

1 SOUTHCENTRAL FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6
7 VOLUME II

8
9
10 Crowne Plaza Hotel
11 Anchorage, Alaska
12 November 6, 2013
13 8:30 a.m.

14
15
16
17 COUNCIL MEMBERS PRESENT:

18
19 Ralph Lohse, Chairman
20 Judy Caminer
21 Greg Encelewski
22 Robert Henrichs
23 Andrew McLaughlin
24 Mary Ann Mills
25 Herman Moonin
26 Michael Opheim
27 James Showalter
28 Gloria Stickwan
29
30 SC Regional Council Coordinator, Donald Mike

31
32 SOUTHEAST COUNCIL MEMBERS PRESENT:

33
34 Bertrand Adams, Chairman
35 Cathy Needham
36
37 SE Regional Council Coordinator, Robert Larson

38
39
40
41
42
43 Recorded and transcribed by:

44
45 Computer Matrix Court Reporters, LLC
46 135 Christensen Drive, Suite 2
47 Anchorage, AK 99501
48 907-243-0668/sahile@gci.net

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

P R O C E E D I N G S

(Anchorage, Alaska - 11/6/2013)

(On record)

CHAIRMAN LOHSE: Good morning, everybody. I'd like to call this meeting back into session.

And, Bert, what are you doing sitting back there instead of up here at the table?

(Laughter)

MR. ADAMS: Do you want me up there?

CHAIRMAN LOHSE: Yeah.

UNIDENTIFIED VOICE: There's no confusion then.

(Laughter)

CHAIRMAN LOHSE: We like your presence at the table.

MR. ADAMS: (Indiscernible - away from microphones)

CHAIRMAN LOHSE: Okay.

MR. ADAMS: (Indiscernible - away from microphones) not here, so he might need (indiscernible).

CHAIRMAN LOHSE: Oh, okay. Well, you can sit where you want to, but you're more than welcome to sit at the table, put it that way. And you're than welcome to join in our discussions, too.

Donald, you have something to say to us?

MR. MIKE: Yes, just really quickly. We have green cards on the front table for anyone that wished to testify on a specific proposal or testify on subsistence issues or any other matters relating to the subsistence program. So we have testifier forms for the public wishing to testify.

1 Thank you, Mr. Chair.

2

3 CHAIRMAN LOHSE: Well, at the request
4 of a couple Council members, before we start doing
5 anything, we're going to allow them to put something
6 back on the table from yesterday. So, Andy, you wish
7 to put something back on the table?

8

9 MR. McLAUGHLIN: Yes. Mr. Chair. I'd
10 like to make a motion to reconsider Wildlife Proposal
11 14-06.

12

13 CHAIRMAN LOHSE: Do I hear a second
14 from anybody?

15

16 MR. HENRICHS: I'll second.

17

18 CHAIRMAN LOHSE: It's been moved and
19 seconded that we reconsider Wildlife Proposal 14-06.

20

21 Andy, would you give your
22 justification?

23

24 MR. McLAUGHLIN: Yeah. After
25 consideration I noted that the amended Office of
26 Subsistence Management preliminary conclusion that
27 combines 244 unit and 245 for two total goats quota
28 between the two, actually sharing those goats between
29 the two units, keeps more doors open for subsistence
30 users for the Village of Tatitlek.

31

32 CHAIRMAN LOHSE: Is there any other
33 discussion on it.

34

35 MS. CAMINER: Mr. Chair. I'm sorry, I
36 missed the discussion yesterday, but I did reach the --
37 read the analysis, of course. And my understanding is
38 that this would be beneficial to subsistence users to
39 make this adjustment from your decision yesterday.

40

41 CHAIRMAN LOHSE: Basically, Andy, when
42 I look at the map, it means they can hunt on both sides
43 of the Bay. Okay. Okay.

44

45 Any more discussion on it.

46

47 (No comments)

48

49 CHAIRMAN LOHSE: The questions in
50 order.

1 MR. HENRICHS: Question.
2
3 CHAIRMAN LOHSE: The question's been
4 called. All in favor of WP-14-06 that we're
5 reconsidering to the proposal as written by the OSM
6 modification.
7
8 Wrong? Mr. Larson, would you clarify
9 our.....
10
11 MR. LARSON: Mr. Chair. Thank you.
12 The motion on the table is to reconsider. You need to
13 deal.....
14
15 CHAIRMAN LOHSE: Oh, we first need to
16 decide whether we're reconsider before.....
17
18 MR. LARSON: You need to decide if
19 you're going to reconsider.
20
21 CHAIRMAN LOHSE: Before we vote.....
22
23 MR. LARSON: Prior to taking up the
24 question of what to do with this proposal.
25
26 CHAIRMAN LOHSE: Okay. So he -- when
27 he asked to reconsider and put that motion on the
28 table, we can't do both at the same time.
29
30 MR. LARSON: Yes. Right.
31
32 CHAIRMAN LOHSE: Right?
33
34 MR. LARSON: You need to decide whether
35 you were going to reconsider the proposal.
36
37 CHAIRMAN LOHSE: Okay. Okay. So we
38 have on the table a motion to reconsider WP14-06.
39
40 Thank you for the clarification for the
41 record.
42
43 MR. HENRICHS: Question.
44
45 CHAIRMAN LOHSE: The question's been
46 called on reconsidering it. All in favor signify by
47 saying aye.
48
49 IN UNISON: Aye.
50

