table 4,  
4 the years are different and the questions very slightly  
5 because of what survey year they were done.

6

7 The 1988 survey questions were administered to  
8 Craig, Klawock and Hydaburg. The first question asks  
9 about the time and effort needed to harvest deer and the  
10 areas you hunt based on your household's hunting  
11 experience in the previous five years.

12

13 CHAIRWOMAN GARZA: So that was '98.

14

15 MR. SCHROEDER: This was '98. The survey  
16 was done in '98. It would correspond to -- in Table 3,  
17 we talked about 97 pounds. You do a survey in '98 and  
18 you ask people about the previous year, so that's why  
19 those years are that way. The Council can review the  
20 responses to this. Overall, Craig, Hydaburg and Klawock  
21 showed real uniformity in the large majority of  
22 respondents in each of those communities believes it  
23 takes somewhat more or much more time and effort to get  
24 deer.

25

26 Another question asked about what people thought  
27 was happening to the deer population on Prince of Wales,  
28 whether it increased, was stable or declining. Again,  
29 talking about areas where they hunted over the previous  
30 five years. These data show the respondents thought it  
31 was declining. You can see the exact figures. A large  
32 majority thought it was declining.

33

34 The next question was on there to -- perhaps it  
35 wasn't as fairly worded as it could be. I'm not totally  
36 pleased with this at this moment, but it asked about the  
37 impact of Ketchikan hunters and not Prince of Wales  
38 hunters under household deer hunting success.

39

40 The next question, which was only asked in Craig,  
41 Klawock and Hydaburg, asked to what extent did the deer  
42 harvest in 1997-98 meet your community's need for deer.  
43 For some reason, this was truncated again. This printed  
44 copy, the figures for that were for Craig, Hydaburg and  
45 Klawock. In Craig, 52 percent thought that the deer  
46 harvest was somewhat lower or much lower than community  
47 needs.

48

49 CHAIRWOMAN GARZA: What page are you on?

50

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1 MR. SCHROEDER: I'm on 103 and we have  
2 one more staff error in not giving you the numbers here,  
3 so I can just give them to you verbally and I apologize  
4 for that.

5  
6 MR. LITTLEFIELD: That was 52 percent  
7 somewhat or what was it?

8  
9 MR. SCHROEDER: The question frame was to  
10 what extent did the deer harvest in the 1997-98 season  
11 meet your community's need for deer. These communities  
12 did say they had some problems. Craig thought in the  
13 somewhat lower and much lower category, 52 percent; 46  
14 percent thought it was adequate. In Hydaburg, 27 percent  
15 thought it was adequate; 46 percent, somewhat lower; and  
16 23 percent, much lower. In Klawock, 35 percent,  
17 adequate; 35 percent, somewhat lower; and 27 percent,  
18 much lower. So these are attitude questions. These are  
19 asking people's opinions. Yes, sir.

20  
21 MR. TITUS: Ms. Chair.

22  
23 CHAIRWOMAN GARZA: Yes.

24  
25 MR. TITUS: Could you just give me the  
26 percentage of much lower and somewhat lower so I only  
27 have to write one number?

28  
29 MR. SCHROEDER: Sure. For Craig,  
30 somewhat lower and much lower, 32 and 20 percent, 52  
31 percent total. Hydaburg was 69 percent and Klawock was  
32 62 percent. You probably have some questions about these  
33 three tables. Can I go through the three of them and  
34 then deal with any questions? Okay.

35  
36 A year goes by and Division of Subsistence staff  
37 get out to Coffman Cove, Edna Bay, Hollis, Kasaan,  
38 Naukati Bay, Thorne Bay, and Whale Pass.

39  
40 CHAIRWOMAN GARZA: So you're on Table 5.

41  
42 MR. SCHROEDER: I'm on Table 5 on page  
43 104. We're now asking again about how much time and  
44 effort is needed to harvest deer in these areas. You'll  
45 note that this became -- people only got three choices  
46 there; less, same or more. In the previous one, we had  
47 five choices. Now we're down to three choices. You can  
48 see the data of people in all the communities appear to  
49 be tilted toward believing that it took them more time  
50 and effort to harvest deer, reflecting a household's deer

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1 hunting experience in the last five years.

2

3 The next question was the same question as asked  
4 in the previous year about whether people thought the  
5 population was stable, increasing or declining. Some  
6 portion of the people think the population is stable. In  
7 Hollis, about 50 percent of the people thought the  
8 population was stable. It's split there between  
9 increased and declined. I'm not going to go through and  
10 read these exactly.

11

12 We did ask about whether Ketchikan hunters and  
13 non-Prince of Wales hunters were having a negative impact  
14 on their household's deer hunting success and that became  
15 a yes and no. The majority of people in these  
16 communities basically said yes. A substantial minority  
17 said no.

18

19 This year also included a question concerning  
20 nutritional reliance on deer. Members of all communities  
21 had either some or high reliance on deer. So that  
22 completes Table 5.

23

24 Table 6, on page 105, you can see we're asking  
25 fewer and fewer questions. This time respondents in  
26 Ketchikan, Craig and Klawock were asked the question  
27 about the time and effort. Ketchikan was added because  
28 after the last discussion a few years ago of deer hunting  
29 on Prince of Wales, Division of Subsistence undertook  
30 work funded by Forest Service with Ketchikan hunters as  
31 well. So there was a survey in the year 2000 that  
32 covered Ketchikan and Craig and Klawock. These data  
33 pretty corroborate for Craig and Klawock the earlier  
34 information, although a higher proportion of people in  
35 Craig and Klawock are in the more category. It was  
36 interesting to find out that of the Ketchikan hunters  
37 interviewed, 67 percent thought it was taking more time  
38 and effort to get deer on Prince of Wales based on their  
39 experience over the past five years.

40

41 The second question asked in that set was asking  
42 what people's opinion was of the deer population on  
43 Prince of Wales Island in areas that they hunted and the  
44 results are presented there. All three samples, the  
45 majority of the people thought that it was declining.  
46 So, in summary, the hunter opinion data showed  
47 respondents believed it was taking more time and effort  
48 to harvest deer on Prince of Wales Island and that the  
49 island deer population is in decline. A large proportion  
50 of respondents believe Ketchikan and other off-island

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1 hunters were hurting their hunting success. Community  
2 deer harvests were perceived as being less than what was  
3 needed for Craig, Hydaburg and Klawock respondents for  
4 the 1997 year. That's what I've got for this set of  
5 information. If you have any questions or discussions,  
6 either I could answer them or Mike Turek, who actually  
7 did most of the work on these things.

8

9 CHAIRWOMAN GARZA: Will someone from  
10 staff be reporting on Figure 8?

11

12 MR. SCHROEDER: Ms. Garza, I can report  
13 on Figure 8. This proposal requested a closure of  
14 Federal lands to non-subsistence users during certain  
15 months. Figure 8 shows the percent of total deer harvest  
16 by month, looking back over five years. The top part  
17 shows the proportion of deer taken by all hunters, so  
18 that's the proportionality of deer in GMU 2. So, looking  
19 at that, this would say in September, 14 percent of the  
20 total number of deer were harvested in that month. This,  
21 again, is based on Division of Wildlife Conservation  
22 mail-out surveys.

23

24 Part B shows the seasonality for the residents of  
25 Game Management Unit 2 based on the returns to the mail-  
26 out survey conducted by Department of Fish & Game. These  
27 data were presented so that we could evaluate the effect  
28 of closure. That's all I've got on these data sources,  
29 Madame Chair.

30

31 CHAIRWOMAN GARZA: Thank you, Bob. The  
32 last page of the staff analysis is a preliminary  
33 conclusion and we mentioned earlier that there was no  
34 recommendation. That was something that at least one  
35 Council member voiced concern about, was there a clear  
36 answer as to why there was no recommendation from staff.  
37 Bob.

38

39 MR. SCHROEDER: Madame Chair. This was  
40 my first time through this process. These staff analyses  
41 were reviewed. We received comments. We had some  
42 problems earlier on with the proposal being mislisted in  
43 the proposal book that went out. This not only  
44 inconvenienced the public, but it inconvenienced the  
45 staff from other agencies who commented on this proposal.  
46 In going through the process of deciding on a  
47 recommendation, the staff committee basically felt that  
48 there were data pointing in a number of directions and  
49 suggested that there should not be a recommendation at  
50 that time. I think Ken Thompson may add to that since

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1 he's a staff committee member.

2

3 MR. THOMPSON: Madame Chair. Bob has  
4 said it pretty succinctly. The staff committee has not  
5 taken any action on this. We have not discussed what our  
6 recommendation will be for obvious reasons, because we  
7 put a lot of reliance on what the Council recommendation  
8 is. So all we've done is reviewed that staff analysis at  
9 that time, made some suggestions about how it should be  
10 cleaned up to make it hopefully more understandable by  
11 you all and, as part of that, our recommendation was that  
12 the data is really relatively inconclusive and that we  
13 should not lead the Council in some direction for a  
14 conclusion that is not warranted. That's why we  
15 suggested that the staff analysis show staff  
16 recommendation of no conclusion at this time.

17

18 CHAIRWOMAN GARZA: Bob and then John.

19

20 MR. SCHROEDER: I'd just add, Madame  
21 Chair, that we didn't have the opportunity to discuss the  
22 real key data has to do with what's going on biologically  
23 out there from deer pellet information. I think all  
24 staff, Federal and State staff, were pretty much in  
25 agreement on the other data sources, since they are what  
26 they are. They say what they say.

27

28 We've had numerous discussions over the last few  
29 weeks on trying to figure out what to do with deer pellet  
30 data and my colleagues from Department of Fish & Game  
31 will be talking about recent analysis that they've been  
32 able to do there. When this book went to print, which  
33 was a while ago, even though you people only received  
34 your copies yesterday morning or day before yesterday, we  
35 weren't as far along in that analysis, so that's also  
36 another confining factor to this recommendation.

37

38 CHAIRWOMAN GARZA: John first and then  
39 Bill. John.

40

41 MR. LITTLEFIELD: Thank you, Madame  
42 Chair. I think these three tables were nice. I didn't  
43 like the fact that they were all different communities  
44 and asking different questions, but it's real clear that  
45 even in Ketchikan, as well as every group on Prince of  
46 Wales, they believe that the deer population is  
47 declining. Every one of the communities has that same  
48 thought and every one of them has the same thought that  
49 it's harder to get a deer there and I think it's  
50 important. This Council has deferred in the past to

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1 local residents and traditional knowledge quite a bit for  
2 making previous decisions. So, along with the deer data,  
3 pellets, I guess we'll make our decision. But that was  
4 very clear to me. I just wanted to point that out.

5

6 CHAIRWOMAN GARZA: Thank you, John.

7 Bill.

8

9 MR. THOMAS: Thank you, Madame Chair.

10 When we broke for lunch, I was sure we were going to come  
11 back and move right into department presentations. We're  
12 an hour into the afternoon now and the department still  
13 hasn't come to the table. It seemed like an urgent thing  
14 early this morning. I can't help believe that it's more  
15 urgent now. I think we should get to the department as  
16 soon as we can.

17

18 CHAIRWOMAN GARZA: Mr. Thomas, I had  
19 asked for the completion of the staff analysis before we  
20 do the department, so that was my fault. That's why I  
21 was trying to get to the last page of this so that we  
22 could get to the State. As far as our thinking process,  
23 we need to go through the staff analysis and then look at  
24 the bigger picture.

25

26 MR. THOMAS: I agree 100 percent.

27

28 CHAIRWOMAN GARZA: So there's no  
29 recommendation. There is at the bottom of the page on  
30 108 a list of possible options, something we should  
31 consider. So, if we're done with staff analysis, then  
32 the next is ADF&G.

33

34 MR. JOHNSON: Thank you very much to  
35 afford us the time to explain the data as we've  
36 interpreted it relative to harvest information, deer  
37 pellet information and household survey information.  
38 With that, I'd like to introduce Dave Person here  
39 immediately to my right who is going to speak first about  
40 the analyses he's done over the past few weeks that we've  
41 communicated with Forest Service staff about and Mike  
42 Turek will speak about the household survey information  
43 and, finally, I'd like to introduce Boyd Porter, who is  
44 our area management biologist, who is in charge of deer  
45 management from the department's perspective for Prince  
46 of Wales Island. The first thing I'd like to do is  
47 provide you with a couple handouts that we believe are  
48 succinct ways that you could look at this information.

49

50 CHAIRWOMAN GARZA: Please make sure you

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1 list your name, title, affiliation.

2

3 MR. PERSON: Thank you. I'm Dr. Dave  
4 Person with Alaska Department of Fish & Game. I'm a  
5 research biologist working on Prince of Wales Island.  
6 I've been on the island since 1992 and I'm continuing to  
7 research since 1992 on the island on wolves, deer and, in  
8 the future, black bears.

9

10 I just thought I'd mention, it seems like there  
11 are a lot of doctors here, you know what Ph.D. stands  
12 for? It means piled higher and deeper. So I thought I'd  
13 try to keep my synopsis here as simple as possible and as  
14 brief as possible.

15

16 Basically, our analysis here uses two bits of  
17 information that the department collects. The harvest  
18 survey data that comes from the random survey that's sent  
19 out to holders of harvest tickets, with about a 30  
20 percent respondent rate on that survey. It's for all of  
21 Southeast, including Unit 2. then we also have our  
22 pellet survey data, which again is a regional program and  
23 that basically is actually attempting to get an indicator  
24 of deer use or deer activity and, from there, some  
25 estimate of deer population or at least trends over time,  
26 long-term trends, not yearly comparisons, because there's  
27 a lot of noise in those data from a number of confounding  
28 factors, such as weather, the crews that go out,  
29 sometimes these crews change, and some of our survey  
30 routes change over time because of changes in the  
31 landscape due to things like logging.

32

33 But basically what I wanted to point out on the  
34 synopsis and I really won't go through the graphs. I  
35 think the graphs are very simple to look at. There's  
36 nothing complicated about them. The synopsis is, on the  
37 basis of the survey data, we see no trends in both the  
38 number of hunters, the number of hunters from at least  
39 Ketchikan in this case. We see no change in the harvest,  
40 no trend over time. We see no change in hunter effort;  
41 in other words, days needed to kill a deer. Nor in the  
42 success rate per hunter. So the harvest data are flat.  
43 And the last page of this is just a brief table showing  
44 you the results of some statistical analyses that we did  
45 on these data. I don't want to bore you with the  
46 analyses. There are lies, there are damn lies and then  
47 there are statistics. I just thought perhaps it would  
48 provide you with documentation that when we say there's  
49 no trend, that's a statistical judgment in other words.  
50 We've made an analysis of those data to come to that

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1 conclusion.

2

3 The second piece of data that we look at are the  
4 pellet group surveys. They're not that straightforward.  
5 The graph that you have in your hand that Bob Schroeder  
6 handed to you, that regression line, while it's  
7 interesting and it does show similar to what we do in  
8 terms of our analysis, that simply fitting a line to  
9 those data is an inappropriate use of statistics. In  
10 other words, that is not accounting for a number of  
11 factors in the data that have to be accounted for. In my  
12 analysis, I do that. The results are predominantly the  
13 same, though the slope of the line is not as steep. It  
14 shows that there's been a slight decline between 1990 and  
15 2001. We did not go back in the 1980s because we do not  
16 have enough survey data from the pellet group surveys to  
17 be able to continue those trend lines back.

18

19 We've really only had four watersheds that we've  
20 sampled with any continuity in the 1980s through the  
21 1990s and I've provided you with a graph showing the  
22 pellet group survey data from those four watersheds.  
23 Those are simply the only four transects that we can  
24 follow data back into the 1980s. Two of those transects  
25 show an increase and a decline over the 1990s into 2000.  
26 Those are the Suemez and Heceta Island transects or  
27 watersheds. The other two are fairly inconclusive. They  
28 show pretty much a flat trend. Those are the two on  
29 Prince of Wales Island.

30

31 So, basically, of the two bits of data that we  
32 have, we don't show any kind of consistent trend in the  
33 harvest statistics. We do show a statistical trend in  
34 terms of decline from the pellet group data. We don't  
35 know if that's a persistent trend in the future. It  
36 could go up again. It could also be a measure of the  
37 changes that are occurring because of the landscape,  
38 because of the logging growing into what we call a stem  
39 exclusion stench, which will provide very little habitat  
40 for deer and it could be a long-term persistent trend.  
41 Unfortunately, at this time, we don't know.

42

43 I'm done with my presentation. I hope I was  
44 clear with that and I certainly will entertain questions.  
45 I'm also willing to entertain questions from any of the  
46 board about the influence or the relationships between  
47 logging and deer or any other species that we have data  
48 on on Prince of Wales Island. I know, Patricia, you had  
49 questions about thinning, for example. I can answer some  
50 of those questions because my research is actually

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1 looking at the effects of logging on the wolf, deer,  
2 human and bear system on Prince of Wales Island. Thank  
3 you.

4

5 CHAIRWOMAN GARZA: Thank you. Council,  
6 what I'd like to do, since they're sitting together is go  
7 through all three of their reports and then start with  
8 questions because we may ask you a question that one of  
9 these two guys could answer better. Mike, you're next in  
10 line.

11

12 MR. TUREK: Good afternoon. I'm Mike  
13 Turek with Alaska Department of Fish & Game, Division of  
14 Subsistence. I'm the regional supervisor for the  
15 Southeast region. I can be extremely brief because Bob  
16 Schroeder pretty much covered everything quite well from  
17 the work that we've done on Prince of Wales Island and  
18 Ketchikan. So I can be here for questions primarily. I  
19 have a presentation, but it would just be repeating what  
20 Bob said, so I don't think that's necessary.

21

22 CHAIRWOMAN GARZA: I have some questions  
23 for you, but I'll wait.

24

25 MR. PORTER: I'm Boyd Porter and I am the  
26 management biologist for Unit 2. Again, Dave summarized  
27 what we wanted to get out to the board and we're  
28 basically here to answer questions that you might have.

29

30 CHAIRWOMAN GARZA: John.

31

32 MR. LITTLEFIELD: Thank you, Madame  
33 Chair. Earlier you mentioned that when we were looking  
34 at the blue graph it showed the progression going  
35 downward. You said you had some different data from 1990  
36 to 2001. Is that correct? If so, I'd like to see it.

37

38 MR. PERSON: No, John, not different  
39 data. They're the same, exact data. What I have in this  
40 synopsis, you'll see in Figure 8, that shows essentially  
41 the same data that you have there. It just does not use  
42 data from the 1980s because we have so few transects,  
43 except for 1988 and 1989. The results of those  
44 regressions are similar in the sense that it is a  
45 significantly declining trend.

46

47 CHAIRWOMAN GARZA: So just a point, John,  
48 and to the Council, please remember to hit your button so  
49 that Salena can hear us, and if you're done talking, turn  
50 it off. John.

00224

1 MR. LITTLEFIELD: Thank you, Madame  
2 Chair. So, if I was to take this graph and fold it at  
3 1990, that would be your graph. You don't have any  
4 different numbers. Same downward trend. Thank you.

5  
6 MR. PERSON: Yes.

7  
8 CHAIRWOMAN GARZA: Patricia.  
9

10 MS. PHILLIPS: Madame Chair. It shows a  
11 slightly declining deer pellet count. According to the  
12 deer population status on habitat, it says that past  
13 timber harvest may reduce the number of deer that can be  
14 supported on Forest Service lands up to 36 percent unless  
15 effective thinning and second growth management takes  
16 place. Continued timber harvest activities and  
17 associated road development in coming years are expected  
18 to cause further habitat degradation as well as  
19 fragmentation and isolation of winter deer range. It  
20 makes sense to me that we have a declining trend, given  
21 that statement that we're going to have a continued  
22 declining trend.

23  
24 MR. PERSON: In the long term, yes,  
25 Patricia. Whether or not we're seeing the actual  
26 persistent trend that we're expecting now or is this more  
27 of a short-term phenomena, we don't know. Just to follow  
28 up with your question, we expect that by 2045 that the  
29 carrying capacity for deer would decline from about  
30 102,000 deer for all of GMU 2, which is what existed  
31 prior to industrial scale logging in 1954, to about  
32 66,000 by 2045. So we are expecting a substantial  
33 decline.

34  
35 Another comment to make in that booklet about  
36 thinning, thinning, as it's currently done throughout the  
37 national forest, only enables the clear-cut essentially  
38 to retard getting into the stem exclusion stage and when  
39 the canopy closes over and all the vegetation on the  
40 forest floor dies, it retards that by about 10 to 15  
41 years and that's all. Eventually, it does close in to a  
42 stem exclusion stage and you're back to the same thing.  
43 So, in essence, a 30-year-old thin clear-cut looks like a  
44 20-year-old un-thin clear-cut in terms of food for deer.

45  
46 CHAIRWOMAN GARZA: Mary.

47  
48 MS. RUDOLPH: I just wanted to ask, does  
49 this affect mostly the clear-cut for forest trees and  
50 stuff? Is it those areas that are affected by the

00225

1 decline eventually or is it just some through the years  
2 that happens with too much hunters?

3

4 MR. PERSON: Mary, I don't think I quite  
5 understand your question. There's obviously going to be  
6 an interplay over time between both how the habitat  
7 supports deer and the interplay between human hunting of  
8 deer, wolves and bears. All those pieces will interact.  
9 Therefore, they will have different effects. Perhaps,  
10 over time, as a habitat can only support fewer and fewer  
11 deer, the impact of each one of those factors, human,  
12 bear and wolf, will get greater and there will be more  
13 scrambling for pieces of the pie.

14

15 CHAIRWOMAN GARZA: Mike, I wanted to get  
16 my questions for you. On Table 2, which is on page 101,  
17 it looks like '94 and '95 data is missing. Do you have  
18 any idea why?

19

20 MR. PERSON: There were a couple years in  
21 which some certain questions on the surveys were not  
22 asked. The surveys changed, Dolly, over the years. It  
23 may be just on this table here that question wasn't  
24 asked.

25

26 CHAIRWOMAN GARZA: Thank you. Mike, on  
27 Table 3, 4 and 5 and 6, I suppose, I want to generally  
28 ask. If you look at the public comment, there's several  
29 comments that imply that this proposal is to basically  
30 benefit only the Natives and these guys are a bunch of  
31 racists. Were these surveys specific to the Native  
32 communities or Native people in a community?

33

34 MR. TUREK: No, they weren't. They went  
35 to all people in the community, so we didn't just ask  
36 Natives. We asked everybody. We did a random sample,  
37 which is both Native and non-Native.

38

39 CHAIRWOMAN GARZA: And for the years in  
40 '98, '99 and 2000, I understand the communities and the  
41 questions changed, but do you have an idea of the total  
42 surveys that you collected for each of those years?

43

44 MR. TUREK: I could give you those  
45 numbers. I'd have to look them up. I could give you the  
46 numbers of how many surveys we did.

47

48 CHAIRWOMAN GARZA: I'd like that. Mike.

49

50 MR. DOUVILLE: Thank you, Dolly. I have

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1 a couple questions. One is you mentioned the canopy  
2 would close after a certain period of time and you could  
3 defer that by so many years by thinning. Where do you  
4 get your information that gives you those numbers? Has  
5 that study been done on Prince of Wales Island or Unit 2?  
6

7 MR. PERSON: Yes. In fact, a good deal  
8 of that work was done by Paul Alaback on the island.  
9 Paul Alaback was a forest researcher with the Forest  
10 Service.

11  
12 MR. DOUVILLE: Why do you use 1954 as a  
13 baseline for your numbers?

14  
15 MR. PERSON: On the basis of the table I  
16 was reading this from, it was to compare what was going  
17 to happen over time after the initiation of industrial  
18 scale logging after the long-term timber sales, which  
19 began in 1955.

20  
21 MR. DOUVILLE: I might point out that a  
22 lot of that logging was just beginning, but we had a wolf  
23 control program with the Federal Fish & Game at this  
24 time. From '54 on, say '55 up until the early '70s, you  
25 really had a big boom of deer, lots of deer. What you're  
26 seeing from 1990 to now, when you came here, is a very  
27 big decline.

28  
29 MR. PERSON: Uh-huh.

30  
31 MR. DOUVILLE: So it was already  
32 declining and what you're saying is it's still declining,  
33 is what I want to point out. What I'm seeing now is a  
34 really small deer population compared to what it was in  
35 the late '50s. The '60s were very good, but then the  
36 wolf come back in that time and lowered the deer numbers  
37 back down to what you see now.

38  
39 MR. PERSON: I don't disagree with that,  
40 Mike. I don't think wolves are the only cause. In terms  
41 of my work, we assumed that deer numbers were quite a bit  
42 higher prior to industrial scale logging than they are in  
43 the 1990s. So, yes, they had declined.

44  
45 MR. DOUVILLE: If wolf wasn't the only  
46 factor, how come you see the same trend on islands and so  
47 on that have never been logged?