1 CHAIRMAN LOHSE: All opposed signify
2 saying nay.
3
4 (No opposing votes)
5
6 CHAIRMAN LOHSE: The motion carries.
7
8 Now, if you'd like to put the motion on
9 the table.
10
11 MR. McLAUGHLIN: Yeah, I would like to
12 put a motion on the table to accept as amended of the
13 Office of Subsistence Management preliminary conclusion
14 for the combining of the two units.
15
16 CHAIRMAN LOHSE: I have a hand out
17 there, but we'll get a second first, and then we'll go
18 into discussion.
19
20 MR. HENRICHS: I'll second.
21
22 CHAIRMAN LOHSE: Okay. It's been moved
23 and seconded. Discussion.
24
25 MR. CRAWFORD: Mr. Chair. Drew
26 Crawford, Fish and Game. You asked me a couple of
27 questions yesterday related to this proposal, and I
28 have found the answers for you.
29
30 CHAIRMAN LOHSE: Good. I was kind of
31 wondering if you did.
32
33 MR. CRAWFORD: One of the questions was
34 how many permits are issued for this current area,
35 which is registration goat hunt area RG244. And there
36 are an unlimited number of permits. There's no
37 restriction.
38
39 And then I asked Charlotte who's the
40 current manager; how many -- what is the quota in these
41 areas. And I'll have to look at my cell phone here
42 real quickly. She said that the quota depends on the
43 population, but currently in Unit 6 there are three of
44 these permit areas. There's an Area 243, which there's
45 three State and four Federal permits for a total of
46 seven. 244, which is the area right around Tatitlek is
47 -- the quota there is nine State and two Federal. And
48 the new area being considered is Registration Area 245,
49 and the current permits issued for that are -- or the
50 quota is seven State and zero Federal.

1 CHAIRMAN LOHSE: Thank you. So
2 basically what we're saying is that there are 11
3 permits currently available in 244 and 7 permits
4 available in 245; am I correct on that?

5
6 MR. CRAWFORD: There's an unlimited
7 number of permits but the.....

8
9 CHAIRMAN LOHSE: A quota.

10
11 MR. CRAWFORD:hunt is managed
12 according to the number of goats harvested by the
13 Federal and the State hunters. Over.

14
15 CHAIRMAN LOHSE: So then there would
16 definitely be no conservation concern with taking one
17 out of each one of them. Thank you.

18
19 MR. CRAWFORD: You're welcome.

20
21 REPORTER: Mr. Chairman. Who seconded
22 the motion? Thank you.

23
24 CHAIRMAN LOHSE: Okay. Any discussion
25 on the motion on the table.

26
27 (No comments)

28
29 CHAIRMAN LOHSE: The only discussion
30 that I'll put into it as me is I think there should be
31 at least two in each one of them, because if the State
32 has that many permits, there obviously is not shortage.
33 And from what I understand, the quota has not been
34 reached in recent years, and therefore there actually
35 is more available for subsistence users. And if you
36 had two in each one, it wouldn't hurt anything, but the
37 proposal on the table -- the motion on the table is to
38 accept the OSM's qualification, unless somebody wants
39 to modify it.

40
41 Any other discussion.

42
43 MS. CAMINER: Mr. Chair. I guess maybe
44 we should ask Andy if you want to modify it.

45
46 MR. McLAUGHLIN: I had actually
47 considered it. I thought, well, geez, open as many
48 doors. Why not two in each, but I believe the chance
49 of just the way as amended is probably going to go
50 through much better with the Board.

1 CHAIRMAN LOHSE: And Andy and I talked
2 about it. The fact that the hunt is longer in the
3 early part of the season doesn't really have much
4 impact, because nobody really wants to climb up there.
5 And they can take them under State permit and Federal
6 permit late in the winter. And most of the Tatitlek
7 hunting would be done off the water if the snow's deep
8 enough to put them down by the beach. So from that
9 standpoint it really has no impact, but it does give
10 them an opportunity if they want to hunt early.

11
12 Okay. Any other discussion on the
13 motion.

14
15 (No comments)

16
17 CHAIRMAN LOHSE: The question's in
18 order.

19
20 MS. CAMINER: Question.

21
22 CHAIRMAN LOHSE: The question's been
23 called. All in favor signify by saying aye.

24
25 IN UNISON: Aye.

26
27 CHAIRMAN LOHSE: All opposed signify by
28 saying nay.

29
30 (No opposing votes)

31
32 CHAIRMAN LOHSE: Motion carries
33 unanimously. Thank you.

34
35 MS. CAMINER: Mr. Chair.

36
37 CHAIRMAN LOHSE: Yes, Judy.

38
39 MS. CAMINER: Again, I'm really sorry.
40 I had an appointment yesterday that I made about five
41 or six weeks ago and could not rearrange it, so I'm
42 sorry I left early yesterday.

43
44 And I wanted to bring up for discussion
45 I guess, because it was not truly voted on. We don't
46 have to do a request for reconsideration, but Proposal
47 14-07 has to do with a C&T request for Cooper Landing.
48 And I understand, as I mentioned, it was moved, but not
49 seconded yesterday. So I guess I'd like to -- make the
50 motion to once again look at this or first give a

1 little bit of explanation as to why.

2

3 We had a lengthy discussion yesterday
4 on C&T use determinations, and we talked about how
5 Southcentral not only supported the wording of
6 Southeast, which would not be a species-by-species
7 method of determination, and how we're generally quite
8 liberal, meaning we look at broad geographic areas to
9 give C&T. So I guess I was pretty surprised, and I'll
10 figure it probably had to do with being late in a very
11 crazy day yesterday that we didn't have a chance to
12 maybe vote and discuss this yesterday.

13

14 So I would like to make the motion that
15 we support WP14-07 and adopt it, adopt the C&T for
16 Cooper Landing.

17

18 CHAIRMAN LOHSE: Do I have a second.

19

20 MR. McLAUGHLIN: Second.

21

22 CHAIRMAN LOHSE: Andy seconded.

23 Discussion. The motion's on the table.

24

25 Greg.

26

27 MR. ENCELEWSKI: Yeah. I clearly felt
28 we did the right thing. There's no -- you know, and,
29 Judy, I'm sorry that she wasn't here, but there was not
30 one supporting factor or person from Cooper Landing to
31 defend their C&T proposal. And, you know, we discussed
32 this whole thing, and Ralph asked for public input from
33 everyone, you know, so, no. And actually I think that
34 there's more to it than that, but anyway I'll just tell
35 you that. And I think it should be voted down.

36

37 MS. CAMINER: Mr. Chair.

38

39 CHAIRMAN LOHSE: Yes, Judy.

40

41 MS. CAMINER: I know we've had this
42 discussion before in Southcentral, and it's important
43 to the Council that people show up and speak for
44 themselves, but, really, looking at the analyses, which
45 seem to be a strong analyses, it appears as though this
46 request would be -- that this proposal would be valid.

47

48 And looking at the criteria we have for
49 customary and traditional use, it appears that we ought
50 to approve this proposal. Once a person submits the

1 proposal, it's the Board's, it's not really the
2 person's any more. So while I know it would -- it
3 would probably enhance the appearance for them to be
4 here, it's really not our criteria for a person to
5 actually show up. And I know that hardly matches the
6 Ninilchik experience of going through C&T, but really
7 for the rest of the State when oftentimes proponents
8 aren't there, don't send in comments, we still do the
9 analysis and base it on the data.

10

11 MR. ENCELEWSKI: Mr. Chairman.

12

13 CHAIRMAN LOHSE: Greg.

14

15 MR. ENCELEWSKI: Yeah. I disagree with
16 what she's saying there. I mean, the analysis was
17 done. The Board here could vote on it. You know, we
18 looked at it. I question the C&T in 15C. I truly do.
19 The analysis is nice for the Cooper Landing area, but
20 there's a lot more to this than where they're wanting
21 to go moose hunting, so I think that was part of the
22 reason. And, you know, if they really had C&T in
23 there, I think someone would be here to talk about it.

24

25 CHAIRMAN LOHSE: Mary.

26

27 MS. MILLS: Mr. Chair. I concur with
28 Mr. Encelewski.

29

30 MR. HENRICHS: Mr. Chair.

31

32 CHAIRMAN LOHSE: Mr. Henrichs.

33

34 MR. HENRICHS: I heard a comment
35 yesterday that these people had used Tustumena Lake,
36 but they still could use it. But they could use it.
37 They can use one side of it, you know.

38

39 CHAIRMAN LOHSE: Any other discussion.
40 James? Nothing.

41

42 MR. HENRICHS: Question.

43

44 MR. ENCELEWSKI: Call the question.

45

46 CHAIRMAN LOHSE: Call the question.
47 Okay. All in favor of WP14-07 signify by saying aye.

48

49 MS. CAMINER: It's 14-08. It's --
50 yeah. Excuse me. You're right.

1 CHAIRMAN LOHSE: Am I right?
2
3 MS. CAMINER: Yes. Sorry.
4
5 CHAIRMAN LOHSE: Okay. WP14-07, the
6 revised customary and traditional moose determination
7 for Cooper Landing in Unit 15C. All in favor signify
8 by saying aye.
9
10 MS. CAMINER: Aye.
11
12 UNIDENTIFIED VOICE: Aye.
13
14 CHAIRMAN LOHSE: All opposed signify by
15 saying nay.
16
17 IN UNISON: Nay.
18
19 CHAIRMAN LOHSE: Let's have a show of
20 hands. I think we had two ayes and four nays -- five
21 nays. Okay. So the motion fails.
22
23 You did -- did you vote, Gloria?
24
25 MS. STICKWAN: No.
26
27 CHAIRMAN LOHSE: You didn't. Okay.
28 Motion fails.
29
30 Okay. With that, we are going to go on
31 to the rural determination process right now, because
32 we dealt with that last night. We've got Bert here and
33 we've got others here. And then we're going to go back
34 to our proposals. So at the request of.....
35
36 Donald.
37
38 MR. MIKE: (Indiscernible - microphone
39 not on)
40
41 CHAIRMAN LOHSE: What?
42
43 MR. MIKE: (Indiscernible - microphone
44 not on)
45
46 MS. CAMINER: Gene? He's gone. He
47 left.
48
49 CHAIRMAN LOHSE: So anyhow, what -- I'm
50 sorry, but I didn't hear you.

1 MS. CAMINER: He was asking about Gene,
2 but I think he left.

3
4 CHAIRMAN LOHSE: Gene left? Yeah, Gene
5 left. I was informed that he had to catch an airplane.

6
7 So we'll go on to the rural
8 determination process. And who's presenting this.
9 Chuck.