48  
49 MR. PERSON: We don't see it on all the  
50 islands that have not been logged, but wolves do play a

00227

1 factor. They're not the only factor.

2

3 MR. DOUVILLE: I don't know which islands  
4 you don't see it on, but I'd like to know which ones they  
5 are.

6

7 MR. PERSON: We haven't seen a  
8 significant decline on islands such as Marble, Thorne  
9 Island. All those are islands that I have not seen any  
10 major trend. I have seen declining trends on Heceta and  
11 I have seen declining trends on islands like Kauziuska.

12

13 CHAIRWOMAN GARZA: Mike.

14

15 MR. DOUVILLE: Thanks, that's all I have.

16

17 CHAIRWOMAN GARZA: John.

18

19 MR. LITTLEFIELD: Thank you, Madame  
20 Chair. One of the things that I don't see a graph on  
21 here, I'm looking at Figure 1 in your handout and it  
22 shows the harvest of deer, number of hunters. Somewhere  
23 in here we've missed the wolves. I think by staff  
24 numbers the wolves are taking somewhere between 2,600 and  
25 5,200 deer, as I see it, compounded by 36 percent of the  
26 old growth and you get 3 percent. This whole thing looks  
27 to me like a system under attack and I think it's going  
28 to continue to decline. It looks clear to me that  
29 there's some kind of a conservation concern here when you  
30 add all the factors up. Could you comment on that?

31

32 MR. PERSON: John, I agree with you in  
33 the long-term. I believe there will be. I'm not sure  
34 that we're at that point yet. Let me just clarify one  
35 thing about the 36 percent you mentioned about old growth  
36 left. Based on our estimates from some of my research  
37 work, about half of the deer winter range, what we call  
38 the critical habitat for deer in winter, which is south-  
39 facing slopes, below about 800 feet elevation and  
40 generally in higher volume old-growth forests, is where  
41 deer tend to winter. About half of that is gone. The  
42 confounding factor here is if we don't have heavy  
43 winters, if we don't have severe winters, deer will exist  
44 quite well in the low volume timber that's not being  
45 logged and there's still plenty of that timber on Prince  
46 of Wales Island. They have no need to go into the timber  
47 unless there's snow on the ground. If we have a bad  
48 winter, it could have very severe effects. It could be a  
49 defining event in that deer population for a long period  
50 of time. But if we don't have severe winters in the

00228

1 future, we may muddle along quite nicely without seeing a  
2 major decline in deer numbers until we get one of those  
3 severe winters.

4

5 CHAIRWOMAN GARZA: Bert.

6

7 MR. ADAMS: Thank you, Madame Chair. We  
8 notice in Yakutat a sharp decline in deer population when  
9 we have severe winters and it's a really hard time for  
10 them to build themselves back up again. My question to  
11 Dave is this. Looking at the map here on the logging  
12 efforts that have taken place over the last 20 or so  
13 years and mention has been made that the change of the  
14 habitat might have altered the deer population  
15 considerably, but I think another question needs to be  
16 asked. When you do these loggings, does it make it a lot  
17 easier for the wolves to catch the deer? Does that have  
18 a contributing factor as far as the population is  
19 concerned?

20

21 MR. PERSON: That's an excellent  
22 question. That's actually one of the areas that I'm  
23 trying to understand right now. My guess is that it  
24 does.

25

26 MR. THOMAS: Madame Chair.

27

28 CHAIRWOMAN GARZA: Bill.

29

30 MR. THOMAS: We have to, at some point in  
31 this process, consider natural processes. We don't do  
32 that very much. We need to do that. Nature has a way of  
33 adjusting to what scientists fix in their path of  
34 progress, so we must always consider the component of  
35 natural process in this. Any biologist would know the  
36 demands of survival for every species and for every item  
37 in its habitat. So we need to consider those in some of  
38 our reports.

39

40 CHAIRWOMAN GARZA: I've got a couple  
41 questions for you. For the pellet survey work, over  
42 time, have any of those survey tracts been through a  
43 timbered area or any been moved because of timber  
44 operations or do any of them run adjacent to a timbered  
45 area?

46

47 MR. PERSON: Yes and yes, Dolly. Several  
48 of the transects have been logged or a portion of them  
49 have been logged and some of those transects have been  
50 moved to adjacent, what we call, winter timber habitat.

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1 Others haven't. They've just continued on through the  
2 logged habitat. That, unfortunately, is one of the  
3 confounding factors in some of those transects.

4

5 CHAIRWOMAN GARZA: When I look at the  
6 document that was handed out, the 2001 report here, and  
7 we've got the colored graph, which is supposedly  
8 representing Figure 3 and 4, something like that, it's  
9 interesting to note that the low pellet counts are found  
10 primarily in the southern area and the higher pellet  
11 counts are found in the northern area. Do you have an  
12 hypothesis or an idea of why that is so?

13

14 MR. PERSON: In Unit 4, which is the  
15 northern area, you have brown bears, but you don't have  
16 black bears and you don't have wolves, nor do you have a  
17 substantial amount of logging. South of that you do.

18

19 MS. PHILLIPS: Is that on POW?

20

21 MR. PERSON: No.

22

23 CHAIRWOMAN GARZA: So it's not looking at  
24 that map, it's looking at this one. If you look at the  
25 yellows, which is the low pellet count, that's primarily  
26 southern southeast. Mike, did you come up with any of  
27 those numbers?

28

29 MR. TUREK: Dolly, I did. In 1998, we  
30 conducted surveys in Craig, Klawock and Hydaburg, we did  
31 173 surveys in Craig, 106 in Klawock, and 51 in Hydaburg.  
32 These were randomly-selected households. That was 330  
33 households total for that year. The next year, in 1999,  
34 we did the seven communities on Prince of Wales Island.  
35 We did 276 households total and that was random surveys  
36 in most of the communities, but the smaller communities  
37 were census surveys, Kasaan, Edna Bay. In 2000, we did  
38 the deer hunter surveys in Craig, Klawock and Ketchikan.  
39 Did 135 surveys in Craig, 81 in Klawock and 230 in  
40 Ketchikan, totalling 446 surveys.

41

42 CHAIRWOMAN GARZA: So the other question  
43 I had for you for Prince of Wales is, in preparing for  
44 the surveys over the last couple of years, and I haven't  
45 looked at the 2000 census, but do you have an idea of  
46 what population of Prince of Wales is Native versus non-  
47 Native?

48

49 MR. TUREK: Dolly, I believe it is still  
50 right around 25 to 20 percent, probably closer to 25

00230

1 percent Native on Prince of Wales Island, but I'd have to  
2 look. That's what I can remember.

3

4 CHAIRWOMAN GARZA: Thank you, Mike. John  
5 and then Patty.

6

7 MR. LITTLEFIELD: Thank you, Madame  
8 Chair. I'm looking over the one handout that you gave us  
9 that analyzed the various household surveys and the other  
10 data. One thing I noticed that was missing in here was  
11 some other data and that data was presented to us in  
12 these tables, I think it was Table 3, 4, 5, 6 in this  
13 book, and I'm sure you've looked at those that show the  
14 declining. Can you summarize what the State's comment  
15 would be in the interpretation of that data?

16

17 MR. TUREK: I think I could summarize  
18 that the majority of people that we interviewed said that  
19 they felt the deer population was declining and it was  
20 getting more difficult to get deer for them. They're  
21 spending more time to get deer. Is that what you wanted?

22

23 MR. LITTLEFIELD: Yes, that was.

24

25 CHAIRWOMAN GARZA: But if you look at the  
26 one-page summary, there's three -- if you go down this  
27 heading, the third one down under information type is  
28 Division of Subsistence household surveys, it says POW  
29 residents have not significantly changed over the --  
30 interpretations suggest that patterns of harvest have not  
31 significantly changed over 10 years. So the perception  
32 is that it's harder to find deer, there's a decrease in  
33 deer population, but the pattern suggest that harvest is  
34 the same?

35

36 MR. TUREK: Dolly, that's correct. When  
37 we compare our harvest data from the '88 trucks data with  
38 the more recent 1990s data, we get about the same amount  
39 of deer per capita in the communities, so people are  
40 getting just about the same amount of deer they were  
41 getting 10 years ago, but they're saying they're having a  
42 harder time getting them. They have to work harder to  
43 get those deer.

44

45 CHAIRWOMAN GARZA: Patty.

46

47 MS. PHILLIPS: You're saying you're  
48 getting the same amount of deer now that you got 10 years  
49 ago, but according to Table 2, it shows that we have  
50 increased by 420 hunters.

00231

1 MR. TUREK: Patty, that's per capita is  
2 what I'm talking about, so we're getting about the same  
3 amount of deer per capita. Like Craig is harvesting more  
4 deer than they did 10 years ago because the population is  
5 larger per capita. That's about the same amount of deer  
6 per person.

7  
8 MS. PHILLIPS: I don't know if it's still  
9 the case, but in the '90s the population of POW spiked.  
10 Matter of fact, it was one of the fastest growing areas  
11 in the state of Alaska, so you're dealing with data that  
12 spiked because of the timber industry and now the timber  
13 industry has diminished, so we've got people not having  
14 an economic -- something to make a living off of, so  
15 they're needing that deer more, but it's getting harder  
16 for them to find.

17  
18 The harvest data you say is based on 30 percent  
19 return of questionnaires. So how do you explain a  
20 competence in the 30 percent return when you have 70  
21 percent of the data missing?

22  
23 MR. PERSON: That's a good question,  
24 Patricia, because you always have a concern about the  
25 non-respondents, who they are. We do a follow-up survey,  
26 which is an attempt to try to get that other portion to  
27 respond to the surveys. In some of the follow-up surveys  
28 that have been done or mailings, we look at whether or  
29 not there's a difference between respondents then versus  
30 the respondents who originally sent in to see if it's a  
31 different population. There is no substantial difference  
32 in those populations, but there still is only a 30  
33 percent return rate, so you do have concerns about who  
34 you're actually representing. We don't see any  
35 indications that we're not representing the population,  
36 but you still would like a 50 percent or greater response  
37 rate to really be able to determine that. And that is a  
38 limitation of those data.

39  
40 CHAIRWOMAN GARZA: So one possible  
41 concern there is that some of those 70 percent that  
42 aren't returning aren't returning because they're not  
43 getting deer and they're not getting deer because they  
44 don't think they're out there.

45  
46 MR. PERSON: Dolly, that's true, but what  
47 you have to hypothesize there is that same mechanism is  
48 happening throughout the entire decade of the data  
49 collection. In other words, that pattern is always the  
50 same every year. I think you'd have a hard time arguing,

00232

1 even with a 30 percent response rate, with the lack of  
2 trend in the data, because you have to assume that the  
3 same people are returning them every year and a whole  
4 other population is never returning them. Do you see  
5 what I'm getting at? We would expect more noise in the  
6 data. Let's put it that way.

7

8 CHAIRWOMAN GARZA: Floyd.

9

10 MR. KOOKESH: If this proposal passed and  
11 the Ketchikan hunter was eliminated and the closure took  
12 effect, based on your knowledge, how long would it take  
13 for the deer population to rebound?

14

15 MR. PERSON: Floyd, that's a very good  
16 question because it also depends on what's actually  
17 causing the decline. If it isn't hunting that's causing  
18 the decline, if it's the change in habitat, we won't  
19 expect to see any rebound. If it was strictly predators,  
20 we wouldn't expect to see any rebound. If it is hunter  
21 limited, in other words the system is being affected by  
22 the 28 or 30 percent deer they're taking for Ketchikan,  
23 then we would expect to see some rebound in population,  
24 but it's not clear what is causing that persistent trend  
25 at this point.

26

27 CHAIRWOMAN GARZA: Bert.

28

29 MR. ADAMS: Thank you, Madame Chair. I'm  
30 looking at this map here and it says down here areas not  
31 surveyed. How does that fit into the scheme of things?  
32 If you haven't surveyed those areas, maybe that's where  
33 all the deer are.

34

35 MR. PERSON: You know, Bert, you may be  
36 right, and I couldn't argue with you. We can only do  
37 what we can with the money that we have. Think about it  
38 this way. The trend data are only valuable to look at  
39 long-term trends. They're not useful for looking at  
40 comparisons from year to year. So that means you've got  
41 to go back to the same places on a regular basis during  
42 the decade to monitor those trends, so that limits you to  
43 where you can actually go on the island. These are the  
44 best data that we have. I would not argue with you that  
45 they are all the data that we would perhaps need to make  
46 a really well-informed decision on this proposal.

47

48 CHAIRWOMAN GARZA: Mike.

49

50 MR. DOUVILLE: Thank you, Madame Chair.

00233

1 Just to make a comment on these deer surveys that you do.  
2 To fill out a deer survey after the end of the hunting  
3 season, you have to go back and remember every place you  
4 hunted, how many days. I'm certain you remember how many  
5 deer you got. That's very difficult to do. I've even  
6 attempted it myself. To do it with any accuracy is  
7 difficult. I have one comment on this baseline use in  
8 1954. I'm on page 91. I asked you why you used 1954.  
9 That was probably the bottom end of a long trend of  
10 reduced bag limits and there was no logging in Game Unit  
11 2 at that time and probably not that many hunters. Today  
12 we're looking at Unit 2 that's been logged, a big portion  
13 of it, and we have still a lot of predators, but our bag  
14 limit is way inflated. It's kind of interesting that we  
15 have this really small bag limit before now and we could  
16 only attribute it to predators.

17

18 MR. PERSON: Mike, I couldn't answer that  
19 because I don't know what those early bag limits were  
20 attributed to. I don't know what the rationale went  
21 behind those restrictions or those regulations going back  
22 that far, so I can't answer that.

23

24 MR. DOUVILLE: You're a biologist. Isn't  
25 all biology set in the same thinking or did it all change  
26 since then?

27

28 MR. PERSON: No, biologists aren't all  
29 going to be the same in terms of.....

30

31 MR. DOUVILLE: I know some is because I  
32 grew up and I learned a lot from my elders and they had a  
33 difficult time getting deer in those days because there  
34 was no deer. It was very difficult to get them.

35

36 CHAIRWOMAN GARZA: Kim.

37

38 MR. TITUS: Thank you very much, Madame  
39 Chair. Mike, with regard to the 1954, in fact, in the  
40 Tongass Forest Plan, there are a number of benchmark  
41 analyses out there and virtually all of them have a 1954  
42 benchmark, unless I'm incorrect, and we have tiered off  
43 of that through all of the forest planning exercises.  
44 '54 is just a benchmark.

45

46 CHAIRWOMAN GARZA: Kim, I wanted to ask  
47 you one more question. When I was asking about Figures 6  
48 and 7, you were kind of like waving back there. Figures  
49 6 and 7 on page 98 and 99, you seemed to imply that you  
50 thought I was interpreting it wrong, so maybe you can

00234

1 clarify for me.

2

3 MR. TITUS: I believe that was in comment  
4 to a trend that perhaps Bob Schroeder reported and I  
5 think our analyses didn't show that same trend and I  
6 believe Mr. Littlefield talked about that, summing up the  
7 bars in Figure 6 for example. I think Dave's analysis  
8 basically showed there was no trend and those sorts of  
9 things.

10

11 CHAIRWOMAN GARZA: I understood there was  
12 a slight trend.

13

14 MR. PERSON: Not in numbers of hunters.  
15 This is concerning numbers of hunters and I think the  
16 conclusion was they'd increased by 24 percent and our  
17 analysis doesn't show that. The trend is flat.

18

19 CHAIRWOMAN GARZA: I think that was what  
20 Mr. Schroeder said, that there was an incorrect statement  
21 on the previous page, that there was no discernible  
22 trend. So, what I was looking at for the slight trend  
23 was on Figure 7, where there's harvest trends by user  
24 groups. So that's in hunts. So that's similar to the  
25 blue paper, which is similar to the graph in your  
26 synopsis, correct?

27

28 MR. PERSON: Yes, Dolly.

29

30 CHAIRWOMAN GARZA: So all three say that  
31 there is a similar downtrend from '90 forward. Other  
32 information indicates that there's a trend prior to '90.

33

34 MR. PERSON: You're talking about now the  
35 pellet group data.

36

37 CHAIRWOMAN GARZA: Now I'm getting mixed  
38 up.

39

40 MR. PERSON: Yes, there is. We agree  
41 with the staff analysis that there is a statistically  
42 significant trend.

43

44 MS. RUDOLPH: Madame Chair.

45

46 CHAIRWOMAN GARZA: Mary.

47

48 MS. RUDOLPH: I want to ask, during the  
49 time they're clear-cutting, do you have a period when the  
50 deer fluctuate quite a bit or after a few years maybe

00235

1 start going down?

2

3 MR. PERSON: Yeah, Mary. If you don't  
4 mind a little bit longer explanation. There's a dynamic  
5 that goes on shortly after clear-cutting. You end up  
6 after about five or so years, the clear-cut is all  
7 greened up. The regeneration is all natural, as you all  
8 know. There's a flush of forage for deer. The forage  
9 has, in terms of the amount, the actual physical weight  
10 of it, it's the highest it ever will be for that patch of  
11 ground shortly after clear-cut because it's not limited  
12 by lack of light. The quality is lower and the reason  
13 why the quality is lower is because the plants in the  
14 clear-cut don't have to fight for light to exist because  
15 they have all the light they need, so they can produce  
16 what they need for maintenance to grow, plus they can  
17 produce what are called secondary compounds, which are  
18 things that make them less digestible to deer or moose.

19

20 They also can shed their leaves. They can do  
21 this because they get so much sunlight that they doesn't  
22 need to carry their leaves through the winter. It can  
23 drop them off completely. We call it senescence. It's  
24 dropping leaves for that year. That same plant growing  
25 in the shade will retain its leaves for two years. It  
26 will still be green and lush right in the middle of  
27 wintertime providing food for deer.

28

29 So the quality of the diet in those clear-cuts,  
30 the amount is there, the quality of the diet is lower,  
31 but the net effect is more food for a short period of  
32 time. Depending on how productive the site is, anywhere  
33 between 20 and about 35 years. After that, the trees  
34 grow to a point at which the canopy starts to close over  
35 and they lose sunlight. Basically, within five or so  
36 years after that closure occurs, the forage on the forest  
37 floor basically dies and you may have ferns and moss.  
38 That means that the carrying capacity for deer is going  
39 to be quite low.

40

41 So there is a dynamic. There's a flush, then  
42 there's a slow decline and then there's a major decline  
43 over time and that whole process might take as long as 40  
44 to 50 years. So we may be seeing, for example, in the  
45 late '80s and early '90s a flush of food for deer on  
46 Prince of Wales Island because most of the cutting we're  
47 still in less than 20 years old. But that's going to  
48 change now. We're going into a period when more and more  
49 of those old cuts are going to be growing into that 25,  
50 30-year stage in which we're going to see that forage

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1 start to disappear. Does that answer your question,  
2 Mary?

3

4 MS. RUDOLPH: Yes, it does.

5

6 CHAIRWOMAN GARZA: Bill.

7

8 MR. THOMAS: Considering the availability  
9 of forage for these animals, does any of this result in  
10 starvation as a result?

11

12 MR. PERSON: Yes, it does, Bill. We have  
13 some information from Keceta Island that shows that when  
14 the trees get to be a shrub, sapling stage, we're talking  
15 young growth that maybe is 15 to 25 years old, at that  
16 stage what happens is we find that deer tend to select  
17 that habitat quite a bit. It might be an anti-predator  
18 strategy. In other words, it's hard to hunt them in that  
19 thick growth. But it seems that the fawns do suffer. We  
20 have a very high mortality of fawns in that habitat that  
21 we actually had radio-collared. We are going to be  
22 attempting to radio-collar a lot more fawns to actually  
23 look at some of those issues in the next few years. Over  
24 the last five or six years we've radio-collared about 130  
25 deer on Prince of Wales and Heceta Island, so we have a  
26 fairly large sample size. Looking at some of those  
27 habitat selection questions, where they are, there are  
28 some trends and that shrub sampling stage does appear to  
29 present a risk to fawns.

30

31 MR. THOMAS: Madame Chair. That brings  
32 up another question with the collar. Those collars are  
33 used worldwide. Does that happen without any physical  
34 consequence to the animal?

35

36 MR. PERSON: For deer, the collars are  
37 pretty benign. For wolves, they can cause chaffing on  
38 the neck and they can also break the hair at the neck.

39

40 CHAIRWOMAN GARZA: Dick has been trying  
41 to be recognized for a while. Sorry, Dick.

42

43 MR. STOKES: When the new growth gets 25  
44 or 30 feet or just prior to the thinning, what effect  
45 does the thinning have to do?

46

47 MR. PERSON: What thinning does is, the  
48 first thing that happens is you have this pile of brush.  
49 It makes it tough for a lot of animals to get through  
50 there. That stays like that for about five years. It

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1 will open up again and animals can certainly use those  
2 thin stands. Then what happens is you will get a flush  
3 of blueberries and huckleberries as well as some of the  
4 other foods that deer require. The limitation to it is  
5 that effect of opening up the canopy only retards the  
6 ultimate closing of the canopy by about 10 to 15 years.  
7 So it is beneficial in the short term. But in the long  
8 term, particularly when you consider that the rotation of  
9 timber wouldn't be cut again for perhaps 80 or 100 years,  
10 so there's still going to be a 40 to 50-year period or 30  
11 to 40-year period in which those trees are going to be as  
12 a block in that stem exclusion stage whether they were  
13 thinned or not.

14

15 Now, the alternative to this pre-commercial  
16 thinning, where we're taking out the small trees, you  
17 have commercial thinning in which you would go into one  
18 of those stands that might be 40, 50 years old or perhaps  
19 a little older and thin those with the idea of actually  
20 selling the logs. That could open up a habitat for deer.  
21 It might improve things in that once they're in that stem  
22 exclusion stage somewhat. We don't know. There's not  
23 been any experimentation with that technique. There's  
24 some problems with that. One being that there has to be  
25 a market for those logs in order to make the program  
26 work. We don't really know if there's a good market for  
27 those logs anywhere.

28

29 Secondly, if you don't market the logs and you  
30 leave those big logs lying on the ground, you have a  
31 slash problem magnified even more so than when you did  
32 the pre-commercial thinning. So the jury is out on doing  
33 what we would call commercial thinning. We know pretty  
34 well in terms of the pre-commercial thinning that the  
35 effect is beneficial for deer but only for a short period  
36 of time.

37

MR. STOKES: Thank you.

38 CHAIRWOMAN GARZA: Okay. We've been on  
39 Proposal 9 for quite some time and we still have some  
40 stuff to go. John.

41

42 MR. LITTLEFIELD: Thank you, Madame  
43 Chair. On page 111, they are proposing this proposal as  
44 written. Given that you've already acknowledged that this  
45 is the trend that was presented to us by the Federal  
46 staff and you say that trend is still correct and your  
47 statement here is recent Unit 2 deer pellet survey data  
48 suggests that the population is stable and slowly  
49 rebounding would seem to fly in the face of this. And  
50

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1 then you talk in here about anecdotal comments and other  
2 like that, and when I asked you the question about the  
3 data that was in the book on these groups that were  
4 presented on the household survey, you agreed there was a  
5 declining. So I'm wondering what is your opposition  
6 based on? If you agree with the data that's been  
7 presented, what is the opposition based on?

8

9 MR. PERSON: I think that the write-up in  
10 your RAC book that's probably a little dated because we  
11 had not done trend analysis on pellet group data at that  
12 point in time. Anecdotal information from a lot of  
13 people, including myself actually going out and darting  
14 deer and my crew having no trouble in a lot of areas on  
15 Prince of Wales Island, we didn't think there was a  
16 persistent decline. But looking at the trend data, once  
17 we did that analysis, we reversed our comment on that in  
18 terms of indicating where there's been a decline in deer  
19 and it's not a rebounding effect. There probably was a  
20 rebound after the bad winter of 1998-99, but when you  
21 look at the total data for that decade, that's just a  
22 blip on the screen.

23

24 But in terms of what is our opposition, I should  
25 defer to Kim. I just want to make the point that Fish &  
26 Game has to consider not just subsistence, we have to  
27 consider sport hunters, local and urban hunters, so our  
28 plate is a little bigger. We have to consider all those  
29 groups. When we're looking at a restriction of one group  
30 over another, we have to play that very seriously and  
31 that's one reason why we would have a problem with this  
32 proposal.

33

34 CHAIRWOMAN GARZA: Mr. Titus.

35

36 MR. TITUS: Thank you. I'd like to  
37 follow up on that since it seems to be timely to speak to  
38 the department comments on those. I guess what I'll say  
39 now and what David just said really replaces what's in  
40 that book, which were submitted a few weeks ago, and we  
41 have done other things.

42

43 First, I'd like to once again thank the Council  
44 for the time you've afforded us and my staff and  
45 Subsistence Division staff to present our information  
46 relative to this. We very much appreciate it. Our exam  
47 into the information including subsistence and harvest  
48 surveys suggests that hunting opportunity remains stable  
49 and Federally-qualified users are getting an adequate  
50 number of deer, as Mike indicated, basically equal to

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1 that from more than a decade ago.

2

3 We do not dispute the impressions of some hunters  
4 that they may be having more difficulty in obtaining deer  
5 than in the past. We certainly believe that deer  
6 populations will decline into the future largely as a  
7 result of what we term the legacy of past timber harvest  
8 on Prince of Wales Island. We certainly anticipate  
9 regulatory changes at that time, noting that we are  
10 unsure when this will take place.

11

12 All that being said, while the evidence is less  
13 than perfect regarding deer and hunter management on  
14 Prince of Wales Island, the department does not support  
15 restricting non-Federally-qualified users at this time.

16 We do not support the notion that there is currently a  
17 major conservation issue for deer at this time. As Dave  
18 mentioned, our legal mandate is broader than that of the  
19 Council and it includes subsistence users, non-  
20 subsistence users and non-Alaskan residents. Our  
21 analysis suggests that hunting opportunities should be  
22 maintained at this time for all of those user groups.

23 Thank you.

24

25 CHAIRWOMAN GARZA: Thank you, Mr. Titus.

26 Bill.

27

28 MR. THOMAS: Thank you, Madame Chair.

29 With regards to management, we're talking about time  
30 lines, five years, 10 years, 15 years down the road. How  
31 do we know we're not in the middle of a period now when  
32 we should be making considerations on the side of  
33 conservation? What are some of the things we look for  
34 before we make those decisions? We've got some pretty bad  
35 track records with some management over the years and  
36 hopefully our hindsight will give us better direction.

37

38 I'm also puzzled at listening to a day and a half  
39 of vague information. I mean everything that was said  
40 had to be qualified, re-qualified, interpreted, re-  
41 interpreted. It didn't cover many direction, it didn't  
42 go in any direction and we wound up with a hypothesis and  
43 the hypothesis is either plus or minus. So that doesn't  
44 leave us with a good justification for our  
45 recommendation. I find this a very difficult meeting. I  
46 appreciate the effort, I respect and honor the effort and  
47 your talents and skills and your time to bring this to  
48 us, I really do, because when we first started in the  
49 Federal process, we formed the pack that's more solid  
50 than Israel and Palestine and we're hoping to both

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1 succeed in what we're trying to do.

2

3 Given the fact that our focus is on a continued  
4 opportunity for subsistence users in rural communities,  
5 Federally-recognized, if it's determined that there's no  
6 conservation issues at this time, that will give us  
7 something to consider, but we don't want to leave here  
8 with a recommendation that isn't consistent with our  
9 justification to find out that information found at a  
10 later date isn't consistent with what we discussed today.  
11 That happened before. We made our recommendation in  
12 January, the Department had access to the Board up until  
13 the time of the meeting, completely new information. We  
14 don't want a repeat of that.

15

16 So I thank you again. We can just trust the  
17 instincts and the knowledge of the members of our Council  
18 and see how we go from there. But we do appreciate you  
19 being here. Thank you very much.

20

21 CHAIRWOMAN GARZA: Can we move on to  
22 agency and government comments? We have tribal and other  
23 government organizations and we need to take a break.  
24 John.

25

26 MR. LITTLEFIELD: Could we have that  
27 petition of 112 people that was asked for earlier? When  
28 we get into written comments, I would like to have a copy  
29 of that.

30

31 CHAIRWOMAN GARZA: Five minute break and  
32 I come back as Chair.

33

34 (Off record)

35

36 (On record)

37

38 CHAIRMAN THOMAS: We're on agency and  
39 government. I want to thank my vice-Chair for doing an  
40 outstanding job. I want to thank all the participants in  
41 the discussion of that last proposal and we really  
42 appreciate the effort that went into that. Hopefully we  
43 can make the best use of it. At this time, according to  
44 my directions, we're under the proposal review process.  
45 We're on item number three, agency and government  
46 comments. Mike.

47

48 MR. TUREK: Mr. Chair, I think we already  
49 did that.

50

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1 CHAIRMAN THOMAS: Okay. Thank you.  
2 Tribal governments. Other government or organization.  
3 Now we're down to summary of written and public comment.  
4 We have two people that want to speak. Jim Baichtal,  
5 would you come forward, please. Following him, we'll  
6 hear from Mr. Loescher. Push the button, give us your  
7 name, who you are and what you are and all that.

8  
9 MR. BAICHTAL: Thank you very much. My  
10 name is Jim Baichtal. I'm the chairperson for the East  
11 Prince of Wales Fish & Game Advisory Committee. When  
12 these proposals came out, we advertised and held public  
13 meetings in the communities of Thorne Bay and Coffman  
14 Cove. At the request of the people who came to those  
15 meetings, I'm here to give public testimony in their  
16 stead. The responses I have here are not responses of my  
17 own. They were responses that were collectively brought  
18 together by the people who came to those meetings.

19  
20 Those meetings were held on January 27th and the  
21 31st and we submitted that posthaste after the January  
22 18th cut-off on proposals and whether you got that I'm  
23 not sure. It was the unanimous position of the people  
24 attending the meetings that Proposal 9 is a dangerous  
25 precedent setting proposal in either form, original or  
26 amended. If this precedent is set, any rural community  
27 or group of Alaskans could exclude any other group they  
28 wanted if the perception was that they were not getting  
29 enough of whatever resource. These resources belong to  
30 all, not just a few. Federal land is public land and no  
31 one should limit hunting on public land.

32  
33 The proposal would limit non-resident hunters as  
34 well as non-rural. This limits the ability to hunt with  
35 family and/or friends who are non-residents, which is a  
36 tradition with some people present at the meetings. If  
37 the availability and abundance of deer is in question and  
38 it is felt that something must be done to increase the  
39 available number of deer, then lower the harvest limit to  
40 all users, rural and non-rural.

41  
42 The people attending the meetings were  
43 unanimously opposed to the current doe hunt. All  
44 participants agreed that the taking of does was a good  
45 tool for wildlife managers when the herd dynamics and  
46 habitat capability warrant it; however, given the  
47 uncertainty of deer population trends, habitat  
48 capability, predation and the expected increase in  
49 demand, the doe hunt was not warranted. It is believed  
50 that the current deer population on Prince of Wales

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1 Island is below the carrying capacity of available  
2 habitat, not that one would want to manage a herd to  
3 achieve 100 percent of the habitat's carrying capacity,  
4 but there's room for growth. Deer abundance seems to be  
5 an issue with the residents of Unit 2, with the general  
6 consensus being that deer are more scarce than in the  
7 past. By the taking of does, the ability for the current  
8 population to build higher populations will be adversely  
9 affected. It is most likely that the mature, healthy,  
10 larger does are being targeted and, therefore, those deer  
11 are the most likely to successfully reproduce. It is  
12 logical to assume that if it is desirable to see an  
13 increase in the deer population and the habitat can  
14 sustain such an increase, that a healthy female deer  
15 should not be harvested.

16

17 It is understood that the Subsistence Board have  
18 rejected such proposals in the past because no biological  
19 data exists to prove or disprove the deer populations are  
20 being adversely affected by the taking of does. Primary  
21 studies suggest that at least in some areas greater than  
22 50 percent of the fawns are annually being taken by black  
23 bear.

24

25 Given these concerns, we believe it's prudent to  
26 no further lessen the ability of the deer herd to recover  
27 and adapt by the taking of does. We believe it's better  
28 to err on the side of conservation with the uncertainty  
29 of population, dynamics, habitat and the population's  
30 resilience to such changes.

31

32 In discussions of deer abundance, most indicated  
33 that they believed the population was stable, but two of  
34 the people at the meetings mentioned it was harder for  
35 them to get deer. It was agreed that it wasn't because  
36 the deer population was less, it was because the effort  
37 was increasing due to the loss of access due to road  
38 closures and the changing of the habitat as the second  
39 growth ages and the changing of the deers' habits as that  
40 habitat changes. Discussion centered around the belief  
41 that most hunters in Unit 2 have not changed their  
42 hunting techniques and strategies with the aging second  
43 growth and changing habitat in deer usage. Discussions  
44 also focused on the prevalence of poaching and spot-  
45 lighting deer harvested that do not figure into the  
46 formulas but still limit other's opportunities.

47

48 The areas where hunters have hunted for years are  
49 growing up. New clear-cut opportunities are less with  
50 reduced timber harvest. Roads are growing or being

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1 closed. Therefore, one must now hunt for deer in the  
2 forest and the muskegs and areas where one might not have  
3 traditionally looked. Road hunting opportunities are  
4 diminishing.

5  
6 As subsistence users, we would hope that the  
7 Federal Subsistence Board uses the best biological data  
8 available from the various land management agencies and  
9 the Alaska Department of Fish & Game biologists to assist  
10 in consideration of proposals. It seems that only a  
11 motion is considered and that only the needs of various  
12 subsistence users is weighed. We should not demand  
13 anything of a natural population that would threaten its  
14 stability or its ability to reproduce and survive natural  
15 population fluctuations.

16  
17 That's the summary of the discussions that we had  
18 from the people that came to those meetings. I thank you  
19 for the opportunity to comment.

20  
21 CHAIRMAN THOMAS: Thank you. Questions?  
22 John.

23  
24 MR. LITTLEFIELD: Thank you for your  
25 testimony. I think in fairness to you I should let you  
26 know I questioned earlier on Proposal 1 and the only  
27 place I saw that in your comments were in a meeting held  
28 January 31st, in which you were the only member present.  
29 The East Prince of Wales, I just want to know, is this a  
30 State advisory committee?

31  
32 MR. BAICHTAL: Yes, sir.

33  
34 MR. LITTLEFIELD: So you were the only  
35 member present at this time?

36  
37 MR. BAICHTAL: That's correct. So,  
38 therefore, we did not have a quorum.

39  
40 MR. LITTLEFIELD: So, in effect, this is  
41 just a report on a community meeting.

42  
43 MR. BAICHTAL: Yes, sir.

44  
45 MR. LITTLEFIELD: Not the position of the  
46 Prince of Wales Advisory Committee.

47  
48 MR. BAICHTAL: Absolutely.

49  
50 MR. LITTLEFIELD: That was just

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1 clarification. Thank you.

2

3 MR. BAICHTAL: What I was very careful to  
4 do in there was to bring forward their opinions and  
5 comments.

6

7 CHAIRMAN THOMAS: Any other questions?  
8 Thank you very much. Ms. Culp.

9

10 MS. CULP: Thank you, Mr. Chairman. I  
11 would like to speak in support of this effort. In  
12 Hoonah, I think it would be an area to look at this  
13 seriously also because we've got the ferry that comes in  
14 in the winter during the hunting seasons and they're  
15 loaded with campers and four-wheelers all decked out to  
16 go hunting and they don't actually bring any economic  
17 benefit into the community. They pass right through. A  
18 lot of the non-subsistence hunters from out of town are  
19 not very good hunters and don't know a lot about safety,  
20 so our well-being actually comes into play here as more  
21 and more hunters begin coming into the Hoonah area.

22

23 I believe that now is the time that we should  
24 begin protecting the customary and traditional usage  
25 because sports hunters are coming in more and more all  
26 the time and they're encroaching on our areas. Before  
27 there was logging roads around Hoonah, our hunters would  
28 be in that whole area anyway. Now we've got to be  
29 careful when there's other hunters in our midst. That's  
30 about all I had to say.

31

32 Somewhere along the way, what we see when these  
33 hunters come in, we've got deer that have no hind-  
34 quarters that are laying around on the roads or there's  
35 small deer that have been shot and another larger one  
36 comes along the way, so they leave that one to rot and we  
37 see this a lot and that's something that's come with the  
38 growing number of hunters that are coming our way on the  
39 ferries. Thank you.

40

41 CHAIRMAN THOMAS: Any questions for  
42 Wanda? Thank you very much. Any other public comments?  
43 Bob.

44

45 MR. LOESCHER: Mr. Chairman, members of  
46 the Council. As almost everybody here knows, I was an  
47 executive SC Alaska and a land manager for 24 years and  
48 had a lot to say about land selection on behalf of Native  
49 people under ANCSA, the development of resource  
50 management and harvest of several billions of board feet

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1 of timber on Prince of Wales Island.

2

3 There's a number of things I'd like to comment  
4 on. One is, if there is a sense that there is a need for  
5 conservation of the deer resource, then if you have the  
6 power, you should use it. The State of Alaska has all  
7 kinds of policies and one is called the Abundance Index  
8 and I never could understand that, but I've been  
9 researching this policy. Under Title 8 you have the  
10 Abundance Index at one end and you have shortage at the  
11 other and somewhere in between is where subsistence is  
12 protected. Sports and commercial get set aside at some  
13 point. I never could figure out how that policy works,  
14 but I think you're there. If there is a sense of  
15 conservation for the resource at this time on Prince of  
16 Wales Island, you should act.

17

18 The other thing that I learned over the years in  
19 my capacity as a land manager, we wanted to do the right  
20 thing with regard to deer and how timber harvest affected  
21 that. In recent years, we tried to undertake deer  
22 habitat studies using the deer pellet method, then we  
23 sort of changed our philosophy for looking at the  
24 nutrition-based concept of analyzing the abundance of  
25 deer and their habitat and we're trying to get the other  
26 agencies to take a look at that method. But if you look  
27 at the history, there has not been any consistent deer  
28 studies over the last two or three decades, it's been  
29 sporadic, it's been done by different protocols and it  
30 has not been consistently done over periods of time and  
31 in different scenarios of ages of timber throughout the  
32 region, and particularly not on Prince of Wales Island.

33

34 So, what I'm saying is that in terms of the data  
35 that's presented to you today, I would give zero  
36 reliability to it because of its inconsistent protocols  
37 and a lack of year-by-year over long periods of time  
38 study. Also, there's a lot of interpolated data from  
39 other parts of America included in some of the studies  
40 that have been done and I question interpolations being  
41 applied to southeastern Alaska.

42

43 So I'm very skeptical about the data. In my  
44 capacity as an executive with Sealaska, I was very  
45 skeptical, so I tried to initiate deer habitat studies  
46 over periods of time, year by year. I called Sealaska  
47 just a little while ago and they say they didn't do one  
48 last year because they didn't have the money to do it, so  
49 the funding for these studies are difficult to do.

50

00246

1 If this Council could do anything, it could  
2 recommend that the Forest Service and particularly others  
3 develop a cooperative approach to study deer habitat both  
4 on private and Federal lands since the State has very  
5 little land in Southeastern Alaska to speak of that would  
6 contribute to this effort. That would be something  
7 worthy for this Council to recommend to the powers that  
8 be.

9

10 The other is household studies. You and I know  
11 that none of us tell the truth about deer hunting. We  
12 have great stories about deer hunting, but even when it  
13 comes to statistics reporting, we don't do it  
14 consistently. Of course, the 70/30 story that was  
15 presented here today is indicative of that kind of data  
16 approach.

17

18 Again, as I said yesterday, Mr. Chairman, there's  
19 something wrong with the permit system. Our people don't  
20 believe in permits. They won't report on permits. They  
21 believe it's a right to hunt and fish and I would urge  
22 the Council again to look at a different approach, study  
23 it, take a look at a notice and reporting system.  
24 Probably administered in cooperation with the Fed or the  
25 State governments through the tribal entities and  
26 communities and working with the corporations. I think a  
27 volunteer system on that basis would be less intrusive to  
28 the Native people and would be appreciated and supported  
29 much more.

30

31 Mr. Chairman, the other thing is there is a  
32 public policy against predator control. Wolves. Wolves  
33 are a growing population and bears have a large impact on  
34 deer. There needs to be some kind of research and more  
35 information on what could be done on predator control  
36 because that is a big factor when it comes to deer and I  
37 think you ought to take a hard look at that and recommend  
38 some kind of extra effort in terms of scientifically-  
39 based research on predator control.

40

41 Lastly, Mr. Chairman, access. Access has been a  
42 great impact to deer and to other resources. With the  
43 U.S. Forest Service and Alaska Native corporations in our  
44 region building roads, they've built hundreds, if not  
45 thousands of miles of roads in southeastern Alaska. I  
46 have flown, crisscrossed southeast Alaska for over 34  
47 years. Every which way you can think of I have flown  
48 over it and seen where these roads are. If anything,  
49 it's the issue of accessibility that has a large impact  
50 on these deer and other animal resources. Accessibility.

00247

1

2 Now, one of the things you can recommend and  
3 think about is method and means. The issue of four-  
4 wheelers going on these logging roads. It's a very  
5 popular thing, four-wheelers. Trucks is another thing.  
6 If you can restrict accessibility and if hunters have to  
7 -- you know, if they can't hunt for a day after they get  
8 somewhere or two days, if they can be restricted on the  
9 type of vehicles that they can use or no vehicles at all  
10 and have to walk to get deer, that will reduce the  
11 harvest level quite dramatically. So if there was some  
12 kind of cooperation on methods and means and to deal with  
13 trespass and to deal with accessibility among the  
14 Federal, State and private entities, you could control  
15 the amount of harvest on the various lands.

16

17 And then comes the business of Native lands.  
18 Various corporations have various policies about  
19 trespass. On Prince of Wales Island, Native lands are  
20 over 300,000 acres. Some coordination, collaboration and  
21 policy-making among the corporations about trespass could  
22 help restrict the amount of access and amount of harvest  
23 by non-Native people. If the tribes could coordinate,  
24 tribal members who are also shareholders of these  
25 corporations, could agree that their lands would be used  
26 only for subsistence hunting and not any other hunting,  
27 that would have significant effect on how much deer was  
28 there and how much harvest would occur.

29

30 But those are things this Council could consider  
31 short of full closure that may not be substantiated based  
32 upon the data that you're receiving. I'd like to add  
33 again that if there is a feeling that resource needs to  
34 be conserved, then you should use your power to protect  
35 subsistence. So, Mr. Chairman, those are the comments  
36 that I have in this regard.

37

38 CHAIRMAN THOMAS: Thank you very much.  
39 Any questions, comments from the Council? Marilyn.

40

41 MS. WILSON: Bob, I wanted to know, you  
42 said something about corporations having different  
43 policies about people hunting on the land. I thought the  
44 Native corporations were under State jurisdiction. Are  
45 they?

46

47 MR. LOESCHER: Yes. Mr. Chairman. The  
48 ANCSA corporations are incorporated under State law and  
49 because they're private lands, they are under State  
50 statute, but there is the law of trespass. It's my

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1 opinion and I have had to deal with this about three or  
2 four times with the State and the State Attorney  
3 General's Office that while the State has enforcement  
4 powers to protect deer and bears and other things that  
5 may occur on Native lands, they don't have a right of  
6 access onto Native lands. So, hence, the dilemma with  
7 regard to State enforcement on Native lands.

8

9 CHAIRMAN THOMAS: Harold.

10

11 MR. MARTIN: Mr. Chairman. Mr. Loescher,  
12 do you support or oppose Proposition 9?

13

14 MR. LOESCHER: That's the reason I opened  
15 and closed my comments -- you know, I've been listening  
16 here for several hours, just like you have, as to the  
17 proposition. I conclude that if there is any basis for  
18 concern over conservation, that the deer population is  
19 low, then I believe you have the obligation to take  
20 action to protect subsistence opportunity. If that means  
21 somehow restricting by methods and means and access to  
22 deer by outside non-Native people, then you have to do  
23 that. If you have to close it to protect the resource  
24 for subsistence purposes, then you're obligated to look  
25 seriously at that policy point.

26

27 MR. MARTIN: Thank you.

28

29 CHAIRMAN THOMAS: Further questions?

30 Thank you very much. Summary of written public comments.

31

32 MR. SCHROEDER: Mr. Chairman, I'd like to  
33 bring up a scheduling matter before I go through comments  
34 if that's okay with you.

35

36 CHAIRMAN THOMAS: Okay.

37

38 MR. SCHROEDER: Looking at our agenda and  
39 the care that the Council is giving to proposals and also  
40 noting that the Council was provided with materials  
41 rather late in the game, we're taking a good deliberation  
42 on these proposals. I think we need to have an evening  
43 session to deal with the business at hand with the normal  
44 expertise and concern that the Council brings to these  
45 matters. So I thought I'd bring that up at this moment.

46

47 CHAIRMAN THOMAS: I don't think that's  
48 possible. There's some other interests in town that  
49 people have set precedence over, but let's do what we  
50 can.

00249

1 MR. SCHROEDER: Okay. Mr. Chairman, I've  
2 circulated Xerox copies of all the written comments I've  
3 received up to two or three days ago. I think the  
4 Council members have had the opportunity to read through  
5 these at breaks. I will point out that we received 23  
6 written comments in letter form that opposed Proposal 9  
7 and opposed restrictions to non-subsistence users. We  
8 also received a petition from the tribal members of the  
9 communities of Craig, Klawock, Hydaburg and Kasaan. This  
10 petition hereby supports -- the signatures hereby support  
11 the proposal submitted by Craig, Kasaan and Hydaburg for  
12 the years starting July 1, 2002 to July 30th, 2003  
13 regarding the Federal subsistence changes on the deer  
14 population and deer season changes to Proposals 8 and 9  
15 of the Federal subsistence book. We have 112 tribal  
16 members as signatures to that petition.

17  
18 We also received 35 people who sent in a form  
19 letter and I believe I gave an example of that form  
20 letter. I think it's worth paying some attention to.  
21 I'd just like to read the highlights of this. Concerns  
22 over Federal Subsistence Proposal 9. (Reading letter)  
23 We received some late comments that I just received  
24 yesterday morning and I'll summarize those. This is  
25 someone from Craig supporting Proposal 9. (Reading  
26 letter) A second letter also from Craig supporting the  
27 proposal also mentions the daily access by the ferry  
28 system and the belief that this would have increased  
29 hunting pressure on the island. (Reading letter)  
30 Another letter from Kasaan expressing concerns about  
31 increased ferry traffic and offroad hunters. Another  
32 letter from Kasaan supporting the proposal. Let me see  
33 if I have anymore. Another letter supporting  
34 restrictions on non-subsistence qualified hunters.  
35 Another letter from Kasaan supporting Proposal 9.  
36 (Reading letter) Another letter supporting the proposal.  
37 (Reading letter) "People on Prince of Wales are not  
38 getting what they need." A letter supporting both  
39 Proposals 8 and 9. (Reading letter) A further letter  
40 supporting 8 and 9 "because we need to remember our local  
41 people." "Prince of Wales hunters depend on local foods.  
42 If there are only enough to feed Prince of Wales, let it  
43 be for the residents only. They take way too much off  
44 our lands and leave their messes behind for locals to  
45 clean up after them."

46  
47 Mr. Chairman, the Regional Council will also note  
48 the staff summaries that are in the RAC book. These  
49 would be summaries of the letters that I've circulated to  
50 you in Xerox form. That concludes the summary of written

00250

1 public comments.

2

3 CHAIRMAN THOMAS: One more public.

4

5 MS. GARZA: I had one question for you,  
6 Bob. In the Xerox of the letters that we received  
7 yesterday, there was one letter that was not signed. In  
8 any of the ones that you tried to summarize for us, were  
9 there any that were not signed?

10

11 MR. SCHROEDER: Mr. Chair, Dolly. No,  
12 they're signed letters. We've been dealing with Xerox  
13 and faxed copies of thing because the Department of  
14 Interior doesn't have e-mail capabilities and it's  
15 possible someone signed it and the signature page was  
16 lost.

17

18 CHAIRMAN THOMAS: Thank you. Mr.  
19 McKinley.

20

21 MR. McKINLEY: Good afternoon. Thank  
22 you, Mr. Chairman and members of the Council. My name is  
23 Alfred McKinley, Sr. I'm here to testify on behalf of  
24 the Alaska Native Brotherhood and I'm also a delegate to  
25 the Central Council. I'm here just taking notes on what  
26 was said on yesterday's report and the reporting system  
27 on statistics.

28

29 I went to several meetings sometime in January.  
30 The first report I received, there were 84 percent making  
31 a report. In the meantime, there were 16 percent that  
32 were making a report. Now I hear it's 30 percent that's  
33 making report. To me, it's not making sense which report  
34 are we going to go by. It's not consistent with whatever  
35 reports that we're going to go by as far as harvesting  
36 the deer or salmon or whatever we do here.

37

38 I'm going to confine my remarks to the  
39 subsistence law that was passed in ANCSA and then ANILCA.  
40 To me, it's kind of difficult to analyze -- not that  
41 difficult, but there's one word that nobody actually uses  
42 for our people, Native people. Actually, it says to  
43 protect the Native people, whether it's on Federal or  
44 State or private land. One key word they never emphasize  
45 is to protect our Native people, our culture. I think it  
46 was Morris Udall that stipulated they didn't have time to  
47 get specific on writing the law, so they said we'll just  
48 protect it, never spelled it out clearly in the law.