10
11 I need to look at my other form, not
12 the one I've got in front of me.

13
14 MS. CAMINER: Too many things in front
15 of us.

16
17 MR. MIKE: Mr. Chair.

18
19 CHAIRMAN LOHSE: Yeah.

20
21 MR. MIKE: There's some conflicting
22 time schedule here. I thought it was going to be the
23 first thing this morning, if you wish, we can set up
24 the PowerPoint presentation for this agenda item. It
25 will be about five minutes.

26
27 MR. ARDIZZONE: Mr. Chair. It's up to
28 you. I can give you the presentation. It's in your
29 book. I just didn't realize it was the first thing
30 this morning. It's the same thing you would -- you
31 heard last night. So I'll read the script, and it will
32 be exactly what you heard last night, but it is in your
33 book.

34
35 CHAIRMAN LOHSE: Carry on.

36
37 MR. ARDIZZONE: Right. So I'll present
38 what I have, so if there's anybody on line that wasn't
39 there last night, they're aware of what's going on.

40
41 CHAIRMAN LOHSE: I think let's do it
42 that way (indiscernible - microphone not on).

43
44 MR. ARDIZZONE: Just trying to get some
45 guidance I guess. I'll go through the script, again
46 the same as last night's, so everybody's aware of what
47 it was. Right. Okay.

48
49 CHAIRMAN LOHSE: That way it gets on
50 the record, Chuck.

1 MR. ARDIZZONE: So sorry for the
2 redundancy, but here it is.

3
4 Good morning. You know, I'm Chuck
5 Ardizzone with the Office of Subsistence Management for
6 the Federal Subsistence Program.

7
8 The Program includes the Fish and
9 Wildlife Service, the Forest Service, National Park
10 Service, Bureau of Indian Affairs, and the Bureau of
11 Land Management. The Federal Subsistence Program is
12 responsible for managing subsistence on Federal public
13 lands.

14
15 If there's anyone on the teleconference
16 that wants to follow this PowerPoint, you can go to our
17 website, which is www.doi.gov/subsistence. On that
18 page there's a rural determination button. You can
19 click that, and then there will be a list of materials.
20 And if you click on the 2013 PowerPoint, that's exactly
21 what I'm presenting. And it's also in the book.

22
23 MS. CAMINER: 259.

24
25 MR. ARDIZZONE: Do you have a page
26 number?

27
28 MS. CAMINER: It's on Page 259 for
29 people to follow along with Chuck.

30
31 MR. ARDIZZONE: Thank you. So today
32 I'm here to explain the review of the rural
33 determination process and how it can be -- and how you
34 can be part of the process. I'll start by summarizing
35 the actions that brought us here, some background on
36 the Federal rural determination process. How the
37 current process works, and describe the criteria that
38 are used to determine an area's rural or non-rural
39 status. All of the information and steps are available
40 to you. And I'll let you know where you can find the
41 resources and how to provide your ideas to improve the
42 process.

43
44 In December 2010 the Secretaries of
45 Interior and Agriculture directed the Federal
46 Subsistence Board to conduct a review of the process
47 that's being used in making rural and non-rural
48 determinations to see if the methods being used are
49 relevant and current.

50

1 The Federal Subsistence Board is
2 seeking public input, recommendations from the RACs,
3 and input from tribes and ANCSA corporations. The
4 Federal Subsistence Board may develop recommendations
5 for improving the process based on these public
6 comments and recommendations. Any Board
7 recommendations will have to go to the Secretaries of
8 Interior and Agriculture for action.

9
10 Now for some background. Title VIII of
11 ANILCA is the legislation which provides a subsistence
12 priority for rural Alaska residents to harvest fish and
13 wildlife on public lands. Only those rural residents
14 -- or, excuse me, only the residents of those rural
15 communities are eligible for subsistence priority on
16 Federal public lands.

17
18 And in your PowerPoint there's a little
19 map. All those green areas are the Federal lands which
20 this applies to.

21
22 Senate Report No. 96-413, which
23 comments on Title VIII, provides examples of cities
24 excluded from the rural status, such as Ketchikan,
25 Juneau, Anchorage, and Fairbanks, and examples of
26 communities that are rural, such as Dillingham, Bethel,
27 Nome, Kotzebue, Barrow, and other Native and non-Native
28 villages scattered throughout the State.

29
30 Court decisions limit how rural is
31 defined. The Ninth Circuit Court of Appeals determined
32 that rural refers to a sparsely populated area, and is
33 not primarily about the subsistence lifestyle, or an
34 area's use of fish and wildlife resources. The court
35 noted that Congress did not limit the benefits of the
36 statute, meaning ANILCA, to the residents of areas
37 dominated by a subsistence economy. Instead, it wrote
38 broadly, giving the statutory priority to all
39 subsistence users residing in rural areas.

40
41 As you can see from the slide that
42 shows Alaska, it's gray and black, most of Alaska is
43 considered rural, and just -- the map just shows like
44 Palmer/Wasilla, Fairbanks, which are non-rural areas,
45 and there are some others included.

46
47 The next slide is a slide showing 2000
48 population data from the census. It just shows the
49 range of populations for the State. Anchorage being
50 very, you know, populated all the way down to Cordova

1 with less population.

2

3 And now I'll try and describe the
4 current process. There's -- I'll give you a little
5 overview of the criteria. There's grouping and
6 aggregation of communities, population threshold, rural
7 characteristics, and then timelines and information
8 sources for the rural review.