49

50 I got a head of myself. They discussed the proxy

00251

1 system. The proxy system I think is very good for our  
2 people, especially for the senior citizens. I'm going to  
3 be a senior citizen myself. When I was born and raised  
4 in Hoonah, the first deer season that opened up in August  
5 back in the '50s, my brother and I used to run across  
6 Hoonah and we used to run up the mountain and get the  
7 deer and pack it down before I went to school. When I  
8 got in the Armed Forces and got hurt, now I can't run  
9 like I used to, up the mountains and back because have a  
10 knee problem. That's one of the reasons why the proxy  
11 system is very good for our people. I heard some things  
12 here that they want to abolish that system and I don't  
13 think I agree with that, to abolish that proxy system for  
14 our people. Some are retired or disabled especially, it  
15 is very good for our people to have this type of system  
16 to get the resources which they can't get today. Even  
17 the urban today we don't get that.

18

19 CHAIRMAN THOMAS: Could you summarize on  
20 9 whether to restrict or not restrict on Prince of Wales?

21

22 MR. MCKINLEY: I'm not too familiar with  
23 the system in Prince of Wales, but I know that they  
24 mentioned wolves. I know there's some wolves and I think  
25 it should be controlled. Also the bear population is  
26 increasing more. In our culture, we don't touch the  
27 brown bear because they're our grandfathers, so we don't  
28 bother the brown bears unless they bother us. There's so  
29 many cultures that we have about animals.

30

31 Anyway, Mr. Chairman, that's all I have. In my  
32 opinion, other statistics that are bothersome to me that  
33 they were talking about this afternoon. I went hunting  
34 in Hoonah with my brother and I came across hunters from  
35 Washington, Oregon, California, right from that area, out  
36 of state hunters. My brother and I went up there early  
37 in the morning. When I brought this to the attention of  
38 the State person what they were doing, they didn't seem  
39 to care what they were doing; flashlighting, penlighting  
40 up there, and they didn't do anything. They're  
41 neglecting their duties as far as doing what they're  
42 supposed to be doing. Those are some of the things that  
43 are bothersome to me.

44

45 With me, I don't go up there for sport, I go up  
46 there for necessity when I hunt and that's some of the  
47 reasons why I got up here. Later on, Mr. Chairman, I  
48 will testify on our urban Natives that we have close to  
49 5,000 over here. I'm just writing my testimony in the  
50 office. That's all I have, Mr. Chairman, as far as the

00252

1 information, notes I've taken on your deer population.  
2 You mentioned 1954. I know we didn't have any ferry  
3 systems between the big cities and here and Juneau and  
4 Ketchikan and I don't know how you're taking statistics.

5  
6 CHAIRMAN THOMAS: Anybody got any  
7 questions for Al?

8  
9 MR. STOKES: Al, did the out of state  
10 hunters have a local guide?

11  
12 MR. McKINLEY: No, they're by themselves.  
13 When I was going out there and I saw this light, it  
14 looked like a rainbow or something flashing up in the  
15 mountains and when I finally came to them with my  
16 brother, we stopped by there and they had that deer  
17 hanging up in the tree so the brown bear wouldn't get it.  
18 When I reported that to the State Trooper, he didn't do  
19 anything about it. To me, at that time, my thinking on  
20 this is it's on Federal land, so why should I do  
21 something about it. That's what it seemed like to me.  
22 At that time, the Federal and State government were  
23 fighting each other, so that's the conclusion I came to.  
24 They didn't do anything about it.

25  
26 CHAIRMAN THOMAS: The answer was no,  
27 there was no guide.

28  
29 MR. McKINLEY: No guide.

30  
31 CHAIRMAN THOMAS: Any other questions?

32  
33 MR. McKINLEY: Thank you very much.

34  
35 CHAIRMAN THOMAS: No more public  
36 testimony? That brings us to Regional Council  
37 deliberations and recommendations. Dolly.

38  
39 MS. GARZA: Mr. Chairman, to get things  
40 going, I would like to move that we adopt Proposal WP02-9  
41 as written on Page 88 of the book. This is as written by  
42 the Craig Community Association and other tribal entities  
43 that submitted this. Is there a second?

44  
45 MR. MARTIN: Second.

46  
47 CHAIRMAN THOMAS: It's been moved and  
48 seconded. Discussion.

49  
50 MS. GARZA: I would like to point out

00253

1 that I am moving what was submitted by the Council that  
2 submitted it. It is different than what is in the green  
3 packet that went out to the public and so there will be  
4 an amendment to deal with that issue. Thank you, Mr.  
5 Chair.

6

7 CHAIRMAN THOMAS: Mike.

8

9 MR. DOUVILLE: Mr. Chairman. I wish to  
10 offer an amendment, striking the last sentence and  
11 October 16 to November 14.

12

13 MR. MARTIN: Second.

14

15 CHAIRMAN THOMAS: There's a motion to  
16 amend and a second. Discussion.

17

18 MS. GARZA: Just as a clarification, so  
19 that's not the full sentence, that's just a line, and  
20 October 16 to November 14, correct?

21

22 MR. LITTLEFIELD: Strike the last line,  
23 and October 16 to November 14.

24

25 CHAIRMAN THOMAS: Further discussion.  
26 Mike.

27

28 MR. DOUVILLE: My reason for doing so is  
29 this may have been proposed by the four villages;  
30 however, it was not published and put out to the public  
31 in this fashion. They did not have a chance to comment  
32 on it or anything like that. The other reason, I feel  
33 perhaps at this time it may be adequate being August 1 to  
34 August 31.

35

36 CHAIRMAN THOMAS: Thank you, Mike.  
37 There's some strange things that happened with this  
38 proposal and none of it within our control and it's  
39 really tough to represent it, but we're going to  
40 represent it. John.

41

42 MR. LITTLEFIELD: Thank you, Mr.  
43 Chairman. I am going to support the amendment, even  
44 though we could be doing other things that are suggested  
45 on the last proposal. This does clarify so that there  
46 was no misunderstanding between the green book and what  
47 we see here today so that all of the public testimony to  
48 date would be on line and, therefore, I will support this  
49 amendment.

50

00254

1 CHAIRMAN THOMAS: Further discussion?

2 Dolly.

3

4 MS. GARZA: Mr. Chairman, I will support  
5 the amendment as well as the main motion if it's amended.  
6 If it passes as amended, then non-rural residents will be  
7 excluded from Unit 2 for the month of August and that, to  
8 me, meets the criteria of meeting the subsistence needs  
9 of people on Prince of Wales and we'll probably come to  
10 further discussion on that when it hits the full motion.

11 Thank you.

12

13 CHAIRMAN THOMAS: Further discussion on  
14 the amendment? Harold.

15

16 MR. MARTIN: Question on the main motion.

17

18 CHAIRMAN THOMAS: Amendment.

19

20 MR. MARTIN: I'm sorry. On the  
21 amendment.

22

23 CHAIRMAN THOMAS: The question has been  
24 called on the amendment. All those in favor say aye.

25

26 IN UNISON: Aye.

27

28 CHAIRMAN THOMAS: Those opposed say no.

29

30 (No opposing votes)

31

32 CHAIRMAN THOMAS: Okay. That brings  
33 before us the main motion as amended. Is there any  
34 further discussion? Marilyn.

35

36 MS. WILSON: I feel hesitant to vote yes  
37 on this because it came out in a different form. All of  
38 the testimony that was brought forward, was that on the  
39 first part as it read or the second part when they sent  
40 out letters? I noticed there was one testimony that  
41 testified on the second printing.

42

43 CHAIRMAN THOMAS: Dolly.

44

45 MS. GARZA: Marilyn, it has been  
46 confusing. When you read to the public comments and I  
47 have read pretty much all of it, some people objected to  
48 the October/November closure, some people objected to the  
49 December closure, so it was clear some people had  
50 received either one or another version of this proposal.

00255

1 However, I think it's okay to vote on it because we  
2 eliminated that whole back half of the season and that's  
3 the only part that was in controversy or confusion, is  
4 whether or not there was an interest in closing deer  
5 hunting to off-island resident for October/November, a  
6 one-month period, or December a one-month period. In the  
7 amendment that we made, we eliminated that whole section,  
8 so the only thing we're recommending closing is a month  
9 of August. Anyone who spoke against the proposal,  
10 whether or not they were opposed to an October closure or  
11 a December closure, it doesn't matter. If they were  
12 opposed to the August closure, that's what we're dealing  
13 with, but they know that's what we're dealing with.

14

15 CHAIRMAN THOMAS: Marilyn.

16

17 MS. WILSON: Could I have that main  
18 motion read before we vote on it?

19

20 MS. GARZA: If you look at page 88 at the  
21 bottom of the page in bold italic, the new proposed  
22 Federal regulation would read Federal public lands are  
23 closed to the hunting of deer except by Federally-  
24 qualified subsistence users during the period August 1  
25 through August 31st.

26

27 MS. WILSON: Strike October 16th?

28

29 MS. GARZA: That was the amendment that  
30 we passed.

31

32 CHAIRMAN THOMAS: Further discussion on  
33 the motion as amended? John.

34

35 MR. LITTLEFIELD: Thank you, Mr. Chair.  
36 I realize there were many comments that had to do with  
37 the ability of us to restrict that. We're talking about  
38 ANILCA Title 8 and we clearly have the authority to  
39 restrict use for two reasons and those two reasons are to  
40 assure continued viability of the resource and to  
41 continue the uses of the rural residents. So I find that  
42 the viability here is threatened. Whether it's in severe  
43 decline is questionable, but both the State and the  
44 Federal government have indicated that this pellet data  
45 shows a declining trend, as well as the people in  
46 Hyaburg. They've all said there's a declining trend of  
47 that herd, so I think the continued viability is  
48 threatened. We've also heard lots of written testimony  
49 on maintaining the subsistence opportunity for the rural  
50 residents who have a positive C&T. This will have some

00256

1 effect on other users, but those other users are not who  
2 we're charged with by ANILCA to protect at this time.  
3 The effect on the subsistence users should be positive  
4 and should result in a better opportunity for them to get  
5 the deer that they need and I am going to support the  
6 motion.

7

8 CHAIRMAN THOMAS: Thank you. Further  
9 comments. Bert.

10

11 MR. ADAMS: Mr. Chairman, I agree with  
12 every word that John just related to us. I couldn't have  
13 said it any better myself. I guess one of the things I'd  
14 like to point out is that in Section 801 of ANILCA says  
15 that the continuation of the opportunity for subsistence  
16 uses by rural residents of Alaska, including both Natives  
17 and non-Natives on public lands and by Alaska Natives on  
18 Native lands is essential to Native physical, economic,  
19 traditional and so forth to both Native and non-Native  
20 and I just wanted to bring that out. We're not just  
21 dealing with one user group, we're dealing with both  
22 Native and non-Native peoples.

23

24 In relation to what John just said about  
25 restricting use whenever possible, it says in Section 804  
26 that whenever it is necessary to restrict the taking of  
27 populations of fish and wildlife in such lands for  
28 subsistence uses in order to protect the continued  
29 viability of such populations, and I think that is what  
30 we're trying to do here today.

31

32 CHAIRMAN THOMAS: Further discussion on  
33 the motion as amended? Patty.

34

35 MS. PHILLIPS: Chairman Thomas. Our  
36 previous action in years past was to support subsistence  
37 take of deer on Prince of Wales Island and our efforts  
38 were shut down because of the lack of data to back us up.  
39 Even though ANILCA 801 Section 5 states that enabling  
40 rural residents who have personal knowledge of local  
41 conditions and requirements to have a meaningful role in  
42 the management of fish and wildlife of subsistence uses  
43 in public lands in Alaska.

44

45 The way I see it, the household survey data backs  
46 up, documents that local knowledge that the rural  
47 residents have. Our charge is to adequately protect  
48 subsistence uses of fish and wildlife within the region.  
49 Deer is an identified subsistence resource. The staff  
50 analysis shows current and anticipated needs is stable

00257

1 and increasing, whereas the harvest trends are  
2 inconclusive due to only a 30 percent return of harvest  
3 data return. Trend analysis of pellet group data  
4 indicates a slight but significant decline in deer  
5 populations based on what's written in our staff  
6 analysis.

7

8 I don't know how accurate it is, but based on  
9 Figure 8 for August, the total season is 2,000 deer.  
10 Twenty percent of all deer taken is in August and you  
11 times that by 30 percent of all hunters are  
12 non-Federally-qualified, so you end up with 168 deer that  
13 are taken by non-Federally-qualified hunters.

14

15 CHAIRMAN THOMAS: Mike.

16

17 MR. DOUVILLE: Thank you, Mr. Chairman.  
18 I think this is a very good proposal. I support it 100  
19 percent for several reasons. It fits the criteria in  
20 804. You have a reduced employment on Prince of Wales,  
21 directly dependent and they live there and the  
22 availability of alternative sources.

23

24 The other reason I support it is because I have a  
25 good handle on what the deer population is in my area. I  
26 trap wolves there in the wintertime. The trapping season  
27 lasts about four months. I've done that for about six  
28 years now, so I know what the population is. I know how  
29 many deer are where and they have very diminished  
30 populations. You don't even see a track on the beach on  
31 some of those islands. So this puts additional pressure  
32 on the road system, so to speak, but because of another  
33 factor. It's all been logged, the whole shoreline, up to  
34 timber line. The deer are diminished in those areas.

35

36 I would like to point out that I did read a lot  
37 of these letters and I want to make it clear that I  
38 represent all rural users in Region 1. I find it really  
39 unfortunate that a lot of these letters refer to non-  
40 Native issue, which it is not. It is a rural user,  
41 period, and that's how I look at it. Native/non-Native  
42 is a non-issue in my mind.

43

44 CHAIRMAN THOMAS: It's an educational  
45 process. A lot of people just haven't taken the  
46 opportunity to familiarize themselves with Title 8. In  
47 some sense, it's of no importance because there's a lack  
48 of agreement in any case. You're right, ANILCA is really  
49 straightforward.

50

00258

1 MR. DOUVILLE: I would like to make one  
2 other point that may have generated some of this stuff.  
3 This was printed in the paper on March 1, which says that  
4 the deer population is thriving at least on POW and I  
5 know it is not. Prince of Wales and surrounding islands  
6 don't have a thriving population. That's totally  
7 misleading to the general public and causes a lot of hard  
8 feelings. It makes them think that we're just trying to  
9 take or the proposers are trying to take these resources  
10 for themselves. It's not true. They're having  
11 difficulty getting their deer. It's taking them longer.  
12 They're getting it, but if you have to hunt for six  
13 months to get your deer, then you've wasted a lot of  
14 energy. That sums up most of my feelings.

15  
16 CHAIRMAN THOMAS: Further discussion.  
17 Dolly.

18  
19 MS. GARZA: Mr. Chairman, I also am in  
20 favor of the proposal as amended for an August closure.  
21 I consider this primarily a subsistence issue. From what  
22 I can understand of the data, I think there is starting  
23 to be a conservation concern, I think there will be a  
24 conservation concern as the changes in the habitat caused  
25 by logging will continue to affect deer populations. I  
26 understand that the greatest impact from logging has not  
27 yet hit the deer populations, but I think we should be  
28 making changes before the deer population hits a low.  
29

30 However, the majority of my reason for supporting  
31 this is that we need to increase subsistence  
32 opportunities for Unit 2 residents. That's our charge to  
33 ANILCA and that is the basis for my decision. I think we  
34 have heard over and over and over again that rural people  
35 in Game Unit 2 who get up and have to work and then get  
36 out there the day of hunting see many cars that are from  
37 off-island that are in the areas that they would go up to  
38 the muskegs, that off-island people are there and have  
39 beat them to the area because they've been able to take  
40 time off to get up there. We have rural residents that  
41 can't take that much time off, they have lower income  
42 jobs, some of them don't have the type of money to get  
43 out there earlier and to stay out there so that they keep  
44 their spot, so I think they have decreased opportunities  
45 and I think that we have to try to increase that  
46 availability to them. So, by having an August closure, I  
47 think we provide a benefit to subsistence users.

48  
49 I understand that this may not result in a  
50 decrease in deer harvest. We may have an increase in

00259

1 rural harvest and we may have the same level of non-rural  
2 residents coming over in September, October, November,  
3 December, so we can't argue that this is going to create  
4 more deer; however, we can argue that it will create this  
5 subsistence opportunity and that's my primary reason for  
6 supporting this proposal, Mr. Chair.

7

8 CHAIRMAN THOMAS: Thank you. Further  
9 discussion. Mike.

10

11 MR. DOUVILLE: There's a couple things I  
12 missed and, one, I believe there's a diminished carrying  
13 capacity now because of the logging which started in  
14 1954. The other concern that I have was that in August  
15 we'll have two ferries a day, which will increase travel  
16 opportunity to get on and off the island.

17

18 CHAIRMAN THOMAS: Further comments.  
19 Mary.

20

21 MS. RUDOLPH: I agree with what Dolly had  
22 to say and I also agree with what Wanda had to say. Last  
23 fall we went through the back roads to look around and we  
24 encountered a lot of birds eating several places and we  
25 finally stopped at one place and they were feeding on a  
26 deer and just the hind quarter was taken out. Somehow it  
27 always tends to come back to the rural villages. So the  
28 concerns we have is similar to what Mike said and what  
29 Dolly said because of living in a rural area, a lot of  
30 these people will take time off in August and come on the  
31 ferry and live in tents all the way out in the roads  
32 where they sometimes will look like a little city out  
33 there. By the time the guys that are able to get out get  
34 out, all the closer ones have been gone already. That's  
35 why I was asking about the fluctuation of deer. If they  
36 do come in in large quantities and then they start going  
37 down, I perceive we're going to have that problem. Thank  
38 you.

39

40 CHAIRMAN THOMAS: Mike.

41

42 MR. DOUVILLE: Mr. Chair. There's one  
43 thing I wanted to add is that I tried to reach all of the  
44 ADF&G Advisory Committee in Craig and I got a hold of  
45 three. Chuck Kadeu supports, he's in favor of Proposal  
46 9. Dennis Watson did not support because there's a doe  
47 season, and Fred Hamilton supported it. He doesn't have  
48 any problem with it. Those were the only three I could  
49 reach. Thank you.

50

00260

1 CHAIRMAN THOMAS: Thank you. Further  
2 discussion on the main motion as amended? Harold.

3

4 MR. MARTIN: I'd just like to point out  
5 that the proposal calls for two months closure out of  
6 five months and the amendment calls for one month closure  
7 out of five months, so I don't think anybody is going to  
8 be hurt by this action. I'm not sure August is a good  
9 time for a subsistence hunt. I personally wait until  
10 mid-season before I go when the snow starts to bring them  
11 down.

12

13 CHAIRMAN THOMAS: Thank you. Further  
14 discussion.

15

16 MR. MARTIN: Go for the question, Mr.  
17 Chairman.

18

19 CHAIRMAN THOMAS: The question has been  
20 called for. All those in favor of Proposal 9 as amended  
21 say aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN THOMAS: Those opposed.

26

27 (No opposing votes)

28

29 CHAIRMAN THOMAS: Motion carries. What's  
30 the wish of the Council? It's 20 minutes to 5:00. We  
31 got a request for shooting antlerless deer on Zerembo  
32 Island. Do you want to take a break and come back to  
33 that?

34

35 MS. GARZA: Mr. Chairman.

36

37 CHAIRMAN THOMAS: Dolly.

38

39 MS. GARZA: Before we take a break, I'd  
40 like to have a conversation on how long we are going to  
41 go because I think we do need to extend some time beyond  
42 5:00 because we're not going to cover everything tomorrow  
43 and I think that customary trade will take a lot of time  
44 and I don't want us to rush everything through and then  
45 we do nothing on customary trade. That's a big issue  
46 that we need to spend some time on as a Council. So I  
47 would hope that we take a break and perhaps keep going  
48 until 7:00 o'clock and see what we can punch out.

49

50 CHAIRMAN THOMAS: You can probably go

00261

1 till 7:00 o'clock, but you'll probably do it with an  
2 abbreviated Council because some of us have made  
3 commitments for tonight, not anticipating this. But a  
4 quorum has been established and business can be  
5 conducted, so that shouldn't be a problem. There's a lot  
6 of work to be done. There's a lot of things that have  
7 happened with this that's never happened before. There's  
8 people here that just can't tolerate these long hours of  
9 this type of an environment, so I think it's asking a lot  
10 of people that don't do this. People that do this every  
11 day are kind of seasoned to it, but not everybody is  
12 seasoned to it. So, giving consideration to people that  
13 get enough of this in nine hours needs to be considered.  
14 Let's take a break.

15

16 (Off record)

17

18 (On record)

19

20 CHAIRMAN THOMAS: Let's call this meeting  
21 back to order. That brings us to Proposal 11. Mr.  
22 Johnson, will you introduce that. Dolly.

23

24 MS. GARZA: Mr. Chairman, before we start  
25 that I did canvas the Council members and the majority of  
26 them, a super majority of them are willing to stay until  
27 6:30 or 7:00 in hope that we'll knock off the last four  
28 proposals because tomorrow will be a big day. And I know  
29 we're going to lose Mike and if we lose you to some fancy  
30 dinner.....

31

32 CHAIRMAN THOMAS: No big deal, uh.

33

34 MS. GARZA: .....you're not inviting us  
35 to, we'll survive without you.

36

37 (Laughter)

38

39 CHAIRMAN THOMAS: This is going to  
40 require some meditation. Proceed, Mr. Johnson.

41

42 MR. JOHNSON: Thank you, Mr. Chairman and  
43 I'll try to speed this along as well.

44

45 Proposal 11 was submitted by Harold Baily  
46 from Wrangell and his proposal is to establish an  
47 antlerless season in Unit 3 Zarembo Island so you'd still  
48 be able to take two deer, one of which would be  
49 antlerless and the antlerless deer would be able to be  
50 taken during the period October 15th to November 30th by

00262

1 Federal registration permit.

2

3 Mr. Baily alleges that there's a large  
4 population of deer on Zarembo Island and that when we get  
5 a hard winter there will be a massive winter kill. A  
6 total waste of good meat that could be used by the people  
7 in Wrangell and Petersburg. The effects of the change on  
8 his proposal would reduce the antlerless deer population  
9 slightly. Effect of the proposed change on the  
10 subsistence user would make more deer available to  
11 harvest.

12

13 He further states that Zarembo Island  
14 deer population is very high and that a limited  
15 antlerless harvest will provide more deer to the rural  
16 residents and will not hurt the deer population and take  
17 some of the pressure off of the buck population.

18

19 The customary and traditional use  
20 determination, the rural residents of Units 1(B) 3 and  
21 residents of Port Alexander, Port Protection, Point  
22 Baker, Meyers Chuck have a positive C&T for Unit 3. The  
23 deer population in terms of the biological and the  
24 current effects on deer in Unit 3 is currently rebounding  
25 from the severe winters of 1971 and 1972 which was  
26 discussed earlier that basically covered all of Southeast  
27 Alaska.

28

29 Back to the swings of cycle of deer  
30 populations in Southeast, wolf and black bear predation  
31 is also another consideration as has been discussed in  
32 addition to the severe winters. The last population  
33 crash for deer did occur in '71 and '72. Zarembo Island  
34 does have a wolf population but very few black bears are  
35 known to exist there. The current deer population data  
36 does not conclusively show an increase or decrease in the  
37 population. The amount of deer harvest effort is  
38 increasing. Another errata, Mr. Chairman, don't throw a  
39 rock at me please, Table 1 should be what's referred to  
40 there rather than Table 2. Because Table 2 deals with  
41 deer pellets again. The island is considered to be  
42 Wrangell's backyard and as much as one-half of all the  
43 deer harvested by Wrangell's residents comes from  
44 Zarembo.

45

46 Table 1 gives no clear indication that  
47 the deer population is increasing on Zarembo Island and  
48 the estimated harvest data shows a relatively consistent  
49 number of deer being harvested annually while the number  
50 of days to harvest, hunter effort, has fluctuated.

00263

1           Establishing a doe harvest could have a  
2 negative effect on the deer population of Zarembo Island  
3 as the timber harvest units mature, again, second growth,  
4 stem exclusion stage, there is a possibility of habitat  
5 loss, especially as it goes into that 25 year age class.

6

7

8           Primary conclusion, based on the hunter  
9 effort data and based on the deer pellet data in Tables 1  
10 and 2 is to oppose the proposal. The justification is  
11 that the hunter effort is already increasing with no  
12 additional increase of hunter success. Wolf predation is  
13 unknown but will continue to have an effect on the deer.  
14 Also there's some indication from the elk that are moving  
15 from Edland and some of the other islands to the north  
16 that they may be having an affect on for competing for  
17 the same habitat or browse as the deer. Again, deer  
18 winter range has been reduced through timber harvest  
19 activities.

20

21           And that concludes my presentation, Mr.  
22 Chairman.

23

24           CHAIRMAN THOMAS: I'm interested in -- I  
25 lost track of where you were reading but you used the  
26 term, may, and where was that at exactly?

27

28           MR. JOHNSON: Mr. Chairman, the may is on  
29 -- maybe I imagined it Mr. Chairman.

30

31           CHAIRMAN THOMAS: The reason I brought  
32 that up is I'm not a proponent user of the term, may, in  
33 making decisions.

34

35           MR. JOHNSON: Okay. I also used the  
36 possibility -- if you look at the effects of the proposal  
37 on the bottom of 119, it says there is a possibility and  
38 then if you look at the top of Page 121, the possibility  
39 of habitat loss. And then it goes on to say therefore,  
40 that there is a distinct possibility there may become --  
41 the population may become reduced through the stem  
42 development process or stem exclusion stage.

43

44           CHAIRMAN THOMAS: So it's another  
45 hypothesis?

46

47           MR. JOHNSON: Again, that's based on the  
48 second growth information that's been conveyed this far.  
49 Paul Alaback and others have indicated that there is a  
50 decline in habitat when it gets into that 25 year plus

00264

1 age class, to what degree, I don't have the  
2 quantification -- or can quantify that amount.

3

4 CHAIRMAN THOMAS: Okay. Questions. No  
5 questions. Dolly.

6

7 MS. GARZA: This looks really surprising  
8 to me. I look at the data and it looks like there's more  
9 hunters than there are deer on that island and so it  
10 makes me wonder, are those -- it doesn't -- either that  
11 or I didn't find it, are the hunters that go to that  
12 island rural residents?

13

14 MR. JOHNSON: I can't speak to, Dolly, if  
15 they're all rural residents but a high percentage of them  
16 are from the Wrangell area.

17

18 MR. STOKES: Mr. Chairman.

19

20 CHAIRMAN THOMAS: Dick.

21

22 MR. STOKES: There are -- most of them  
23 come from Wrangell. But I speak against this proposal.  
24 Mr. Bailey is a licensed charter boat operator and guide  
25 and I've known him since he moved to Wrangell. But  
26 there's enough deer being harvested off of Zarembo  
27 illegally that I don't believe an antlerless deer season  
28 would accomplish anything.

29

30 CHAIRMAN THOMAS: Further questions.  
31 Comments. Does that conclude your....

32

33 MR. KOOKESH: Mr. Chairman.

34

35 CHAIRMAN THOMAS: Floyd.

36

37 MR. KOOKESH: I have a question. Usually  
38 when we conduct meetings we kind of don't usually discuss  
39 individual's characters unless they're there to speak on  
40 their behalf, is that in order for us to comment on say  
41 like the makers of the proposal, their background, is  
42 that called into question when the proposals are brought  
43 before us? Is that something that we need to stay away  
44 from?

45

46 CHAIRMAN THOMAS: It's just part of the  
47 process, I guess. We get written comments and we gather  
48 it all around, I would discourage it. But I don't know  
49 what I could do if it happened to slip out of our  
50 Wrangell member's -- you know, he's pretty emotional and

00265

1 he's old, too, you know.

2

3 MR. KOOKESH: He's all torn up, uh?

4

5 CHAIRMAN THOMAS: Yeah.

6

7 (Laughter)

8

9 MR. STOKES: Mr. Chairman.

10

11 CHAIRMAN THOMAS: Uh-huh.

12

13 MR. STOKES: If I've made a mistake

14 please strike my testimony about Mr. Bailey.

15

16 CHAIRMAN THOMAS: Okay, we stroked [sic]

17 it, that damn Mr. Bailey.

18

19 (Laughter)

20

21 CHAIRMAN THOMAS: Biological socio-

22 cultural analysis. Was that covered in your

23 introduction?

24

25 MR. JOHNSON: Basically you got the whole

26 thing there in one shot, Mr. Chairman, Council.

27

28 CHAIRMAN THOMAS: Thank you. Agency and

29 government comments.

30

31 MS. GARZA: Start with tribal.

32

33 CHAIRMAN THOMAS: Oh, yeah, you're right.

34 Don't strike my comment. Mr. Titus.

35

36 MR. TITUS: Thank you and good afternoon

37 once again. The Department does not support this

38 proposal for many of the same reasons that have been put

39 forward by Forest Service Staff. I have nothing

40 additional that has already not been provided in the

41 record in the book. The one thing that I would emphasize

42 is that if the Council chose to recommend and did move

43 forward with an antlerless hunt, which we do not support,

44 the Department strongly recommends that a reliable and

45 timely mechanism for the establishment of how you would

46 go collect that data would be put forward because it's

47 already been put forward in this meeting. Acquiring that

48 kind of information has been troublesome and we would

49 recommend that a good administrative system be put in

50 place to track that information, particularly for a doe

00266

1 harvest on Zarembo Island.

2

3 Thank you.

4

5 CHAIRMAN THOMAS: Any questions. John.

6

7 MR. LITTLEFIELD: Thank you, Mr.

8 Chairman, this is probably for both of you, but on Page

9 119 the third paragraph down toward the end of the

10 paragraph it says, monitoring on portions of Edland

11 Island suggest that elk populations through our famous

12 pellet counts have doubled while deer pellet group

13 densities have declined by 56 percent. And nowhere in

14 the ADF&G comments did I see anything on the elk and it

15 seems to me that there may be some interaction there

16 that's negative. Would you comment on that or can you?

17

18 CHAIRMAN THOMAS: Yeah, Kim.

19

20 MR. TITUS: If it's okay with the

21 Council, I would defer to Dave Person who's worked with

22 both of these species and that interaction.

23

24 CHAIRMAN THOMAS: Dave.

25

26 MR. PERSON: Thank you, Mr. Chairman.

27 Dave Person, Alaska Department of Fish and Game. John,

28 your question on elk is a good one. We don't really have

29 a good handle on the population of elk on Zarembo and it

30 is a much smaller population than that that exists on

31 southern Edland Island. The interactions between deer

32 and elk on Zarembo, we don't have a good handle on what

33 those affects are at this point in time. The potential

34 is there because there's about a 60 to 70 percent dietary

35 overlap between elk and deer year-round as unlike what it

36 is say, let's say, in Montana or in a place like

37 Washington where elk can graze throughout most of the

38 summer. Here they're subject to browsing most of the

39 year along with deer. So there is a potential for the

40 effect but we have not measured it very well on Zarembo

41 Island at this point. And so I think that's probably one

42 reason why it's not in those comments.

43

44 We do have data on that interaction on

45 Edland Island and it does, indeed, indicate that the deer

46 may declining in areas where elk populations have been

47 increasing.

48

49 CHAIRMAN THOMAS: Thank you. John.

50

00267

1 MR. LITTLEFIELD: Thank you. That was  
2 going to be my next question on Edland Island. It seems  
3 to me that we have an introduced species that is directly  
4 affecting a customary and traditional resource and I've  
5 got a problem with that if you can comment on that.

6  
7 MR. PERSON: I may risk my job here but  
8 that was about the dumbest thing Fish and Game ever did  
9 in Southeast Alaska.

10  
11 CHAIRMAN THOMAS: I agree.

12  
13 MR. MARTIN: Mr. Chairman.

14  
15 CHAIRMAN THOMAS: We're addressing  
16 antlerless deer on Zarembo, let's stick with antlerless  
17 deer on Zarembo.

18  
19 MS. GARZA: I'd like to see if Kim was  
20 going to put his job on the line, too.

21  
22 MR. TITUS: I wanted to state for the  
23 record that the Alaska State Legislature passed a law  
24 requiring us to put deer on those islands.

25  
26 MR. LITTLEFIELD: Deer.

27  
28 MR. TITUS: Elk, I stand corrected.

29  
30 MR. MARTIN: Mr. Chairman.

31  
32 CHAIRMAN THOMAS: Harold.

33  
34 MR. MARTIN: I was going to point that  
35 out. I think elk has a direct effect on deer  
36 populations. I remember when the proposal came up to  
37 introduce elk on Zarembo Island, we fought this tooth and  
38 nail but we did not prevail over our good Senator Robin  
39 Taylor and our arguments at that time were the same as  
40 here, that the elk feed on the same thing as the deer and  
41 the population would eventually force deer out of their  
42 natural habitat. And I think that's happening. I think  
43 they're on other islands now. I know there's elk in  
44 Kake. That, you know, they're not Native to Kake but  
45 there's elk in that area. And also moose. So we have a  
46 moose and elk season in Kake now.

47  
48 CHAIRMAN THOMAS: Okay. Let's get back  
49 to antlerless deer on Zarembo. What you got there?  
50

00268

1 MS. GARZA: Tribal governments, other  
2 governments, summary of written public comments, Regional  
3 Council deliberations.

4  
5 CHAIRMAN THOMAS: Tribal governments.

6  
7 MS. GARZA: Get it over with.

8  
9 CHAIRMAN THOMAS: No tribal. Summary of  
10 written public comments.

11  
12 MR. SCHROEDER: Mr. Chairman, we just  
13 have one comment from -- again, from Mr. Bachteal, I  
14 think I mispronounced his name from -- I think he's an  
15 individual, possibly also from the council there. I  
16 don't support this proposal, do not allow a doe hunt to  
17 be established on Zarembo. Is there evidence suggesting  
18 that the deer population is high enough? I thought other  
19 proposals stated that you could not find a buck there,  
20 will killing does help this situation? It's kind of like  
21 a farmer selling one-half of his cow herd instead of  
22 buying one other bull.

23  
24 And that concludes the written comments  
25 we've received.

26  
27 CHAIRMAN THOMAS: I am not familiar with  
28 the scenario, could you help me out with that?

29  
30 (Laughter)

31  
32 MR. SCHROEDER: No bull.

33  
34 CHAIRMAN THOMAS: Okay. So that ends  
35 public comment, written comments. And what's the wish of  
36 the Council?

37  
38 MS. GARZA: Mr. Chairman, to put it on  
39 the table, I would move to adopt Proposal 11.

40  
41 MR. STOKES: Second.

42  
43 CHAIRMAN THOMAS: There's a motion to  
44 adopt and seconded. Discussion.

45  
46 MS. GARZA: Mr. Chairman, I would support  
47 Staff recommendation and oppose the proposal.

48  
49 CHAIRMAN THOMAS: Further comments.

50

00269

1 MR. LITTLEFIELD: Mr. Chair.

2

3 CHAIRMAN THOMAS: John.

4

5 MR. LITTLEFIELD: I'm going to oppose  
6 this but I believe that we may not even be in this  
7 position had there not been elk introduced on Edland  
8 Island therefore swimming to Zarembo Island and to Prince  
9 of Wales and to Deer Island and to everywhere else. And  
10 hopefully, somewhere on the agenda we can put the elk  
11 issue, if we have time.

12

13 Thank you.

14

15 CHAIRMAN THOMAS: Further comment. Bert.

16

17 MR. ADAMS: Mr. Chairman, I am prepared  
18 to vote on this issue a well and I'm going to oppose it.  
19 Looking at the map on that particular island, the poop on  
20 that island is not very good.

21

22 (Laughter)

23

24 CHAIRMAN THOMAS: What's the wish of the  
25 Council?

26

27 MR. MARTIN: Mr. Chairman, call for the  
28 question.

29

30 CHAIRMAN THOMAS: Question's been called.  
31 All those in favor say aye.

32

33 (No aye votes)

34

35 CHAIRMAN THOMAS: All those opposed, no.

36

37 IN UNISON: No.

38

39 CHAIRMAN THOMAS: Motion fails. I now  
40 present to you the honorable Madame Chair, Dr. Dolly  
41 Garza.

42

43 CHAIRWOMAN GARZA: Thanks, Bill. We'll  
44 go on to Proposal 13. Dave.

45

46 MR. JOHNSON: Thank you, Madame Chair.  
47 Proposal 13 was submitted by the Yakutat Ranger District  
48 of the Forest Service. And after the proposal was  
49 submitted by the Forest Service and in discussion between  
50 the Yakutat Tribe and I will rely on Bert here for some

00270

1 details, perhaps later on, Yakutat Tribe and also ADF&G  
2 Wildlife Conservation Division, it was determined that,  
3 if you will refer over, we're going to jump around a  
4 little bit here, that during the public input process, it  
5 was determined that the proponent and analyst were really  
6 interested in primarily the area around the Nunatak Bench  
7 and the reason that was the primary area of concern was  
8 -- the focus of the proposal dealt with the inability of  
9 rural subsistence users being able to obtain goats late  
10 in the season when they had time to hunt because most of  
11 the goat hunters were interested in -- or had to fish or  
12 had other employment and so by the time they were able to  
13 hunt goats the quota had already been reached, so  
14 therefore they no longer -- they didn't have the  
15 opportunity to do that

16  
17           So originally they were talking about  
18 what would be called a subunit kind of analysis and  
19 really the subunit is synonymous with these survey areas  
20 or sub-survey areas that really were not subunits but in  
21 terms of the management were managed as if they were  
22 subunits, if that makes sense, because of the geographic  
23 location of where these goat populations occurred in Unit  
24 5(A) that the State and the Forest Service monitored the  
25 populations in each one of those locations.

26  
27           So originally, the Forest Service in  
28 discussion with the Yakutat Tribe and the proponent and  
29 other folks, subsistence users, originally talked about a  
30 proposed regulation that would establish goat quotas for  
31 all of Unit 5(A), which is broken down into four subunits  
32 basically. As the discussion went on it was determined  
33 that the real issue dealt with 5(A)(2), which was the  
34 Nunatak Bench.

35  
36           Also I would like to point out that the  
37 reason for goat quotas to start with is the State has a  
38 fairly easy way to deal with their emergency closure  
39 process. Goat populations being that they're generally  
40 so small in terms of the availability of a harvestable  
41 surplus, the potential for overharvest can occur in a  
42 very short time. So you have to monitor the harvest very  
43 closely. Well, the State may not determine until, say,  
44 5:00 o'clock on a Friday that they're going to implement  
45 an emergency closure, again, for the sake of discussion,  
46 on one of these subareas, I don't want to call them  
47 subunits because I don't want to confuse you with that,  
48 but these subsurvey areas, they would have an emergency  
49 closure, the Forest Service gets the call maybe at five  
50 minutes to 5:00. Our emergency closure process is much

00271

1 more cumbersome. We have to go through the Office of  
2 Subsistence Management, we require a special action by  
3 the Board and it can take several days or potentially  
4 several weeks. So the District Ranger, in this case,  
5 thought, well, if we can establish some quotas here then  
6 we can all agree that when the quotas are reached we know  
7 that it's time to implement the closure.

8

9           The effect on the user would be that you  
10 made an opportunity to hunt goats in Unit 5(A) with an  
11 identified quota. Conflicts between sport hunters and  
12 subsistence hunters would be minimized because most of  
13 the sport hunting on the goats in Unit 5(A) occur earlier  
14 in the season, so you're subsistence goat harvesters  
15 occurs later in the season.

16

17           If abundance is low sport hunters would  
18 be restricted before reducing the subsistence harvest  
19 because again you've established a quota. In this case,  
20 the Yakutat Tribe and the folks that were most concerned  
21 were only requesting, ultimately a two goat quota.

22

23           Again, the reason for changing the  
24 regulation, it was recognized through aerial surveys in  
25 2000 and 2001, that little interaction is thought to  
26 occur among these distinct subpopulations and that some  
27 herds are stable while others appear to be in decline.  
28 In order to protect the declining herds and create  
29 sustainable harvest levels for all herd hunt areas should  
30 be established.

31

32           So if you look at the proposed regulation  
33 that is really being proposed at this time and, again,  
34 procedurally there may need to be some discussion here  
35 and, again, I'm going to rely on Bert for some of the  
36 clarification with respect to the tribe, Unit 5(A)(2)  
37 would be the modified proposal, if you will, if you'll  
38 look down on 137. In the case of proposed subunit  
39 (A)(2) there's clearly a conservation concern. IT is  
40 anticipated, however, that when the population has  
41 sufficiently recovered that the State harvest guideline  
42 will be low allowing for only a few animals. So then you  
43 run into this same problem of late goat hunters aren't  
44 going to have an opportunity because they're already  
45 harvested.

46

47           There are other populations in Unit 5(A),  
48 you've got the other basically three locations where  
49 people can currently harvest goats but as the winter goes  
50 on, as the season goes on, the weather gets bad, the

00272

1 safety factor jacks up a few notches and some of the  
2 other locations just are not safe or easy to get to as  
3 compared to the Nunatak Bench area.

4

5 By establishing and publishing a quota  
6 and the conditions under which the season would be  
7 closed, both Federal and State managers would be able to  
8 respond quickly to protect the resource while still  
9 providing for an opportunity for rural goat harvesters.

10

11 The preliminary conclusion is to support  
12 the proposal with modification to establish a quota in  
13 Unit (A)(2) and the modified proposal regulation would  
14 read Unit 5(A), one goat by Federal registration permit  
15 only in that portion of Unit 5(A) between the Hubbard  
16 Glacier and the West Nunatak Glacier on the north and  
17 east sides of Nunatak Fjords, the goat season will be  
18 closed when a harvest quota of two goats are reached.

19

20 That concludes my presentation, Madame  
21 Chair.

22

23 CHAIRWOMAN GARZA: Thank you, Mr.  
24 Johnson. Are there questions on the Staff analysis? Mr.  
25 Littlefield.

26

27 MR. LITTLEFIELD: Thank you, Madame  
28 Chair. I'm Looking through at this Map 2 on Page 141. I  
29 assume that's the area we're talking about, 5(A)(2) and  
30 I'm only assuming that because the previous page talks  
31 about the Nelchina Caribou Herd, but is that definition  
32 there 5(A)(2) the area we're talking about?

33

34 MR. JOHNSON: That is correct, John.  
35 Madame Chair.

36

37 CHAIRWOMAN GARZA: Dave.

38

39 MR. JOHNSON: Again, keep in mind that  
40 the locations you see on the map on Page 141 have been  
41 drawn that way because of the -- I'm going to call them,  
42 not necessarily subpopulations but distinct geographic  
43 populations that have little movement between those  
44 various subsurvey areas.

45

46 CHAIRWOMAN GARZA: Dick and then John.

47

48 MR. STOKES: Dave, I am concerned, in  
49 fact, I'm real mixed up, it says one goat. Is that for  
50 the individual and then two goats quota? I just don't

00273

1 understand that. Because if I was to go out and hunt I  
2 would get one goat and then the season would be closed.  
3 I'm just wondering what that means?

4

5 MR. JOHNSON: Bert, can you provide any  
6 clarification on this at all?

7

8 MR. ADAMS: No. Let me help out a little  
9 bit. If I can explain the reason why we had this  
10 particular unit subdivided, is, if you look at table --  
11 go over to Page 133 and that table shows the various  
12 population strengths, you know, in those units, Units  
13 5(1)(A), 5(A)(2) and so forth. And in Unit 5(A)(2) there  
14 was 48 goats surveyed there last year. And then in  
15 5(A)(3) you see substantial increases. The Forest  
16 Service became quite concerned when that figure went down  
17 from 65 to 48, they think that 65 is a pretty healthy  
18 population for that particular area. And so as we began  
19 to address this and brought the tribe into the discussion  
20 as well as other people, the State people were even there  
21 as well, the idea of subdividing that unit into units  
22 would enable us to concentrate, for instance, 5(A)(2) and  
23 close that particular place down without closing the  
24 whole area down and then we could work it, you know, unit  
25 by unit.

26

27 At this particular time, you know, we are  
28 really concerned about that Nunatak Bench area because of  
29 the low population, it's way, way down. And so we  
30 figured that if we can work out a management scheme, you  
31 know, that would enable other areas to stay open and then  
32 just concentrate on trying to build up that 5(A)(2) unit,  
33 that this is the way we would go.

34

35 I hope I answered the question. How did  
36 I do Dave?

37

38 CHAIRWOMAN GARZA: So Bert, you're in  
39 favor of the motion as amended -- or the proposal as  
40 proposed to be amended?

41

42 MR. ADAMS: I'm not in favor of the  
43 proposal as amended, I'm in favor of the proposal as  
44 presented by the Forest Service and supported by the  
45 tribe in its original proposal. The main one is on Page  
46 125.

47

48 CHAIRWOMAN GARZA: John.

49

50 MR. LITTLEFIELD: Thank you, Madame

00274

1 Chair. I was wondering if the definition of the area in  
2 5(A) on Page 137 corresponds with 5(A)(2) or is only a  
3 portion of it. It looks to me like it's only a portion  
4 of it. Could you clarify that for me, please?

5

6 CHAIRWOMAN GARZA: Dave.

7

8 MR. JOHNSON: It does correspond to the  
9 same, again, subunit, if you will, that should be (A)(2)  
10 but since we don't have an (A)(2), it's still 5(A); does  
11 that make any sense? The discussion of subunits is  
12 strictly for discussion so forget the number, it's only  
13 to put little places on the map so you can tell when  
14 you're in one place that's different from the rest of the  
15 unit.

16

17 Also for clarification, Madame Chair,  
18 over on Page 125, in answer to the question, John, it's  
19 one goat by Federal permit, the reason two goats were  
20 selected was because in 5(A)(2) there currently is a  
21 conservation concern. That number would be adjusted  
22 annually based on aerial surveys and other information  
23 between the State and the Forest Service if the  
24 population or if the surveys indicated more than two  
25 could be taken.

26

27 CHAIRWOMAN GARZA: Marilyn.

28

29 MS. WILSON: Madame Chair. I just wanted  
30 to clarify, Dick asked a question and nobody really  
31 answered him. I think the quota -- if I went to Unit  
32 5(A)(2) and I got my goat and then Dick went and he shot  
33 a goat, well, that filled the quota of two; is that  
34 correct?

35

36 MR. JOHNSON: That's correct. And again,  
37 you'd be able to adjust the quota based on what you see  
38 annually. The problem is the ability to fly this area to  
39 do goat surveys creates some problems. The ability of  
40 goats to hide when you're doing aerial surveys on good  
41 days also presents some problems. Neil Barton is  
42 probably the best person to tell you more about goat  
43 biology and we relied heavily on that. But that's  
44 basically the gist of it. Our current system on the Fed  
45 side is very, very cumbersome in trying to take care of  
46 both subsistence users and goats so by establishing a  
47 quota system you'd be able to take care of both.

48

49 CHAIRWOMAN GARZA: Mary.

50

00275

1 MS. RUDOLPH: When you have goat season  
2 will be closed when a harvest quota of two, does that  
3 mean for the whole village or just one person can get two  
4 goats?

5  
6 MR. LITTLEFIELD: All rural users.

7  
8 MR. JOHNSON: All rural users. And if  
9 you look again, the number would vary. If you look on  
10 the summary on Page -- on Page 125, you'll see that under  
11 5(A)(2) it has, "X number" of goats. So the two is just  
12 for the sake of discussion. And the reason it's two  
13 right now is because there currently exists a  
14 conservation concern in 5(A)(2).

15  
16 Also a question for Bert, Madame Chair,  
17 if I understand correctly then you were not privy to this  
18 discussion that relates to a modification on the bottom  
19 of 137 that says here, during the public input process  
20 and discussions with ADF&G and the Yakutat Tlingit Tribe,  
21 after submission of Proposal WSA01-13, boy -- I don't  
22 want to go -- additional information was brought to light  
23 regarding the proposed. As proponent and analyst, we  
24 thought it prudent to consider that information in our  
25 analysis and present a modification. So if what I'm  
26 hearing, Bert, is that the tribe was not part of that  
27 discussion?

28  
29 MR. ADAMS: I wasn't.

30  
31 MR. JOHNSON: So you don't know if the  
32 tribe was or not?

33  
34 MR. ADAMS: No. I doubt whether they  
35 were because I represented the tribe at these meetings.

36  
37 MR. JOHNSON: Thank you.

38  
39 CHAIRWOMAN GARZA: John and then Dick.

40  
41 MR. LITTLEFIELD: This is a question for  
42 Bert, Madame Chair. He said he was in favor of the  
43 language on 126, I think that's what you said, but 126  
44 does not have any X's filled in and I notice the language  
45 on Page 130 has the X's filled in. So if you could  
46 clarify for me whether that is what you support or not?

47  
48 CHAIRWOMAN GARZA: Say that again, John.

49  
50 MR. LITTLEFIELD: Yes, Madame Chair. I

00276

1 believe I heard Bert say that he supported the Proposal  
2 13 as shown on Page 126, the original one, but that had  
3 no quotas in it but I believe that is rewritten on Page  
4 -- the center of Page 130 with the quotas inserted, the  
5 recommended quotas inserted in those areas. So I guess I  
6 need a clarification if that's what he's in favor of or  
7 not.

8

9 MR. ADAMS: Madame Chairman. John, it  
10 looks like the one on 130 would be the one that I was  
11 more inclined to support. The other, like you said, it  
12 has X's in it but these lines are filled -- these are  
13 filled in than the other one.

14

15 CHAIRWOMAN GARZA: Dick.

16

17 MR. STOKES: I was just wondering if such  
18 a low quota, three goats the whole time, why even have a  
19 goat season?