9

10 Grouping or aggregations of communities
11 is the first process. The Board recognizes that
12 communities and areas of Alaska are connected in
13 diverse ways. Regulations require that communities
14 that are economically, socially, and communally
15 integrated be considered as an aggregate or grouped
16 together in determining rural and non-rural status.
17 The grouping criteria used by the Board is do 30
18 percent or more of the working people commute from one
19 community to another? Do they share a common high
20 school attendance? And are the communities in
21 proximity and road accessible to one another. So
22 that's how they determine how they group communities.

23

24 So I guess we're looking for some input
25 on this, how we aggregate things. So are these
26 groupings or aggregation criteria useful for
27 determining rural and non-rural status? So any input
28 you can give us on the grouping criteria, if you think
29 it can be changed, would be helpful. And if you don't
30 think what we use now is correct, please provide us
31 ideas on how to better indicate how communities are
32 integrated for the purposes of determining rural and
33 non-rural status.

34

35 The next criteria that's used is
36 population threshold. The Federal Subsistence Board
37 currently uses several guidelines to determine whether
38 a specific area of Alaska is rural. One guideline set
39 the population thresholds after communities are grouped
40 together. A community or area with a population below
41 2500 will be presumed rural. A community or area with
42 a population between 2500 and 7,000 is not presumed
43 rural or non-rural. Other characteristics are used to
44 determine their rural status. And communities with
45 populations above 7,000 are presumed rural [sic]. So
46 that's how we, you know, roughly break out how
47 communities are rural or non-rural via population.

48

49 So we would also like your input on
50 this criteria. Are these population thresholds or

1 guidelines useful for determining whether a specific
2 area of Alaska is rural. If they are not, please
3 provide population sizes to distinguish between rural
4 and non-rural areas, and the reasons for the population
5 size you believe more accurately reflects rural and
6 non-rural areas in Alaska.

7

8 So the next way we look at things is
9 rural characteristics. So rural characteristics, the
10 Board recognizes that population alone is not the only
11 indicator of rural or non-rural status. Other
12 characteristics the Board considers include, but are
13 not limited to, the following: use of fish and
14 wildlife; development and diversity of the economy;
15 community infrastructure; transportation; and
16 educational institutions. So those ones that are on
17 the border that are presumed rural or -- or not
18 presumed rural or non-rural, these are some of the
19 criteria that can help flip the Board one way or the
20 other.

21

22 So the Board is looking for input on
23 this. Are these characteristics useful for determining
24 whether a specific area of Alaska is rural? And if
25 they're not, please provide a list of characteristics
26 that better define rural and non-rural status.

27

28 So we'll move into timeline on
29 rural/non-rural reviews here. So the Board performs
30 its review based on a 10-year census cycle and uses
31 census information for a snapshot of communities.
32 Current regulations state that the population data from
33 the most recent census conducted by the U.S. Census
34 Bureau as updated by Alaska Department of Labor shall
35 be used in the rural determination process.

36

37 Move on to information sources. The
38 information collected and the reports generated from
39 the census varies between each census cycle, and
40 because of that, data used during the Board's rural
41 determination may vary. Some of the information the
42 Board used in the past rural determinations is no
43 longer collected by the U.S. Census Bureau.

44

45 So we'd also like some input on that.
46 Should the Board review rural determinations on a 10-
47 year cycle? If so, why? And if not, why not?

48

49 The information sources as stated in
50 the regulations will continue to be the foundation of

1 the data used for rural determinations. Do you have
2 any additional sources you think would be beneficial to
3 use other than what we currently use?

4

5 And then do you have any additional
6 comments on how to make the rural determination process
7 more effective?

8

9 The Board will use public comments to
10 assist in making recommendations to the Secretaries
11 regarding the scope and nature of possible changes to
12 improve the rural determination process. So if there
13 are any additional things you would like included in
14 the process, please let us know now so the Board can
15 also include that in any recommendations they may make
16 to the Secretaries.

17

18 So there are several sources of
19 information available on the handouts we have available
20 here in the room. And I encourage you to pick up
21 copies. There's also, like I said, you can go to our
22 website, which is www.doi.gov/subsistence, and there's
23 information on our website. If you want to request
24 information, you can email us as subsistence@fws.gov,
25 or you can always call the office at 1-800-478-1456.
26 So all the resources are located on our website, and
27 all the handouts who are in the room to be on the
28 website as well.

29

30 So some ways you can provide comments
31 on the rural review process: testimony here at the
32 Regional Advisory Council meeting. There's -- we had a
33 public hearing last night to gather information.
34 There's, like I said, the email address, which is
35 subsistence@fws.gov. You could also mail information
36 or recommendations to our office at U.S. Fish and
37 Wildlife Service, Office of Subsistence Management at
38 1011 Tudor Road, MS 121, Anchorage, Alaska 9950, or if
39 you want to, you can deliver it to a designated Federal
40 official or Council coordinator if you're at the RAC
41 meeting.

42

43 So I've tried to explain why we are
44 here asking all these questions, and to give you some
45 background about the rural determination process and
46 how decisions are made. Now knowing the questions to
47 address, having the resources at your fingertips, and a
48 knowledge about how you can provide your ideas on
49 improving the process, we hope you'll take the
50 opportunity between now and the date has been changed

1 to December 2nd to give us your ideas.