20

21 CHAIRWOMAN GARZA: Dick, if you look at  
22 Page 133 that looks at the entire Unit 5(A) and so the  
23 entire harvest -- I'm sorry, the entire population is  
24 high, it's only the population of goats in this one area  
25 that they're calling 5(A)(2) where there's an estimated  
26 number of 48 goats, however there's a larger number of  
27 goats in the other two areas which allows for a harvest  
28 of approximately 400 goats. So if I understand it right,  
29 the intent of removing this area from the rest of the  
30 5(A) is to allow for two goats to be taken saying you  
31 can't take anymore because there's population concern and  
32 allow hunting to continue in the rest of the area.  
33 That's correct, isn't it?

34

35 MR. ADAMS: That is correct, Dolly.

36

37 CHAIRWOMAN GARZA: Go ahead.

38

39 MR. YOUKEY: I think there's a little bit  
40 of confusion here.

41

42 CHAIRWOMAN GARZA: Please state your  
43 name.

44

45 MR. YOUKEY: Don Youkey, Forest Service  
46 biologist. I was involved in some of this but not  
47 intimately but I was involved in where the two goats came  
48 from. We looked at historical use by local residents.  
49 Currently there's a conservation concern with that  
50 5(A)(2) area such that there probably should be no

00277

1 harvest in there. If the numbers go higher, we were --  
2 the thought was to reserve two goats because that's what  
3 had been on average harvested by local residents.

4

5 Typically, the local subsistence harvest  
6 was later in the season, non-subsistence harvest, when it  
7 occurred, was earlier in the season. So if you had few  
8 numbers of goats to be harvested, there was a possibility  
9 of them being taken by non-subsistence users so this was  
10 a mechanism to essentially reserve two goats for local  
11 harvest.

12

13 Does that clarify anything or does that  
14 muddy the waters more?

15

16 CHAIRWOMAN GARZA: So I guess the  
17 question that I have is was there any Staff work done to  
18 determine if the subsistence needs are greater than the  
19 two? What I'm not understanding is if there are six  
20 goats that could be taken in one of those areas and we're  
21 only reserving two for subsistence and are we actually  
22 creating four for sport?

23

24 MR. YOUKEY: The majority of that harvest  
25 under the State's -- currently under the State -- well,  
26 the State and Federal system parallel each other  
27 currently. So the majority of the goats harvested in  
28 that area are taken by Yakutat residents. But not  
29 limited to those. So in all likelihood, those extra four  
30 goats would be taken by local residents but -- but other  
31 residents would have an opportunity to -- non-local  
32 residents would have an opportunity to harvest as well.

33

34 MS. WILSON: Madame Chair.

35

36 CHAIRWOMAN GARZA: Marilyn.

37

38 MS. WILSON: I have a question on Unit 5.  
39 It has the remainder, Unit 5, one goat by Federal  
40 registration permit only. Does that mean there's no  
41 limit or no quota in that area?

42

43 MR. LITTLEFIELD: Madame Chair.

44

45 CHAIRWOMAN GARZA: John.

46

47 MR. LITTLEFIELD: I don't know if I can  
48 answer that, maybe the biologist could, but I believe  
49 Unit 5 is currently in two areas, 5(A) and 5(B). 5(A) is  
50 United States Forest Service regulated land and 5(B) is

00278

1 not within our purview; is that correct?

2

3 MR. ADAMS: Madame Chairman, that's  
4 correct. Your assumption is correct John. Thank you.

5

6 MR. LITTLEFIELD: So we're only talking  
7 about 5(A).

8

9 MR. ADAMS: Madame Chairman.

10

11 CHAIRWOMAN GARZA: Bert.

12

13 MR. ADAMS: I'd just like to make another  
14 comment if I might. If you look at, you know, the map on  
15 141, you'll see where the divisions are and everything.  
16 But most of the subsistence hunters will take off from  
17 Yakutat by boat and they'll leave the harbor and they  
18 will go along the shoreline all the way up, you know,  
19 into Disenchantment Bay, past the glacier and into the  
20 fjord and then they will go over to the Nunatak Bench to  
21 hunt their goat. That is fairly easy, you know, for  
22 local people to get their goats. Other places, you have  
23 to either fly down there and camp out overnight and so  
24 forth, you know, and most all of the other hunting user  
25 groups, you know, are done mostly in 5(A)(4), I believe,  
26 a little bit up over into 5(A)(3). But most of the  
27 subsistence hunters, you know, will hunt in Nunatak Bench  
28 and go over to Harlequin Lake and hunt off of the  
29 mountains there and that's in Unit 5(A)(2).

30

31 So it's a matter of access and that's the  
32 reason why they use those areas to hunt.

33

34 CHAIRWOMAN GARZA: Patricia.

35

36 MS. PHILLIPS: Madame Chair, looking on  
37 Table 2, Mr. Meyers pointed out to me that in the year  
38 2000, Yakutat residents took zero. Is there some missing  
39 data? I mean I know the trend shows that they've taken  
40 goats but for 2000 they took zero.

41

42 MR. JOHNSON: Patty, are you talking  
43 about just 5(A)(2)?

44

45 CHAIRWOMAN GARZA: No, straight across.

46

47 MS. PHILLIPS: Table 2, Page 136.

48

49 MR. LITTLEFIELD: Page 136.

50

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1 MR. JOHNSON: On what year?

2

3 MS. PHILLIPS: Page 136.

4

5 MR. JOHNSON: I'm on there.

6

7 MS. PHILLIPS: Year 2000.

8

9 MR. JOHNSON: It appears that's the case,  
10 Patty.

11

12 MR. ADAMS: Madame Chairman, I have no  
13 idea why, that wasn't so. I have an idea but I'm not  
14 going to say so.

15

16 (Laughter)

17

18 CHAIRWOMAN GARZA: I guess the confusion  
19 that I have is that we have one map on Page 129 and then  
20 another map on Page 141 and the map on Page 129  
21 delineates, so actually all of that area is Federal land,  
22 it's whether it's BLM or National Park Service or Forest  
23 Service, none of it is State land?

24

25 MR. JOHNSON: That is correct.

26

27 CHAIRWOMAN GARZA: So how come you didn't  
28 submit a proposal for subsistence hunting only? I mean  
29 what I see is that there's a real limited population and  
30 there appears to be a demand and that subsistence isn't  
31 getting it every year or at least Yakutat residents.

32

33 Dave.

34

35 MR. JOHNSON: Madame Chair, you also have  
36 the issue of people who live in Yakutat who are rural  
37 residents but may also be outfitter guides that could  
38 qualify as a rural resident but the goats may be taken by  
39 folks that are coming in and hunting with someone there.

40

41 CHAIRWOMAN GARZA: Mike, is there any  
42 subsistence data other than the table that we have on  
43 page whatever page it's on, in terms of the uses, the  
44 needs, the demands, did anything come up out of the  
45 survey that Judy Ramos has been working on?

46

47 MR. TUREK: This is Mike Turek,  
48 Subsistence Division, Fish and Game. No, we don't have  
49 any other data besides what's already been submitted by  
50 the wildlife conservation and then we have some household

00280

1 harvest data from 1999 but the more up to date data is  
2 the wildlife conservation data for the harvest numbers.

3

4 CHAIRWOMAN GARZA: Okay. So let's follow  
5 this process here. I think we've gone through biological  
6 and socio-cultural analysis. Under agency and government  
7 comments, are there tribal comments? State of Alaska  
8 comments. So I'm supposing this is going to be different  
9 than what we find in the booklet about Nelchina Caribou  
10 Herd?

11

12 (Laughter)

13

14 MR. TITUS: Thank you, Madame Chair  
15 Garza. Yes, we won't talk about Nelchina caribou. That's  
16 a different controversy. I'd like to introduce Neil  
17 Barton to my left who is the area biologist for this  
18 area, he's collected much of the data that are in the  
19 tables and he can probably speak to greater detail about  
20 this proposal than probably anyone in the room.

21

22 I guess I would like to establish for the  
23 record our position on this and read it into the record  
24 since it's not contained in your book.

25

26 This proposal would establish goat  
27 harvest quotas for Federally-qualified subsistence users  
28 in four hunt areas in Unit 5(A). It apparently is a  
29 response to a situation that occurred in the area north  
30 of Nunatak Fjord in the fall of 2000/2001 hunting seasons  
31 when two Yakutat residents illegally guided goat hunters  
32 into this area and exceeded the guideline harvest levels  
33 established by the State back in 1989. The Department  
34 believes that these incidents are not indicative of a  
35 widespread problem with local mountain goat populations  
36 and it would not have occurred without the promotion and  
37 guiding by unlicensed guides.

38

39 In response to this situation, the  
40 Department closed the goat season in the small part of  
41 this area that we've been discussing in the fall of 2000.  
42 And when the guideline harvest level had been reached and  
43 that was in 2000, and in the fall of 2001, prior to  
44 harvesting the season was closed because low numbers of  
45 goats were observed during aerial surveys. So, in fact,  
46 the season was closed before it ever opened. The Unit  
47 5(A) goat season was also closed by emergency order in  
48 the Harlequin Lake and Ahrnklin River drainages during  
49 parts of the 1983 and 1984 hunting seasons.

50

00281

1 Three events radically increased goat  
2 harvest in the Nunatak Fjords in the late 1990s and  
3 precipitated that emergency closures of 2000 and 2001.  
4 Beginning in 1998, at least one Yakutat resident began  
5 transporting non-local residents to the Nunatak area to  
6 hunt goats resulting in a harvest of three goats in '98  
7 and four goats in 2000. In 1999, two other Yakutat  
8 residents illegally guided non-local hunters into this  
9 area and at least four goats were taken. Enforcement  
10 efforts resulted in arrests and convictions of these  
11 individuals. However, the attention drawn to this area  
12 by increased hunting effort and success at Nunatak Fjord  
13 increased the efforts by local residents to harvest goats  
14 in this easily accessible area. These combined  
15 activities led to an increase in the unsustainable  
16 harvest. The mean harvest at Nunatak Fjord from '86  
17 through '97 was 1.4 goats per year and increased to 10.3  
18 goats per year in '98 and 2000. Much of that was  
19 associated with the legal activities that occurred.  
20 Correct Neil?

21

22 MR. BARTON: A major portion of it.

23

24 MR. TITUS: A major portion of it. The  
25 historical harvest by local residents in Nunatak Fjord is  
26 .83 goats per year from '86 through '97.

27

28 The Department presently manages mountain  
29 goat hunting in Unit 5(A) by registration permit not by  
30 harvest ticket as stated in the proposal. Recent aerial  
31 surveys confirm the appropriateness of the guideline  
32 harvest levels established by the State in 1989 in these  
33 four hunt areas. Although the Nunatak Fjord was closed  
34 by emergency order in 2000 and 2001, the remainder of  
35 Unit 5 remained open and provided ample opportunity for  
36 local residents to harvest goats. And Neil can speak to  
37 more of that in a moment.

38

39 The Department does not believe the  
40 current situation warrants the creation of separate  
41 quotas in the Federal subsistence regulations for local  
42 residents. More appropriate action would be the  
43 elimination of local illegal guiding activity and  
44 reduction in effort by local transporters, both which can  
45 be accommodating through permits and working  
46 cooperatively with the District Ranger and the Forest  
47 Service. And I would say that we have done that  
48 successfully in other portions of Southeast Alaska  
49 between the Department and the Forest Service, both  
50 working in conjunction, in terms of the regulation of

00282

1 guiding activities so that it is maintained in an area  
2 but that it is done so in a way that maintains local use  
3 of that area and doesn't unduly complicate regulations.

4

5 Thank you.

6

7 MR. BARTON: My name is Neil Barton. I'm  
8 the area biologist for the Department of Fish and Game  
9 and Yakutat is one of the areas that I have management  
10 authority over. Madame Chair and the rest of the  
11 Regional Council, I hope I addressed you correctly, you  
12 know, this -- for what it's worth, we've spent, over the  
13 last two months a lot of time pouring over this issue,  
14 myself, and Dan Gilligan from Yakutat and Don Youkey here  
15 in town and Dave Johnson, you know, so we've spent a lot  
16 of time really discussing this and, you know, it's  
17 apparent from what was being said here 10 or 15 minutes  
18 ago that a lot of you folks haven't had really a chance  
19 to be up to speed on it and if you'd give me five minutes  
20 or so I'll try to kind of walk you through -- you know,  
21 kind of our mind set from the Department of Fish and Game  
22 standpoint and, you know, I'll gladly try to answer any  
23 questions you might have.

24

25 Anyway, I guess, you know, the bottom the  
26 line and the reason this whole proposal was put forth, if  
27 you turn to Page 136 and look at the table and look at  
28 subunit 5(A)(2) which is the area on the north side of  
29 the Nunatak Bench where the season is closed at present  
30 and I issued an emergency order to close the season  
31 before any goats were even harvested this year because of  
32 the low numbers we saw during aerial surveys. But, you  
33 know, if you look at the harvest by either Yakutat  
34 residents or non-residents up until 1998, you know,  
35 you're looking at a lot of years where there wasn't any  
36 goats taken and some years four and some three but  
37 generally the mean harvest up there was quite small. I  
38 mean there was -- I believe it's less than one goat per  
39 year taken by Yakutat residents in this area. And the  
40 effort was actually spread out pretty evenly across the  
41 forelands on the east side of Harlequin Lake, west side  
42 of Harlequin Lake and Nunatak.

43

44 So Nunatak, even though it's an area  
45 that's been traditionally harvested and traditionally,  
46 I'm going by the data we have that goes back to the mid-  
47 1980s, it's by no means the only place that goats are  
48 accessible. If you look at 1999 and 2000 you see 15  
49 goats taken in '99 and 2000 seven by non-residents. In  
50 1999 a lot of stuff went on up there. You know, we went

00283

1 from very low harvest to where it was almost  
2 inconsequential to two local residents who started an  
3 illegal guiding operation and to the dismay of us and as  
4 well as probably most Yakutat residents there was a lot  
5 of goats killed up there. You know, probably more than  
6 we even know because we don't have enforcement, you know,  
7 standing on guard up in a place like that. So that  
8 resulted in a high harvest of goats.

9

10 In 2000, really before any local Yakutat  
11 residents were able to go up and harvest any goats in  
12 this area there were seven goats taken and I closed the  
13 season because that reached our harvest guideline. A  
14 number of these goats, I think three, maybe four, were  
15 taken by transported hunters from the -- one of the  
16 Yakutat residents was, you know, like a lot of us  
17 probably would do, was trying to augment his income and  
18 he transported hunters from Fairbanks and Anchorage up to  
19 this site and seven goats were taken, I think four by  
20 those guys and that didn't leave any -- you know, I had  
21 to close the season. So that pretty much effectively  
22 eliminated hunting in 2000 and then this fall we did not  
23 have a season because due to low numbers we saw during  
24 aerial surveys, we never opened a season.

25

26 So you know, this isn't a forelands wide  
27 trend in goat numbers, I think the goat numbers are quite  
28 healthy throughout the forelands other than on the north  
29 side of Nunatak Bench which is where, you know, an area  
30 of concern right now and that's why we closed the season.

31

32

33 But you know, the way that we look at  
34 this area we've got pretty healthy goat populations  
35 throughout the forelands. Traditionally the harvest was  
36 scattered throughout the forelands. I mean I think up  
37 until 1998 the average take by Yakutat residents was  
38 three and a half to four goats a year and, again, fairly  
39 evenly divided. So there is opportunity in other areas.  
40 On the south side of Nunatak Fjord we have a harvest  
41 guideline of seven goats for this year, which is adjacent  
42 to the closed area and literally a mile and a half as a  
43 crow flies from the north side which is closed, the south  
44 side which is open and two hunters did go up there in  
45 late December and harvest mountain goats in the open area  
46 and the harvest guideline of seven goats, they took two  
47 so there were still five remaining and those goats were  
48 never taken and never used even though the opportunity  
49 presented itself, at least, the opportunity was there.

50

00284

1           So, you know, from our standpoint that  
2 from a conservation concern, this proposal really doesn't  
3 -- isn't going to change anything. You know, we already  
4 manage these areas by somewhat what we call count areas,  
5 the north side of Nunatak and then the southside to  
6 Harlequin and the Harlequin all the way to Gateway Nob  
7 and whether this proposal passes or not or goes anywhere  
8 from here or not, it's not going to change anything as  
9 far as on the ground conservation, we're going to close  
10 the season when too many goats or our guideline harvests  
11 are reached in these certain areas and that's going to be  
12 all dependent on aerial survey numbers.  
13

14           So, you know, one of the reasons this  
15 proposal is put forth and it's stated in the proposal is  
16 from a conservation concern, that's really not going to  
17 change anything. And then the second part of it and the  
18 part, I think, where the most disagreement comes in is it  
19 was also put forth to provide opportunity for local  
20 Yakutat residents to have a chance at getting mountain  
21 goats. And you know, in spite of this area being closed,  
22 there still is opportunity. I mean there's opportunity  
23 throughout probably 75 percent of the forelands. There's  
24 opportunity at the Harlequin Lake on both the east side  
25 and west side where traditionally probably two-thirds of  
26 the goats taken by Yakutat residents have been harvested  
27 and there's opportunity on the south side of Nunatak  
28 Fjord all the way down to Harlequin Lake which also  
29 produced two goats this year and there was five more  
30 remaining that were available for harvest.  
31

32           So that's kind of where we -- how we look  
33 at this and you know, the blip, so to speak of the '98  
34 and '99 harvest, especially '98 where the illegal guiding  
35 was taking place, hopefully that's not going to happen  
36 again. And, you know, when we start getting -- and we  
37 may find this out as soon as next fall when we start  
38 getting enough animals on the north side of Nunatak to  
39 where we can reopen it, without this illegal guiding  
40 operation and hopefully without the transporting business  
41 going on up there, we're not going to see this harvest  
42 being taken and the opportunity for the Yakutat residents  
43 being taken away.  
44

45           So it's not a forelands wide trend in  
46 goat populations. I think the goat populations are doing  
47 pretty good. It's not even a trend in kind of the  
48 harvest type trend, it's -- it was pretty much a blip of  
49 one or two years that, you know, harvest got carried away  
50 in large part because of local soliciting by two illegal

00285

1 guides and then some transportation or transporters.

2

3 So anyway, that's kind of, you know, in  
4 layman's terms, hopefully, just kind of an overview of  
5 what we've all been talking about for the last two  
6 months. And, you know, I'll gladly answer any questions  
7 regarding aerial surveys or harvests or whatever if you  
8 have questions.

9

10 CHAIRWOMAN GARZA: I have one quick one  
11 and then John and then Bert. When I look at the table on  
12 Page 136, the first set of columns is the total of the  
13 three areas, that's correct? Where it says Unit 5(A)  
14 total, that's totalling subunit 5(A)(2), 5(A)(3) and  
15 5(A)(4)?

16

17 MR. BARTON: Yeah, I did not put this  
18 table together but I assume that's what it's tallying.

19

20 CHAIRWOMAN GARZA: Okay. When I look at  
21 Page 141 on the Unit 5(A) proposed subunits there's five  
22 -- there's four proposed subunits so what's going on with  
23 5(A)(1)?

24

25 MR. BARTON: That's actually a quite a  
26 good question. 5(A)(1) is that peninsula of land you  
27 see, it's probably the far left side of the map, right  
28 east of Yakutat Bay. For all practical purposes there  
29 are no mountain goats on that piece of property. So, you  
30 know, there really isn't any harvest going on there.

31

32 CHAIRWOMAN GARZA: John.

33

34 MR. LITTLEFIELD: Thank you, Madame  
35 Chair. You're opposed to this proposal?

36

37 MR. TITUS: Yes, we are.

38

39 MR. LITTLEFIELD: If the proposal on Page  
40 130 were to pass, it seems to me that this would  
41 guarantee two deer.....

42

43 MR. MARTIN: Goat.

44

45 MR. LITTLEFIELD: Or excuse me, two goats  
46 to the local residents and I'm assuming you would use  
47 your EO authority to close when you got to the danger  
48 level realizing that these two goats could still be taken  
49 at any time, so at least the way I interpret this this is  
50 always going to be two gates in (A)(2), (A)(3) and (A)(4)

00286

1 for the local users. And I guess that's what I'm trying  
2 to -- this is an opportunity for them and I'm wondering  
3 why you're opposed to that?

4

5 MR. BARTON: Well, I guess the reason  
6 we're opposed is under the current regulations the  
7 opportunity, as far as we're concerned, still exists. I  
8 mean you know, I don't know how many hunters this fall  
9 went home without a goat and felt that they didn't have  
10 opportunity to harvest goats but again, if you look at  
11 the map and you look at the distribution of goats and the  
12 historical harvest areas probably 75 percent of the area  
13 that traditionally has been harvested remained open until  
14 the end of the season. Only the north side of Nunatak  
15 was closed. And, again, I guess from my interpretation  
16 of, you know, available goats and opportunity for hunters  
17 to harvest goats, there were two hunters who went up to  
18 Nunatak Fjord at the end of December, I think it was  
19 December 28th and 29th, give or take a day, and on the  
20 south side of the fjord where there's a healthy goat  
21 population harvested to billy goats and went home with  
22 two goats and there was still five available to be  
23 harvested in there.

24

25 Now, I'm not saying the goats were right  
26 there, very accessible, I'm not sure. You know, I talked  
27 to the hunters and they, you know, like a lot of goat  
28 hunters, you don't always -- you know, you sometimes have  
29 to work fairly hard to get the goats but they got goats  
30 fairly reasonably close to the water and had a successful  
31 hunt and there was still more opportunity there. So we  
32 don't feel this proposal is necessary to provide  
33 opportunity because the opportunity exists as it is.

34

35 CHAIRWOMAN GARZA: Bert.

36

37 MR. ADAMS: Well, I sure thank Kim and  
38 Neil for taking me off the hook there because they  
39 addressed the thing that I said I wouldn't want to  
40 address earlier. So thank you, gentlemen.

41

42 But the illegal hunting that took place  
43 there, Neil, do you attribute that to the reason why the  
44 goat population has gone down so low?

45

46 MR. BARTON: You know, that's again a  
47 good question. It certainly was responsible for a higher  
48 harvest and quite a spike in harvest. You know, I don't  
49 know, Bert. You know, without -- there's just a lot of  
50 things going on, especially with goat populations in a

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1 place that's as inaccessible as Nunatak to really get a  
2 finger on things. You know, certainly winter weather  
3 conditions, predation, they all have a part.

4

5 But, you know, we're not -- we're really  
6 not sure that the goat population there is that  
7 dramatically that much lower than it would have been say,  
8 five, 10, 15 years ago. You know, it's very hard to  
9 collect goat information. And Don Youkey, whom is  
10 sitting behind me somewhere, I saw him a minute ago, just  
11 for instance, he flew a goat survey with a helicopter  
12 which is a very good platform for flying a goat survey  
13 in an area south of Nunatak in mid- to late-August this  
14 fall and counted 57 goats and I followed that up, because  
15 we had agreed to really try to get some good information  
16 there, I followed that two or three weeks later with a  
17 fixed-wing aircraft, a 185, which isn't at all the best  
18 platform for counting goats and I counted 125 goats in  
19 the same exact area.

20

21 So you know, it's -- Nunatak's not an  
22 easy place to get good data and we don't have enough good  
23 data to say whether or not the goat population was a  
24 whole lot higher five, 10 years ago even, but one thing I  
25 can say for certain is that the illegal guiding industry  
26 that was going on up there certainly created a spike in  
27 the harvest and that certainly, I would think, had  
28 something to do with our concern rising in the area and  
29 then the closure of the season.

30

31 MR. ADAMS: Madame Chairman, a follow up  
32 question.

33

34 CHAIRWOMAN GARZA: Bert.

35

36 MR. ADAMS: If that's the case then, you  
37 know, you say you don't really attribute that to the  
38 reason why the particular area has declined quite a bit.  
39 In the other areas, however, you know there's pretty  
40 healthy populations of goat even up into the Harlequin  
41 Lake area and I guess is that where you were referring to  
42 where a couple were taken out this December or is that up  
43 in the Nunatak area?

44

45 MR. BARTON: (Nods affirmatively)

46

47 MR. ADAMS: Okay. And I know that some  
48 local people, you know, go there because it's a lot  
49 easier. You can drive all the way out to Dangerous River  
50 and then, either hike up to the mountains or boat up

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1 there. But, you know, those are the two areas that are a  
2 lot more easier for Yakutat subsistence hunters to go and  
3 do their goat hunting. The other areas is, you know,  
4 like down in Gateway Nob is in the Dry Bay area, that's  
5 more like, in my opinion, you know, places where the  
6 guides would take their sporthunting people.

7

8 CHAIRWOMAN GARZA: Dick.

9

10 MR. STOKES: What time of the day did you  
11 fly and take the survey?

12

13 MR. BARTON: You try to time surveys to  
14 either early morning or late afternoon, you know, when  
15 goats are most active. Middle of the day, especially if  
16 it's sunny, you're not going to have much luck at all.  
17 So you try to do it either early morning or late  
18 afternoon and to be honest I can't -- I think I was in  
19 the air bright and early that morning.

20

21 MR. STOKES: Yeah, I haven't hunted goat  
22 for over 20 years but we found the most goat showed just  
23 in the early evening and they were all over then.

24

25 CHAIRWOMAN GARZA: John.

26

27 MR. LITTLEFIELD: Thank you, Madame  
28 Chair. You've had this season closed for the past two  
29 years, in this (A)(1) -- proposed (A)(1) area, haven't  
30 you, 2000/2001, has there been any open season -- there  
31 was a note in here, in the case of the prop -- I'm  
32 looking on Page 137, in the case of the proposed subunit  
33 (A)(2) there is clearly a conservation concern as evident  
34 by the closures in 2000 and 2001. And when you make a  
35 closure that -- the way it is now, if we don't adopt  
36 these regulations, the closure applies to everybody, even  
37 the Yakutat residents, but if we were to adopt these  
38 regulations, the closure would still be in effect but we  
39 would be able to have two Yakutat residents go get two  
40 goats. That's the way I read this; is that correct?

41

42 MR. BARTON: Yeah. If this proposal were  
43 to pass as it is and we set a guideline harvest of lets  
44 say five goats on the Nunatak -- north side of Nunatak,  
45 say, from a conservation standpoint and because we are  
46 kind of -- that's our duty to manage these wildlife  
47 populations, you know, at a sustainable level, we would  
48 have to factor in the fact that there is two Federal goat  
49 permits out there.

50

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1           You know, one of the problems that, you  
2 know, we see with this John is, you know, when -- any  
3 time you got a group of hunters out in an area like this,  
4 especially in a remote area like Nunatak and you've got a  
5 guideline harvest of three or five goats or whatever you  
6 have, you complicate things when you've got two different  
7 sets of regulations. And, for instance, you know, if  
8 there's a guideline harvest of five goats and, you know,  
9 as it is right now, say we have -- say next fall we fly  
10 and we open the season and there's a guideline of harvest  
11 of five goats, hunters are going up, we have a three day  
12 reporting period, you know, two months into the season I  
13 get a report that the fourth goat has been taken and  
14 there's still two or three goats up there, man, I issue  
15 an emergency order the season closes, two days later the  
16 rest of the hunters come in and they've got two extra  
17 goats and we end up instead of five goats, we get seven  
18 goats and, you know, we know we don't see all the goats  
19 when we do a survey, and so there's slop built into this  
20 guideline harvest, it's not an exact quota often. But  
21 now you complicate things by saying okay we're going to  
22 have five goats and we're going to -- me, being the State  
23 person is going to have to kind of keep in the back of my  
24 mind the fact that there is two Federal goats going to be  
25 taken. So now it's two months into the season and again  
26 I hear that two or the third goat has gone down and I  
27 issue an emergency order, I close the season and two days  
28 later the hunters who have been up there come in and  
29 there's a -- they've got two more goats and now we're up  
30 to five goats and now there's still going to be the  
31 Federal season that's going to be running where two more  
32 goats can be taken, right, well, it's just almost  
33 impossible to have somebody on the ground there watching  
34 and when a goat gets shout get on a bull horn and say,  
35 okay, look the season's closed. And you know, so what  
36 may very well might happen is we've got two different  
37 seasons or two different sets of permits and two  
38 different sets of hunters, Federal and non-Federal  
39 hunting in this area to where we get slopped built into  
40 two different quotas. So when my guideline harvest of  
41 three to four is met because I have to take into account  
42 these extra two goats, there might actually be five goats  
43 taken and then when the Fed -- when the two other goats  
44 are going to be taken, they may well come back with three  
45 or four.

46

47           CHAIRWOMAN GARZA: Okay, we got your  
48 point.

49

50           MR. BARTON: Yeah. So anyway, sorry but,

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1 you know, and it complicates things. You know, at  
2 present we've got a.....

3

4 CHAIRWOMAN GARZA: Okay, we got that  
5 part, too, it complicates things.

6

7 MR. BARTON: Okay.

8

9 CHAIRWOMAN GARZA: Okay. John.

10

11 MR. LITTLEFIELD: Thank you, Madame  
12 Chair. Yeah, dual management is all over the state of  
13 Alaska, we know there's a problem.

14

15 You keep talking about there's an  
16 opportunity for others to go somewhere else, well, that's  
17 the State's way to look at this, reasonable opportunity.  
18 Our charge is to look at providing the continued use,  
19 what their practices have been, customary and  
20 traditionally. And if the local residents have hunted on  
21 that area then it is our charge to make sure that's an  
22 ability for them. And it's very simple for you to know  
23 that if we have two goats, set the limit at five instead  
24 of seven, I mean I don't see this as any problem.

25

26 Thank you.

27

28 CHAIRWOMAN GARZA: Okay. So we need to  
29 move along here, we're trying to get through four  
30 proposals and we've made it through one.

31

32 Okay, is there other government or  
33 organization comments? Is there summary of written  
34 public comments?

35

36 MR. SCHROEDER: Madame Chair, we haven't  
37 received any written public comments on this proposal.

38

39 CHAIRWOMAN GARZA: Thank you, Mr.  
40 Schroeder. Is there public testimony? We may have  
41 questions for you guys so probably just stay there.  
42 Okay, so we're onto the proposal review process, six,  
43 Regional Council deliberation, recommendation and  
44 justification.

45

46 Mr. Adams, there is like four different  
47 version of what this could look like and could you repeat  
48 to us which one, either you or Yakutat tribe or whoever  
49 is supporting?

50

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1 MR. LITTLEFIELD: Page 130, I think.

2

3 MR. ADAMS: Madame Chairman, I would  
4 entertain a question to Neil Barton at this point before  
5 I answer that.

6

7 CHAIRWOMAN GARZA: Go ahead.

8

9 MR. ADAMS: Mr. Barton, you said that the  
10 Nunatak Bench is closed at this point, is it, is it by  
11 emergency order? Does the State have the ability to do  
12 that in various, like let's take 5(A), for instance, if  
13 there's a problem down over in Gateway Nob area, does the  
14 State have the ability to close that section down without  
15 closing all of 5(A)?

16

17 MR. BARTON: Yeah, we certainly can.

18

19 MR. ADAMS: Madame Chairman, it appears  
20 to me like this is what we are trying to achieve here  
21 with this proposal. And I would be in favor of doing the  
22 one on Page 130. Madame Chair.

23

24 MR. LITTLEFIELD: Make a motion.

25

26 CHAIRWOMAN GARZA: You need to make a  
27 motion.

28

29 MR. ADAMS: Are you asking for a motion?

30

31 CHAIRWOMAN GARZA: Yes.

32

33 MR. ADAMS: I so move.

34

35 MR. LITTLEFIELD: I'll second.

36

37 CHAIRWOMAN GARZA: Okay, so after Staff  
38 analysis and various reviews and comments we have before  
39 us the proposal as written which is modified on Page 130.  
40 It would, in effect, create Unit 5(A)(2), 5(A)(3),  
41 5(A)(4), it would provide that two goats in each region  
42 would go towards subsistence and if there are more in  
43 surplus that would be available for at large harvest.  
44 That's my understanding of that page.

45

46 Discussion. Justification. Opposition.

47 Whatever.

48

49 MR. LITTLEFIELD: Madame Chair.

50

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1 CHAIRWOMAN GARZA: John.

2

3 MR. LITTLEFIELD: For the record, I  
4 should state that I consider there a conservation concern  
5 and could, in fact, could go with a complete closure to  
6 non-Federally-qualified in this area. I think it's a  
7 problem. But this is a compromise. I think there is a  
8 conservation issue. Secondly, it will provide for the  
9 local rural residents to continue to do what they have  
10 always done and that was our charge and that's why I'm  
11 supporting this.

12

13 MS. WILSON: Madame Chair.

14

15 CHAIRWOMAN GARZA: Marilyn.

16

17 MS. WILSON: I would vote in favor of  
18 this proposal to keep the opportunity open for the  
19 subsistence users. Even if we have record that not too  
20 many subsistence users go up, I think it's very important  
21 to keep it open and to give them opportunity. I've seen  
22 in the past in our State system where they close off an  
23 area or propose to change a rural because the subsistence  
24 people never use the resource and I don't want to see  
25 this done because at another time our people or the  
26 people of Yakutat might want to -- just to keep it open.

27

28 CHAIRWOMAN GARZA: Thank you, Marilyn. I  
29 also support the motion to support Proposal 13 as  
30 modified on Page 130 because it does guarantee and  
31 recognize subsistence use. And if we have a surplus  
32 beyond that, there can be a number of things that are  
33 doing, it could be a permit drawing, it could be  
34 anything, rather than just letting a boat load of people  
35 go up and figure out what they come back with. So I  
36 think it could be worked out and I think we need to -- as  
37 this Council, it's our obligation to try and protect  
38 subsistence rights.

39

40 MS. PHILLIPS: Madame Chair.

41

42 CHAIRWOMAN GARZA: Patricia.

43

44 MS. PHILLIPS: I'd like to recognize that  
45 the Yakutat Ranger District and the Yakutat Tribe, you  
46 know, together solved a problem, got together and tried  
47 to figure out how to solve it. I'm curious to know, Mr.  
48 Barton, were you part of those discussions?

49

50 MR. BARTON: I was up in Yakutat a couple

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1 of months ago and partook [sic] with the meeting with  
2 Bert and some of the other folks, yeah.

3

4 MR. KOOKESH: Madame Chair, just for the  
5 record, to make sure that the description of the Unit is  
6 included; is that correct?

7

8 CHAIRWOMAN GARZA: It's this whole thing  
9 here.

10

11 MR. KOOKESH: No, this other part, the  
12 lower portion.

13

14 CHAIRWOMAN GARZA: Okay. So it goes all  
15 the way down to the top of Page 131?

16

17 MR. ADAMS: (Nods affirmatively)

18

19 CHAIRWOMAN GARZA: So the description  
20 includes 5(A)(1), 5(A)(2), 5(A)(3) and on Page 131  
21 5(A)(4); that's the intent of your motion Bert?

22

23 MR. ADAMS: (Nods affirmatively)

24

25 CHAIRWOMAN GARZA: Yeah, he said yeah.

26

27 MR. KOOKESH: Question.

28

29 CHAIRWOMAN GARZA: Question has been  
30 called. All in favor of the motion to support Proposal  
31 13 as modified on Page 130 and the top of Page 131  
32 signify by saying aye.

33

34 IN UNISON: Aye.

35

36 CHAIRWOMAN GARZA: Opposed.

37

38 (No opposing votes)

39

40 CHAIRWOMAN GARZA: Motion passes.  
41 Proposal 14, are you ready Dave?

42

43 MR. JOHNSON: I can't wait Madame Chair.  
44 Proposal 14 was submitted by Kevin Allard again from  
45 Haines. And he is proposing to establish a moose hunt in  
46 -- one antlered bull by State registration permit in the  
47 Unit 1(C) and also 1(D) that would include that portion  
48 in 1(C) south of Point Hobart including all Fort  
49 Houghton drainages, one antlered bull with spike-fork  
50 50-inch antlers or three or more brow tines either and/or

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1 by State registration permit. And the remainder is the  
2 portion really -- or that would include Berners Bay, one  
3 antlered bull by State registration permit.

4

5 First of all, Madame Chair, there hasn't  
6 been a C&T determination completed for Berners Bay and  
7 Mr. Schroeder may comment on that in a little bit here  
8 but that would be required before this proposal could go  
9 forward.

10

11 Also Federal public lands compromise  
12 approximately 98 percent of 1(C) but of that, about 63  
13 percent is Forest Service. If you'll recall back in '99  
14 Marilyn Wilson of the Council here submitted a proposal  
15 to establish a moose hunt and basically withdrew it after  
16 seeing the results of the aerial survey and learning that  
17 few moose existed on Federal public lands in Unit 1(D).  
18 I'm not aware of any current data that indicates that  
19 that area has had an increase in the moose population.  
20 And the State currently has a -- or all Federal  
21 subsistence hunts in Unit 1(C) except Berners Bay are  
22 currently implemented with a State registration permit  
23 with no hunt quota, which means there's a pretty high  
24 moose population.

25

26 Again, from a geographic standpoint, it's  
27 pretty far away from Haines and where Mr. Allard lives  
28 but at least there's a high goat [sic] population in that  
29 area of 1(C).

30

31 MR. LITTLEFIELD: Moose.

32

33 CHAIRWOMAN GARZA: Moose.

34

35 MR. JOHNSON: What'd I say, goats?

36

37 CHAIRWOMAN GARZA: Yes.

38

39 MR. JOHNSON: Yeah, I'd like to have a  
40 goat right now, that's what I want.

41

42 Also, if you'll note in Berners Bay 1(C),  
43 almost all of the moose taken were by Alaska residents  
44 but most were from Juneau 91 percent, drawing permit.  
45 Again, most of the moose in Unit 1(D) inhabit non-Federal  
46 lands and selected but not conveyed lands within the  
47 Chilkat River, watershed and the Chilkat Peninsula on the  
48 west side of Lynn Canal.

49

50 The preliminary conclusion -- well, first

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1 of all, the proposed harvest is not sustainable because  
2 few moose are available on Federal public lands. There  
3 appears to be no harvestable surplus based on the data  
4 that we have. The preliminary conclusion is to defer the  
5 proposal for Berners Bay portion Unit 1(C), oppose the  
6 proposal for the remainder of 1(C) and all of 1(D) and do  
7 not support the closing of Federal public lands to non-  
8 rural residents.

9

10 Justification, there's currently a  
11 negative customary and traditional determination finding  
12 for Berners Bay and recommend deferral until a new  
13 determination can be conducted. The State currently uses  
14 three management strategies on Federal public lands in U  
15 nit 1(C) to maximize opportunity to harvest moose at  
16 sustainable levels. The proponent is not proposing any  
17 change to the area south of Point Hobart and the Taku  
18 drainage and Berners Bay and Chilkat ranges are disjunct  
19 populations, each of which should be managed separated to  
20 aide in conservation as well as maximizing harvest.

21

22 There have been no emergency order  
23 closures during these hunts that have been in the area of  
24 1(C) that had an unlimited number of registration  
25 permits. Federal public lands do not support a  
26 harvestable surplus in Unit 1(C) and the State currently  
27 conducts a successful Tier II hunt in 1(D) where greater  
28 than 95 percent of the moose are harvested by local rural  
29 residents. Also in number 3 there appears to be no lack  
30 of an opportunity to harvest moose on Federal public  
31 lands in 1(C), again, the State issues an unlimited  
32 number of registration permits and in Unit 1(D), greater  
33 than 95 percent of the moose are harvested by local  
34 residents.

35

36 That concludes my comments, Madame Chair.

37

38 CHAIRWOMAN GARZA: So that's under  
39 biological. Socio-cultural analysis, Bob Schroeder.

40

41 MR. SCHROEDER: Madame Chair, I just....

42

43 CHAIRWOMAN GARZA: Turn your mike off  
44 Dave.

45

46 MR. SCHROEDER: I thought I'd just fill  
47 in the Regional Council on the situation with Berners  
48 Bay. Berners Bay has a negative C&T finding for moose.  
49 Moose are present there. Moose were introduced in, I  
50 believe 1958 with a second introduction in 1960. At the

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1 time C&T's were done under the State system, there was --  
2 it was determined that there was no customary and  
3 traditional use of this moose population in Berners Bay  
4 by State-qualified subsistence users.

5  
6 To do a C&T for Berners Bay, it's a  
7 little bit similar to the situation we discussed earlier  
8 with deer in I(D), except here we definitely do have  
9 moose. Moose are present in Berners Bay. This has been  
10 managed as a very widely subscribed drawing hunt where  
11 quite a few residents of Southeast Alaska applied for  
12 drawing permits. This area is part of the traditional  
13 territory of the Auke Tribe (ph). We're suggesting that  
14 we defer any C&T determination on this until we can talk  
15 to some people who might be concerned about possible C&T  
16 use in this area and that's all I have on this one.

17  
18 CHAIRWOMAN GARZA: Dick.

19  
20 MR. STOKES: Well, the reason why there  
21 is no customary and traditional use is because the moose  
22 were introduced there in the '50s. My former basketball  
23 coach when I was in high school initiated this by the  
24 name of Doc Idee, you might know him, he's still living  
25 here in Juneau. There is no customary and traditional  
26 use.

27  
28 CHAIRWOMAN GARZA: Agency and government  
29 comments. Tribal governments. State of Alaska.

30  
31 MR. TITUS: Good afternoon, once again.  
32 In the interest of brevity I guess I'll say that the  
33 Department does not support this proposal and virtually  
34 all of the aspects of this proposal have been brought out  
35 already by Federal Staff analysis. Neil Barton is at my  
36 side who manages this hunt area and can answer detailed  
37 questions.

38  
39 CHAIRWOMAN GARZA: Thank you. Are there  
40 other governments or organizations that wish to testify?  
41 Do we have any summary of written public comments?

42  
43 MR. SCHROEDER: Madame Chair, there are  
44 no written comments for this proposal.

45  
46 CHAIRWOMAN GARZA: Is there any public  
47 testimony for this proposal?

48  
49 MS. WILSON: Madame Chair.

50

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1 CHAIRWOMAN GARZA: Marilyn.

2

3 MS. WILSON: Could I call on my husband,  
4 Paul Wilson, he might know.....

5

6 CHAIRWOMAN GARZA: He's glaring at you,  
7 he might not want to come up.

8

9 (Laughter)

10

11 MS. WILSON: Paul, do you want to come up  
12 and testify.

13

14 MR. KOOKESH: He better.

15

16 MR. WILSON: Subsistence should be a  
17 priority. We should try to simplify living in Alaska as  
18 much as we can. What happens is it's very complicated.  
19 I've faced this all my life so I belong to (Native) and I  
20 built a cabin up there in (Native) and I can shoot moose,  
21 any species any time of the year and any number. This is  
22 the way subsistence is supposed to be. We shouldn't be  
23 fighting, State and Federal or whatever. Subsistence  
24 should be put in the hands of tribal and that's where it  
25 belongs. We're not really subsistence either. We're  
26 customary and tradition. So that separates us from  
27 everybody else.

28

29 So this is the way I see it. This  
30 battling and complications made me move to Canada so I  
31 don't bother with anybody and I can do anything I want  
32 and that's the way subsistence is supposed to be.

33

34 MS. WILSON: I have a question for you.

35

36 (Laughter)

37

38 MS. WILSON: Yes, I wanted to know if you  
39 remember what Austin Hammond said about the traditional  
40 hunting and the usage areas of the Chilkoot Tribe Clan?

41

42 MR. WILSON: Yes, I was kicked off the  
43 lake there, it's my land, it's Chilkoot land and we own  
44 it and an advisory group got together and I could no  
45 longer go in there. So this is the way it is in this  
46 society. It was an advisory group for Haines. And I  
47 thought I was safe because they know everything that's  
48 going on in Haines and here we got kicked off the lake.  
49 And Austin told me, he said, go into the lake same as  
50 usual and Marilyn told me that, too, and I just wondered

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1 if she'd send me a card while I was in jail or not. So  
2 the battle goes on and it's continuous. I'd like to see  
3 an end to it but I don't know if I ever will.

4

5 CHAIRWOMAN GARZA: Thank you, Paul. John.

6

7 MR. LITTLEFIELD: Paul.

8

9 CHAIRWOMAN GARZA: Paul.

10

11 MR. LITTLEFIELD: I guess I was just  
12 making a response to Paul, that I agree with you  
13 wholeheartedly, Paul, but unfortunately we have these  
14 regulations that we're charged with and that particular  
15 area up there is the big State land ownership area in  
16 Southeast, the area of the Chilkat, Chilkoot, Klukwan,  
17 it's all under State ownership so our hands are somewhat  
18 limited. And I would like to say for the record that the  
19 promise that was made to us when ANCSA, that was going to  
20 be the result that your subsistence rights would have  
21 been protected in perpetuity and it hasn't happened and  
22 hopefully some day the State will uphold that promise  
23 they made to us. And I sympathize with you.

24

25 CHAIRWOMAN GARZA: Regional Council  
26 deliberation, recommendation and justification.

27

28 MR. ADAMS: Madame Chairman.

29

30 CHAIRWOMAN GARZA: Bert.

31

32 MR. ADAMS: Just to get this process  
33 going I move that we adopt.....

34

35 MR. KOOKESH: Second.

36

37 MR. ADAMS: .....WP02-14.

38

39 MR. KOOKESH: I'll second it.

40

41 CHAIRWOMAN GARZA: It's been moved and  
42 seconded to adopt Proposal 14. Amendments. Discussion.  
43 Bert.

44

45 MR. ADAMS: Madame Chairman.

46

47 CHAIRWOMAN GARZA: Bert.

48

49 MR. ADAMS: If there is no other comments  
50 or discussion made by other members of the Council I

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1 would ask for the question at this time.

2

3 MS. WILSON: Madame Chair, I got to ask a  
4 quick question.

5

6 CHAIRWOMAN GARZA: Marilyn.

7

8 MS. WILSON: I know this is -- I know  
9 there's moose population there. Are we not allowed to go  
10 in there and get moose just as a subsistence?

11

12 CHAIRWOMAN GARZA: Bob.

13

14 MR. SCHROEDER: Madame Chair, I did want  
15 to point out that this proposal as written extends from  
16 Page 143 and Page 144. And the top line has something  
17 which everyone would find rather significant, public  
18 lands are closed for the hunting of moose except by  
19 eligible rural Alaska residents. So I'm not sure that we  
20 discussed that to this point.

21

22 CHAIRWOMAN GARZA: Okay. I kind of think  
23 we're all tired and we're not making good action.

24

25 MR. LITTLEFIELD: Madame Chair.

26

27 CHAIRWOMAN GARZA: John.

28

29 MR. LITTLEFIELD: Madame Chair, I move to  
30 table.

31

32 CHAIRWOMAN GARZA: Is there a second?

33

34 MR. MARTIN: Second that motion.

35

36 CHAIRWOMAN GARZA: It's been moved and  
37 seconded to table. Tabling is non-debatable. All in  
38 favor of the motion signify by saying aye.

39

40 IN UNISON: Aye.

41

42 CHAIRWOMAN GARZA: Opposed.

43

44 MS. PHILLIPS: Aye.

45

46 CHAIRWOMAN GARZA: Proposal 14 is tabled.  
47 Can we do one more proposal or go for the morning? The  
48 last one will go fast, Mary assures me. Patricia, do you  
49 agree with that?

50

00300

1 MS. PHILLIPS: Let's do it.

2

3 CHAIRWOMAN GARZA: Okay.

4

5 MR. JOHNSON: Here we go. Proposal 15  
6 was submitted by the Hoonah Indian Association and  
7 basically the proposal is to change the existing  
8 regulation on Chichagof Island in the northeast Chichagof  
9 controlled use area that currently is closed to the use  
10 of motorized vehicles.

11

12 The problem is that back in 1990, '91,  
13 there was an emergency closure on the part of the State  
14 because of concerns regarding a depleted marten  
15 population and the biology of marten that they're very  
16 susceptible to overharvest particularly when they're in  
17 proximity to a road system. Emergency action to shorten  
18 or close the trapping seasons have been implemented by  
19 the Federal Subsistence Board in '91/92, '92/93, '94/95  
20 and these closures were implemented again to assist  
21 recovery of the predator population by limiting access to  
22 traditional trapping sites.

23

24 However, recent monitoring by ADF&G  
25 indicates that marten populations have recovered. The  
26 primary factor in the furbearer population increase was  
27 an increase in food availability due to deer winter  
28 mortality in '98 and '99.

29

30 The current differences between Federal  
31 and State trapping regulations for Unit 4 Chichagof  
32 allows for rural trappers to trap under either State or  
33 Federal regulations. So if you trap under State  
34 regulations you have a shorter season but you can use the  
35 road system. If you trap under Federal regulations, you  
36 have a longer system but you can't use vehicles.

37

38 So the issue has to do with since the  
39 marten population has recovered, the Hoonah Indian  
40 Association is requesting that the road restrictions,  
41 special provisions in Unit 4 Chichagof would be removed  
42 so that rural hunters would have the same opportunities  
43 -- or rural trappers would have the same opportunity to  
44 use the road system that State trappers -- or if -- that  
45 a trapper can use if you're harvesting under State  
46 regulations.

47

48 The problem is, again, you run the risk  
49 of overharvest if you have a longer season. So the trade  
50 off was, you could either have a short time to really hit

00301

1 it hard and catch as many as you could in a month or you  
2 could trap the whole season and not be able to drive the  
3 roads.

4

5           The preliminary conclusion was to not  
6 support the proposal. And the reason for that is that  
7 the current differences between Federal and State  
8 trapping regs allows for the trapper, rural trapper to  
9 trap under one or the other and that furbearer  
10 populations are healthy but have been harvested in the  
11 past. So the combination of motor vehicle accidents and  
12 length of season may have contributed to that  
13 overharvest. Having two different sets of regulations  
14 may be more confusing and cumbersome to trappers but may  
15 help to avoid a reoccurrence of overharvest of marten on  
16 the northeast Chichagof controlled use area.