2

3 So once again we're looking for
4 recommendations on grouping of communities, population
5 thresholds, rural characteristics, which include the
6 use of fish and wildlife, economic development and
7 diversity, infrastructure, transportation, and
8 educational institutions. And we're also looking on --
9 or looking for recommendations on the timeline of the
10 review, and our sources of information. And then we
11 would be glad to take any other information which
12 people feel is pertinent to the rural review process.

13

14 Thank you. And if you have any
15 questions, I'll try to answer them, or as Bert says,
16 I'll have someone answer the hard questions.

17

18 CHAIRMAN LOHSE: Thank you, Chuck.

19

20 At this time point in time do we have
21 anybody in the public that would like to make comments
22 on what Chuck has just discussed.

23

24 Barbara, did I see you hold your hand
25 up back there?

26

27 MS. CELLARIUS: The SRC has a comment
28 letter.

29

30 CHAIRMAN LOHSE: Okay. Would you like
31 to present it to us right now.

32

33 MS. CELLARIUS: Is now the right time?

34

35 CHAIRMAN LOHSE: Well, it's the right
36 time as far as I'm concerned.

37

38 MS. CELLARIUS: Thank you, Mr. Chair.
39 Barbara Cellarius, subsistence coordinator for
40 Wrangell-St. Elias National Park and Preserve.

41

42 And I am presenting the comments from
43 the Wrangell-St. Elias Subsistence Resource Commission
44 which met last week in Chistochina. You should have I
45 believe a copy of this letter in your packet. So the
46 SRC had comments on most of the points that are
47 mentioned in the presentation you just heard.

48

49 In terms of population thresholds, they
50 believe that the existing thresholds don't need to be

1 changed. However, population should be measured using
2 a five-year running average to ensure that a
3 determination is not based on the extreme high or low
4 point of a boom/bust cycle.

5
6 In terms of the rural characteristics,
7 the SRC feels that transportation and educational
8 institutions are not useful characteristics. The SRC
9 recommends instead adding sharing patterns and status
10 as a national park or national monument resident zone
11 community to the list of rural characteristics.
12 Designation as a resident zone community is based on
13 the presence of a significant concentration of rural
14 residents who have customarily engaged in subsistence
15 uses within a national park or monument, and occurs
16 through a Federal regulatory process.

17
18 On the aggregation of communities, the
19 SRC believes that aggregation of communities is not a
20 useful tool for determining rural and non-rural status.
21 Instead the commission recommends that aggregation of
22 communities not be used as part of the rural
23 determination process.

24
25 In terms of timelines, reviewing rural
26 determinations on a 10-year cycle is not useful. The
27 regular review process is an unnecessary expense and
28 can harm communities of long-standing subsistence
29 users. The SRC recommends that once rural
30 determinations are made, they only be reviewed in
31 extraordinary or extenuating circumstances, such as
32 long-term permanent changes up or down, long-term
33 permanent population changes up or down, measured using
34 the five-year running average mentioned earlier in this
35 letter.

36
37 And then finally on information
38 sources, the community harvest surveys conducted by or
39 for organizations such as the Alaska Department of Fish
40 and Game, Division of Subsistence, and the National
41 Park Service could provide a variety of information
42 useful for making rural determinations, including the
43 use of fish, wildlife, and other subsistence resources,
44 as well as sharing patterns.

45
46 And that concludes their comments.

47
48 CHAIRMAN LOHSE: Thank you, Barbara.

49
50 Any other testimony on this.

1 (No comments)

2

3 CHAIRMAN LOHSE: Okay. Council, I'd
4 like to open it up for Council members to make comments
5 so that we can have them on the record. Judy.

6

7 MS. CAMINER: Mr. Chair. I had one
8 more question first about what have other Councils
9 said? I know again maybe only about half of them have
10 met.

11

12 MR. ARDIZZONE: That's a hard question.
13 I'm going to defer that one.

14

15 MR. JOHNSON: There are several general
16 themes that have come up. I attended the
17 Kodiak/Aleutians and Northwest Arctic Council meetings.

18

19 One is communities that are off the
20 road system should never be reconsidered or
21 reevaluated. They should just be deemed rural
22 automatically. They also agree with eliminating the
23 10-year review process.

24

25 Kodiak/Aleutians, the rural community
26 there specifically stated -- provided a threshold that
27 you don't evaluate -- reevaluate rural status unless
28 the population has increased by at least 25 percent
29 from the previous determination. Kodiak also noted
30 specifically, and this was consistent with the idea of
31 being off a road system, that communities that are on
32 islands should be deemed rural automatically. As a
33 humorous note, a couple people noted that Kodiak was so
34 rural the Japanese tried to bomb them three times and
35 couldn't find them.

36

37 (Laughter)

38

39 MR. JOHNSON: Northwest Arctic noted
40 that reliance upon fish and wildlife for cultural and
41 spiritual purposes should also be a specific factor
42 considered in rural characteristics.

43

44 Let's see, what else. There are quite
45 a few rural characteristics that were offered among the
46 different communities. One of them is you should not
47 count against the community any outside development
48 that comes into the area. So, for example, roads being
49 developed, mines being developed, things that are not
50 related to the community itself, but come from the

1 outside and artificially inflate the population. And
2 this could be resolved by the SRC's suggestion of the
3 five-year average, not counting boom and busts
4 population changes.