17

18           I believe that concludes my presentation  
19 Madame Chair.

20

21           CHAIRWOMAN GARZA: Okay. Is there any  
22 socio\_cultural analysis?

23

24           MR. SCHROEDER: (Shakes head negative)

25

26           CHAIRWOMAN GARZA: None. Agency and  
27 government comments. Tribal governments. Are you  
28 representing the tribe or public?

29

30           MR. BELTON: The tribe.

31

32           CHAIRWOMAN GARZA: Okay.

33

34           MR. BELTON: Okay. David Belton,  
35 director of Cultural and Natural Resources, the Hoonah  
36 Indian Association. In conversations with local  
37 trappers, indeed there has been much confusion over the  
38 dual regulations that apply to this issue. And I had  
39 several discussions with, I believe, it was Larry  
40 Rickards who was assigned to look into this. He didn't  
41 have a lot of background and so we tried to provide him  
42 with some. And in short, the issue is pretty plain.

43

44           What the problem is in Hoonah is there  
45 are a couple of trappers who are highly motivated and  
46 trap under the State regulation. And they are trapping  
47 to sell those pelts. There is several local trappers  
48 that would like to trap under a Federal subsistence  
49 permit who, under the current regulation, do not have the  
50 opportunity to compete with those trappers who have the

00302

1 opportunity to use vehicles to access those areas with  
2 the road system and they would like to have the  
3 restriction dropped so that they could operate under  
4 their Federal subsistence trapping permit and have the  
5 same opportunity to use vehicles.

6

7 CHAIRWOMAN GARZA: There is a question  
8 for you?

9

10 MR. LITTLEFIELD: Thank you, Madame  
11 Chair, Mr. Belton. Given as the season for the Federal  
12 are a lot longer, they're over into February 15th,  
13 wouldn't those same high efficient trappers be able to  
14 use the road system up until -- in addition to the ones  
15 you're trying to get on there, they would still be able  
16 to use those up to the 15th, right, everybody, would be  
17 able to do that, so we would be increasing not only the  
18 opportunity for the others but as well as those efficient  
19 trappers who just have another month and a half to trap.

20

21 MR. BELTON: And this has been a  
22 confusing issue for me to fully understand. And perhaps  
23 the proposal as written doesn't address fully what the  
24 problem is in Hoonah. Because what I think the local  
25 trappers want is increased opportunity -- what they tell  
26 me is that by the time they get out there, those that  
27 come from outside the area operating on the State permit  
28 with the vehicles have already taken the best of the  
29 harvest that's available.

30

31 MR. JOHNSON: Couldn't they harvest under  
32 the State permit if they'd choose to do that?

33

34 MR. BELTON: Yeah, and I think there has  
35 been a lot of confusion about this. Because one of the  
36 users that I'm referring to said that he was told by an  
37 enforcement officer, I couldn't clarify whether that was  
38 State or Federal, but that they were told that because  
39 they were from Hoonah they had to only operate under the  
40 Federal subsistence license. And I clarified that for  
41 them and said that's not correct. And so I'm here to  
42 speak for those that I spoke with realizing there  
43 probably needs to be more thought given how to address  
44 the problem.

45

46 MS. RUDOLPH: Madame Chair.

47

48 CHAIRWOMAN GARZA: Mary.

49

50 MS. RUDOLPH: The ones he's referring to

00303

1 is a couple of young boys. And I kind of have a little  
2 problem because he's representing the two boys and not  
3 the Hoonah Indian Association. So I wanted to make sure  
4 because they can follow the guidelines under the State  
5 and they'll be young enough to go out there and do what  
6 our great grandfathers did. So I was kind of upset when  
7 this came up because I know how we worked on the other  
8 one to get this off. So I would have to oppose this.

9

10 Thank you.

11

12 CHAIRWOMAN GARZA: We should have gone to  
13 break you guys.

14

15 MS. PHILLIPS: Madame Chair.

16

17 CHAIRWOMAN GARZA: Patricia.

18

19 MS. PHILLIPS: When this rule came into  
20 place it was because there was somebody from Whitestone  
21 that took their Ski-Doo or their snowmobile and they went  
22 many, many miles into the wilderness and overharvested  
23 martin and so on the Nakuuwa, so we shut down motorized  
24 land vehicles and I continue to support that.

25

26 CHAIRWOMAN GARZA: What are you  
27 supporting?

28

29 MS. PHILLIPS: I continue to support the  
30 closure to motorized land vehicles, that you cannot use a  
31 motorized land vehicle to trap marten, mink or weasel on  
32 Federal.....

33

34 MR. LITTLEFIELD: So you oppose the  
35 proposal?

36

37 MS. PHILLIPS: Yes, I oppose the -- yes,  
38 I oppose the proposal, thank you John.

39

40 CHAIRWOMAN GARZA: Okay. So I'm  
41 confused. You guys told me this would be quick and you  
42 lied to me. So you're opposing it but from what I hear  
43 is that if you get a State trapping permit you can go by  
44 motorized vehicle anyway.

45

46 MS. RUDOLPH: Right.

47

48 CHAIRWOMAN GARZA: So.....

49

50 MR. LITTLEFIELD: One month.

00304

1 CHAIRWOMAN GARZA: For one month. And so  
2 the.....

3  
4 MS. PHILLIPS: I know what I was going to  
5 ask.

6  
7 CHAIRWOMAN GARZA: I didn't say I was  
8 going.

9  
10 MS. PHILLIPS: Sorry.

11  
12 CHAIRWOMAN GARZA: Go ahead.

13  
14 MS. PHILLIPS: When we want the extended  
15 season because the hides aren't always prime in December,  
16 sometimes they're prime in January so -- I mean if the  
17 season closes December 31st and you've got these hides  
18 that aren't worth anything because they're not quite  
19 prime. We're closer to the ocean so the hides don't -- I  
20 mean we don't get as cold -- we do get cold but not as  
21 cold as Hoonah and Gustavas area.

22  
23 CHAIRWOMAN GARZA: Floyd.

24  
25 MR. KOOKESH: I'm wondering why we don't  
26 marry the two, the State and the Federal one. I can't  
27 really speak for the people that trap and I am speaking  
28 on their behalf, but I would do my best to make it easier  
29 for them. I think this motorized thing should be -- they  
30 should marry the both of them so that they're one in the  
31 same. We shouldn't have different Federal and State  
32 proposals doing two different things.

33  
34 CHAIRWOMAN GARZA: Dave.

35  
36 MR. JOHNSON: Madame Chair. That's a  
37 very good point, Floyd. I've been trying to find out why  
38 the Forest Service road system that we have the authority  
39 to close under a road closure order from the Forest  
40 supervisor was left open under State regulations but  
41 closed under Federal subsistence regulations. And one of  
42 the things I found out was that when this conservation  
43 concern went into effect and there was a serious decline  
44 in the marten population, we didn't maintain the  
45 communication so that when the marten population  
46 recovered, that there was a communication to say, now  
47 it's time to lift the regulations. So all I can say is  
48 that I agree with Floyd, that a simple solution would be  
49 either to close it to everybody by vehicle or open it and  
50 then adjust your season and bag limit accordingly, under

00305

1 both systems.

2

3 CHAIRWOMAN GARZA: Okay. Okay, I have  
4 taken things out of order, I apologize. We are on agency  
5 and government comments and we snuck into deliberation  
6 and we haven't finished those comments so I'd like to get  
7 back to them. We are at tribal governments. State  
8 government. And after that is other government or  
9 organizations. Written public comment. Public  
10 testimony. And then Regional Council deliberations.

11

12 Mr. Titus.

13

14 MR. LITTLEFIELD: Just asking questions.

15

16 (Laughter)

17

18 MR. TITUS: Good afternoon -- good  
19 evening once again. I -- I'll read these comments.

20

21 (Laughter)

22

23 MR. TITUS: Mink, marten and weasel are  
24 relatively easy to trap especially when road access is  
25 available. We have extensive information from this area  
26 because of an eight year research project that Rod Flynn  
27 has done at ADF&G. And we know that marten, in  
28 particular, are the species there that people are seeking  
29 and they are highly vulnerable to trapping pressure. And  
30 that their populations do, in fact, fluctuate over time  
31 and so it's not a case of a recovery, that they were low  
32 at one time and they recovered, they oscillate and go up  
33 and down over time. And trapping has, perhaps, a very  
34 profound impact on that.

35

36 For the reason that road access makes  
37 them available, the State trapping season for this  
38 species on the northeast Chichagof controlled use area in  
39 Nakuuwa is opened for only one month, that's the month of  
40 December, that relates to the derby style trapping that  
41 was referenced here in some of the conversation.

42

43 The State regulations allow trappers to  
44 use motorized vehicles on the extensive road system in  
45 this area during the season.

46

47 I can't comment on what are Forest  
48 Service roads or State roads or what's open or what's  
49 closed and the fine points of that, what's legal and not  
50 legal.

00306

1 Authorizing motorized vehicles for use  
2 for two and a half months would likely result in an  
3 overharvest because by that time they would virtually  
4 catch all the marten if there was high trapping pressure.

5  
6 The Department recommends the Federal  
7 season be limited to December to correspond with the  
8 State season and that the use of motorized vehicles be  
9 allowed only during this one month Federal season. If  
10 the Federal Board chooses not to adopt the one month  
11 Federal season we recommend that the prohibition on  
12 motorized vehicle be continued. So therefore, we do not  
13 support the proposal as written but we have some sort of  
14 alternatives in there.

15  
16 Thank you.

17  
18 CHAIRWOMAN GARZA: So considering the  
19 concern with potential overharvest from motorized  
20 vehicles, has your department ever submitted a proposal  
21 to the Department of Game to just eliminate motorized  
22 vehicles?

23  
24 MR. TITUS: We have not submitted a  
25 proposal to the Board of Game with regard to that. I can  
26 tell you it's been debated very frequently in our office.

27  
28 CHAIRWOMAN GARZA: Mr. Littlefield.

29  
30 MR. LITTLEFIELD: Thank you. And do you  
31 recognize the comments that were made previously by  
32 Patty, that there are other areas where December 31st is  
33 not adequate, especially in years where it's warmer to  
34 get the right pelts?

35  
36 MR. TITUS: Yes, I recognize that and my  
37 furbearer expert Jack Whitman from Sitka is,  
38 unfortunately not here to comment on that. He would know  
39 a lot more about that than I do.

40  
41 CHAIRWOMAN GARZA: Floyd.

42  
43 MR. KOOKESH: Is it right to say that  
44 it's all right if we do it and you can't do it in the  
45 sense that you're allowing for motorized vehicles but the  
46 Federal one can't? You're going against the Federal one;  
47 is that right?

48  
49 MR. JOHNSON: All I'm saying, Floyd, is  
50 that there was a hand holding or an agreement between the

00307

1 State and Feds with Rod Flynn's project when the marten  
2 population crashed there on Nakuuwa. And I don't think  
3 the same coordination and communication between the State  
4 and the Feds has occurred with respect to that road  
5 closure that the Forest Service implemented. So I think  
6 it's a matter of sitting down and either we go ahead and  
7 implement a road closure, we could do that without any  
8 action by the Federal Subsistence Board or the State, the  
9 Forest supervisor could do that tomorrow. And it's a  
10 case of you've identified the problem but there isn't the  
11 communication that should be taking place between the two  
12 agencies.

13

14 CHAIRWOMAN GARZA: I think that what I  
15 understood was that the concern is that if there were  
16 motorized vehicles for a subsistence harvest of marten,  
17 that it's a longer season, it's not the one month of  
18 December and that if we supported a motorized vehicle,  
19 then it should be the same as the State not less, but the  
20 same as the State motorized vehicle for December, but  
21 then the concern was that we may not have animals with  
22 good pelts in January or February to harvest, after  
23 December. I mean if it's only motorized in December, then  
24 do you assume that the season ends in December for  
25 Federal?

26

27 (Pause)

28

29 CHAIRWOMAN GARZA: We should have gone to  
30 dinner.

31

32 MS. PHILLIPS: Madame Chair.

33

34 MR. STOKES: Madame Chair.

35

36 MS. PHILLIPS: Oh, we're not to Council  
37 deliberations.

38

39 CHAIRWOMAN GARZA: Okay, so we finished  
40 -- are there other governments or organizations? Summary  
41 -- oh, Mr. Titus.

42

43 MR. TITUS: Thank you, Madame Chair. You  
44 know, this type of situation might benefit from bringing  
45 the trappers, the Forest Service and the Department of  
46 Fish and Game together because that's really the user  
47 groups that are out there. It's not a broadbase set of  
48 user groups like deer hunters in general. And see if  
49 some accord can be struck about what really -- I don't  
50 want to use the word, compromise, but really where should

00308

1 this go with the trappers that are in Hoonah that have  
2 this issue and the two agencies and all these  
3 complicating factors with roads opened and closed and  
4 different seasons and so on and so forth.

5  
6 And the State, in the past, has worked  
7 with trappers around the state to try to come to those  
8 situations and to me that may be -- I don't know how you  
9 can deal with what you have before you now but to me  
10 that's a better way to find a win/win here.

11  
12 CHAIRWOMAN GARZA: Mr. Belton.

13  
14 MR. BELTON: I think that sounds  
15 wonderful and this is exactly the discussion I was hoping  
16 would come of this not being able to understand it as  
17 fully as I would have liked to. I heard the frustration  
18 in Hoonah. There was an inequality expressed. So the  
19 proposal was prepared to develop this exact conversation  
20 so that the frustration could be addressed and I'm very  
21 happy about that.

22  
23 CHAIRWOMAN GARZA: So Mr. Schroeder, can  
24 we create this kind of a working group that would include  
25 ADF&G, Forest Service, Hoonah Indian Association?

26  
27 MR. SCHROEDER: Madame Chair, I'm  
28 assuming that this group would meet in Hoonah; is that  
29 correct?

30  
31 MR. MARTIN: That wasn't the question.

32  
33 CHAIRWOMAN GARZA: Dick.

34  
35 MR. STOKES: I'm just wondering if this  
36 isn't basically the same as the personal quota system for  
37 the halibut if we act on this. I haven't been able to  
38 get a halibut for two years and if it cleans out all the  
39 marten, mink and weasel, where are we?

40  
41 CHAIRWOMAN GARZA: Bert.

42  
43 MR. ADAMS: Madame Chairman, you know,  
44 ANILCA says that we should provide access to these  
45 resources but I don't think it says anything about making  
46 it a lot easier.

47  
48 CHAIRWOMAN GARZA: Patricia.

49  
50 MS. PHILLIPS: I wish to retract part of

00309

1 my statement. Back when this passed I was willing to  
2 extinct the marten on Chichagof and so Ted Skanks would  
3 be proud of me that I'm willing to shut the roads down  
4 for trapping. But I think there's a compromise. Have  
5 the Federal subsistence season for December allow  
6 motorized vehicles and for January and February close it  
7 off to motorized vehicles.

8

9 MR. LITTLEFIELD: Say it again.

10

11 MS. PHILLIPS: For December allow  
12 motorized vehicles for Federal subsistence harvesters,  
13 trappers, and in January and February shut it -- you  
14 still have a Federal season but shut it down to motorized  
15 land vehicles.

16

17 CHAIRWOMAN GARZA: Mr. Littlefield.

18

19 MR. LITTLEFIELD: Thank you. I think  
20 that addresses the northeast Chichagof but as I read this  
21 you can use motorized vehicles under State regulations in  
22 the rest of Unit 4 up until the 15th so I don't know what  
23 -- that still complicates it one more as far as I see it.  
24 And I don't know if it's been customary and traditional  
25 to access mink and marten by four-wheeler.

26

27 CHAIRWOMAN GARZA: Do we have any written  
28 public comments?

29

30 MR. SCHROEDER: Madame Chairman there are  
31 no written public comments on this.

32

33 CHAIRWOMAN GARZA: Do we have public  
34 testimony? We are now at Regional Council deliberations.  
35 There was one suggestion for amendment to this to just  
36 provide no motorized vehicles during January and  
37 February. There's another suggestion that we actually  
38 get a group together in Hoonah, including the State, the  
39 hunters, Hoonah Indian Association, Forest Service,  
40 Forest Service road people and figure out what to do.

41

42 What do we want to do?

43

44 MS. WILSON: Madame Chair.

45

46 CHAIRWOMAN GARZA: Marilyn.

47

48 MS. WILSON: I'm in favor of voting this  
49 down and having a working group go to Hoonah.

50

00310

1 MR. MARTIN: Madame Chair.

2

3 CHAIRWOMAN GARZA: Harold.

4

5 MR. MARTIN: I move for adoption of  
6 Proposal 15.

7

8 MR. STOKES: Second.

9

10 CHAIRWOMAN GARZA: It's been moved and  
11 seconded to adopt Proposal 15 that would provide for the  
12 use of motorized vehicles on Chichagof Island with no  
13 mention to months.

14

15 MR. MARTIN: Madame Chair.

16

17 CHAIRWOMAN GARZA: Harold.

18

19 MR. MARTIN: Okay, thank you. I feel the  
20 same way Bert does. If we're going to authorize access  
21 -- then that would easier. Although people up north use  
22 snowmobiles for trapping, I keep wondering when did the  
23 motorized vehicles become customary and traditional for  
24 Tlingit people to trap.

25

26 CHAIRWOMAN GARZA: The same time  
27 outboards became customary and traditional to run your  
28 skiff to get fish.

29

30 Mary.

31

32 MS. RUDOLPH: Well, that's about the way  
33 I feel because there isn't that many trappers in Hoonah,  
34 not like years ago, I could remember tons of elders going  
35 out for trapping season and didn't have a motorized  
36 vehicle but they always went out. So when I found out  
37 about this it was already too late it had been submitted.  
38 So I don't know if we had a working group if it would  
39 solve the problem because we're talking just about a  
40 small number of trappers there. Not like years ago, it's  
41 a small number now. So is it something that we need to  
42 work on or -- I looked at the State papers and can see  
43 they're going to be cutting a lot of programs so you  
44 might not want to send them out there.

45

46 CHAIRWOMAN GARZA: Floyd.

47

48 MR. KOOKESH: I know that when our elders  
49 did it they did it the hard way. And I'd prefer that we  
50 go down there and do it the right way, which is the best

00311

1 way, the smart way and I'd encourage us to -- I think  
2 this is the way to go. I don't think we should restrict  
3 it. I think that -- because I thought about it, too, up  
4 north I'm sure they ran around in -- I think they call  
5 them what, they call them snowmobiles?

6

7 (Laughter)

8

9 MS. PHILLIPS: Ski-Doo's.

10

11 MR. KOOKESH: Ski-Doo's, okay.

12

13 MS. RUDOLPH: They had dog sleds.

14

15 MR. KOOKESH: I just want to make this  
16 easier and I'm just wondering, do you feel comfortable  
17 with this kind of proposal? Because we know that there's  
18 not very many users. I don't trap but I don't think that  
19 access -- we shouldn't put blocks in front of these  
20 people.

21

22 MR. BELTON: I think that if the few  
23 people, as Mary mentioned, that are in Hoonah can be  
24 involved in establishing a system whereby they feel they  
25 have an equal opportunity with those that come with State  
26 permits which allow motorized vehicle use, I think they  
27 will -- that's what they want.

28

29 CHAIRWOMAN GARZA: Okay. So I don't see  
30 any type of consensus here. We have several who don't  
31 support this proposal because there shouldn't be  
32 motorized vehicles even though the State allows for  
33 motorized vehicles for the month of December for whoever  
34 wants to trap and we see other people that say, well, you  
35 know, let's just provide the opportunity. So I'm not  
36 sure if we're getting any closer to a vote that's going  
37 to pass. And perhaps you guys should have listened to me  
38 and we should have gone to dinner.

39

40 John, you had your hand up?

41

42 MR. KOOKESH: Just vote our way and then  
43 we'll go home.

44

45 MR. LITTLEFIELD: If we were to direct  
46 the -- or we can't direct anybody but if we were to ask  
47 the Forest Service supervisors for the Tongass to close  
48 that area because we had a problem with it before, that's  
49 how we got there with the motorized vehicles, if we were  
50 to ask them to close that that would put everybody on the

00312

1 same footing, right, everywhere in Unit 4, if they just  
2 couldn't use those road systems. How would that  
3 adversely affect the Hoonah trappers?

4

5 MR. BELTON: I don't know. This is a  
6 point that would come out in discussions that would be  
7 had with them.

8

9 CHAIRWOMAN GARZA: So what I hear,  
10 several times from Mr. Belton, is that he's favoring  
11 actually just deferring it and getting people together  
12 discussing it and coming up with an option. And  
13 personally I think that's what we should do if that's  
14 what.....

15

16 MR. LITTLEFIELD: I move to table.

17

18 CHAIRWOMAN GARZA: .....Hoonah Indian  
19 Association wants to do.

20

21 Mary.

22

23 MS. RUDOLPH: Well, he didn't -- they  
24 didn't really find out about the State vehicles until  
25 late so, you know, it's not as though they don't have an  
26 option or they didn't think they had -- I mean they  
27 thought they didn't have an option. But knowing now what  
28 they know they probably will go with the State, so I  
29 don't think it's a problem if we table it or drop it or  
30 let it lull or whatever.

31

32 MR. LITTLEFIELD: I have a motion.

33

34 CHAIRWOMAN GARZA: John.

35

36 MR. LITTLEFIELD: Madame Chair, same  
37 thing I did last time. I'm going to make a motion to  
38 postpone to a time certain, that time certain would be  
39 the next wildlife meeting at which time we expect this to  
40 be solved by the users.

41

42 MR. MARTIN: I'll second that motion.

43

44 MR. STOKES: Second.

45

46 CHAIRWOMAN GARZA: It's been moved and  
47 seconded.

48

49 MR. ADAMS: Madame Chairman.

50

00313

1 CHAIRWOMAN GARZA: Mr. Adams.

2

3 MR. ADAMS: I call for the question.

4

5 CHAIRWOMAN GARZA: Before we get to the  
6 question, Mr. Littlefield is the intent that a committee  
7 would be formed and meet in Hoonah to discuss this?

8

9 MR. LITTLEFIELD: I didn't say that but  
10 you could take that to be that.

11

12 CHAIRWOMAN GARZA: Okay. Question has  
13 been called. All in favor of the motion to postpone  
14 until the next cycle of game proposals, which would be  
15 approximately one year from now so that a solution can be  
16 reached, signify by saying aye.

17

18 IN UNISON: Aye.

19

20 CHAIRWOMAN GARZA: Signify if opposed.

21

22 (No opposing votes)

23

24 CHAIRWOMAN GARZA: Motion passes. And so  
25 we need to create a lead person for this to make sure  
26 that it actually happens, Mr. Johnson, you'll make sure  
27 it happens, you'll contact ADF&G, you'll conduct Mr.  
28 Belton, you'll conduct whoever.

29

30 Mary.

31

32 MS. RUDOLPH: I would like to have Dave  
33 give us enough notice on subsistence committee so that we  
34 can have all our information together for this when you  
35 do get something going.

36

37 MR. JOHNSON: Mary, I would say you let  
38 me know when it's convenient for you, I'm here to serve  
39 the Council and I think that's what I was just directed  
40 to do by the Council so whenever you feel that you are  
41 ready for me I'll be ready for you.

42

43 MS. RUDOLPH: Okay.

44

45 CHAIRWOMAN GARZA: So the other thing you  
46 may consider between now and then is simply submitting a  
47 proposal to the Board of Game to eliminate motorized  
48 vehicle, period.

49

50 Adjourn until 8:30 tomorrow morning.

00314

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2  
3

(PROCEEDINGS TO BE CONTINUED)

\* \* \* \* \*

00315

1 CERTIFICATE

2

3 UNITED STATES OF AMERICA )

4 )ss.

5 STATE OF ALASKA )

6

7 I, Joseph P. Kolasinski, Notary Public in and for the  
8 State of Alaska and Owner of Computer Matrix, do hereby  
9 certify:

10

11 THAT the foregoing pages numbered 149 through 315 contain  
12 a full, true and correct Transcript of the VOLUME II, SOUTHEAST  
13 FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken  
14 electronically by Salena Hile on the 13th day of March 2002,  
15 beginning at the hour of 8:30 o'clock a.m. Juneau, Alaska;

16

17 THAT the transcript is a true and correct transcript  
18 requested to be transcribed and thereafter transcribed by under  
19 my direction and reduced to print to the best of our knowledge  
20 and ability;

21

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

24

25 DATED at Anchorage, Alaska, this 25th day of March 2002.

26

27

28

29

30 \_\_\_\_\_  
31 Joseph P. Kolasinski  
32 Notary Public in and for Alaska  
My Commission Expires: 4/17/00