5
6 And those are some themes that have
7 come up. And if I can think of any others off the top
8 of my head, I will let you know.

9
10 CHAIRMAN LOHSE: Thank you. Any other
11 questions for him.

12
13 (No comments)

14
15 CHAIRMAN LOHSE: Thank you.

16
17 Comments by Council members. Greg, I'm
18 going to put you on line first.

19
20 MR. ENCELEWSKI: Good. Good. Good, I
21 want to be on line for this. Actually I attended a
22 hearing last night, and Michelle Anderson, I was very
23 impressed with her presentation. And if I could ditto
24 that and copy it, I wouldn't even have to talk here,
25 but I think she did a really good -- and hopefully
26 we'll get to all see that.

27
28 I just want to mention a couple things
29 that really hit me, you know. Off the road systems,
30 yeah, absolutely. But in this rural determination, you
31 know, the road systems, we have no control over them
32 building roads.

33
34 And where I'm going with this is in the
35 Ninilchik area, you know, we have a tribe and we have
36 people that from time immemorial have subsistence on
37 hunting, fishing, and whatever. And we have some of
38 the boom and bust cycles. Of course, commercial
39 fishing. But now we're having an influx of oil
40 development. Hill Corp is pretty active in the area.
41 Others, Apache is, a lot of the -- CIRI's moving down.
42 And so you're going to get people moving in, and it's
43 going to increase the population I'm sure at some time
44 given down the road.

45
46 And so I just want to mention that to
47 me it doesn't change the rural lifestyle of the tribe
48 and the people that are originally there. And
49 regardless what happens, you get surrounded or ate up
50 by other societies or whatever, it doesn't change that

1 rural need and lifestyle of the community.

2

3 Another one that I wanted to mention
4 was the schools. You know, I heard yesterday, and I
5 know this is true even in our area, schools are -- you
6 know, budget's getting tight, people moving around,
7 schools are moving, and to use that as a criteria of a
8 school sometimes is not actually applicable. So that
9 maybe should be considered something else.

10

11 And there are some other -- there are
12 some other things. I really think it is burdensome to
13 review and a needless waste of money to review every 10
14 years when you know dog gone well we've only got 8, 900
15 people in the community. You know.

16

17 So anyway, some of those common sense
18 things I think would make it easier. I did hear some
19 people say that, you know, it puts an unnecessary
20 burden to keep defending, and I kind of feel I'm in
21 that same position with our community, to defend your
22 rural status. You know, I mean how many times do I
23 have to prove is kind of what the common theme I hear.
24 And I think that, you know, if they are rural, and if
25 there is some extenuating circumstances that they're no
26 longer rural, then I don't think just because the
27 economy changes or something else changes, it changes
28 that core rural status of those tribes and people that
29 lived from immemorial in those areas.

30

31 Anyway, I said enough. Thanks.

32

33 CHAIRMAN LOHSE: James. I'm going to
34 hit you all.

35

36 MR. SHOWALTER: Yes. I have a big
37 heartburn on this rural/non-rural since they omitted us
38 for quite some time. And, of course, we have a tribe
39 down there. The tribe cannot do any subsistence due to
40 the fact of the influx of people and the road system
41 and the way they do their aggregation. And like I
42 said, I had this heartburn for a long time.

43

44 Thank you.

45

46 CHAIRMAN LOHSE: Judy.

47

48 MS. CAMINER: Thanks. Mr. Chair. And
49 I'll echo what Greg said, that Michelle Anderson's
50 presentation from Ahtna yesterday was superb, and I

1 hope we can all get copies maybe before the end of our
2 meeting, because it was very, very thorough. So some
3 of our comments may -- they may be repetitive, but
4 they're certainly worth repeating since there were some
5 very excellent points in there.

6
7 We also in the presentation last night
8 had just a couple other points that came up that might
9 be worth bringing up today, too. And so some of my
10 comments, I'm going to jump around a little bit.

11
12 I think some of this -- some of the
13 questioning of the rural process started during the
14 last determination. And Southeast RAC, or course, led
15 the way by sending a letter to the Secretary asking
16 that these population threshold levels, these general
17 criteria, be reexamined, and I believe you proposed a
18 top threshold of 11,000. And it seems to me with
19 ANILCA passing 1980, a long time ago, and the
20 population of Alaska has increased. Most community
21 populations have increased, some have decreased.
22 There's been mining communities or oil-based -- not
23 communities, but enclaves that have developed.
24 Military installations. That kind of needs to be
25 examined, as you have in some of the discussions, how
26 that is aggregated or not with a community or nearby
27 community. So I think population levels is a key one
28 for me. Just need to take into account what natural
29 growth has been over these years, and factor that into
30 what general threshold levels would be. And then take
31 a very broad look at 90 percent of the communities in
32 Alaska, maybe more, aren't even close to that threshold
33 level. Just take it off the table and don't be a drain
34 on the government resources and, excuse me, and more
35 importantly on the community and tribal resources to be
36 going through this, because even though we say it's
37 ever 10 years, this was really only concluded maybe
38 five or six years ago, and now starting to think about
39 it again. It's also complicated by the fact that the
40 data that's been used in the past is no longer
41 available for the census.

42
43 It was also mentioned last night, that
44 this kind of base number of 2500 originated in the 1910
45 census. I mean, not for our process, but that's one
46 way that rural was defined in 1910. Well, I think we
47 could take another look at that and be more reasonable
48 and take a look at what's really happening in Alaska,
49 not just based on numbers.

50

1 Other things I wanted to mention, if
2 there's a significant population change, and, for
3 example, Adak is an example of that. Well, okay. Then
4 you take a look at it. And significant would have to
5 be defined, but I think there have been some
6 suggestions for that already.

7
8 And when we -- we could review other
9 definitions of rural from other agencies to see whether
10 that would be beneficial to the Federal program. I
11 know that's been talked about before.

12
13 The question of schools. Well, more
14 and more people are home schooling their kids. We
15 heard testimony last night, and we've heard it from
16 Council members about schools having to close because
17 of reductions of numbers. So it would seem ironic that
18 using that as a factor, that kids have to go to more of
19 a hub community school would be then a detriment to
20 them.

21
22 And road connected. I think, you know,
23 we need to be careful about kind of being very black
24 and white about this. For example, if a road were
25 built to Nuiqsut, would people start thinking Nuiqsut
26 was not rural. You know, we just have to use some
27 common sense in some of these things, too.

28
29 So that's all I have for now, Mr.
30 Chair.

31
32 CHAIRMAN LOHSE: Thank you, Judy.

33
34 Mr. Henrichs.

35
36 MR. HENRICHS: Well, funny you should
37 ask about that.

38
39 (Laughter)

40
41 MR. HENRICHS: You know, I live in
42 Cordova. I'm a member of the Native Village of Eyak.
43 We have 500 members, but we're surrounded by the City
44 of Cordova. And I think the year-round population is
45 2200 and it goes up to about 4,000 in the summer.

46
47 Well, they passed this deal for
48 community-owned IFQs, and they put the cut-off at 1500
49 people. So 40 communities in the Gulf were eligible,
50 but we weren't because we're surrounded by a city.

1 When we want to do subsistence things,
2 we have to put in for a permit, and then everybody
3 starts raising hell with us. And the rest of the
4 community tries to tell us we're all the same. But
5 we're not all the same. We've been there for 10,000
6 years.

7
8 We get a permit to do educational
9 salmon fishing and 50 kings and 100 reds, but they give
10 it to us the 1st to the 10th of May, which is before
11 the fish show up, and very seldom are we ever able to
12 fill it out. If the runs are early, we fill it out,
13 but it's a constant battle.

14
15 We're a tribe. We're recognized by the
16 Federal Government, and we have a certain number of
17 population. That should be it. It shouldn't have to
18 do with us being surrounded by these other people.
19 We're the same people we've always been.

20
21 I could go on, but I better let you
22 guys rest for a bit.

23
24 MR. OPHEIM: I guess my question was
25 about the 1910 census. And I think that was kind of
26 answered a little bit by Judy, and so that was
27 interesting. But it seems like we shouldn't be using
28 something from 1910, and something that was probably
29 geared for the Lower 48, so maybe it should be looked
30 at.

31
32 CHAIRMAN LOHSE: So basically the
33 threshold level.

34
35 MR. OPHEIM: Yeah.

36
37 CHAIRMAN LOHSE: Andy.

38
39 MR. McLAUGHLIN: I could say I
40 appreciated Michelle Anderson and Lucy Sparck's
41 testimonies last night. I would align myself with what
42 Bob and Greg have been mentioning. I mean, I could go
43 down the list and talk about each one of these things.

44
45 I'm not that into the community
46 grouping.

47
48 I don't think you could use a threshold
49 population number. That was exemplified by Mrs.
50 Sparck's comments last night. You know, she's an

1 import into Anchorage, but she still is subsistence in
2 her heart, and I'm sure she's eating that subsistence
3 food. But she lives right here. And I would bet that
4 there's people in Anchorage who eat rabbits off the
5 hillside up there. And that's probably subsistence,
6 too. I mean, I don't quite know how you'd not label
7 some of what they do rural behaviors.

8
9 As for rural characteristics, just use
10 of that fish and wildlife isn't determined by exactly
11 where you live. I can't really agree that road systems
12 are a good factor to determine whether you're rural or
13 not. I mean, does that mean since Juneau's not
14 connected by road that people there are rural, or
15 Cordova, or whatever? I don't think so.

16
17 I don't like the timelines thing. I
18 think once you're rural or once you're a subsistence
19 user, you're always one. If that's what's deep in your
20 heart as was mentioned yesterday about it's in your
21 DNA.

22
23 And, yeah, I could go on, but
24 that's.....

25
26 CHAIRMAN LOHSE: Thank you, Andy.

27
28 Mary.

29
30 MS. MILLS: I have a lot of comments,
31 but I will try and keep them short. And I do concur
32 with what many of the people here have said.

33
34 And, you know, we do not have control
35 over the roads that are being developed or any other
36 develop -- pretty much any other development of mineral
37 and other exploitations that other people have come in
38 and brought their population.

39
40 And I think with regard to the census,
41 you're going to find more population if you take the
42 census in the summertime, which I think is the usual
43 time that it is done, because wintertime it's too hard
44 to get around in the rural areas and in most parts of
45 Alaska.

46
47 And the schools, I don't believe the
48 schools should be a factor, because many of the small
49 areas, when a population -- their students get under a
50 certain population, then they do have to go to other

1 bigger schools, and sometimes even move out of their
2 communities.

3
4 And I think that tribes should be
5 considered a community within itself rather than
6 aggregate it into these other communities that have
7 built themselves around, you know, the tribal
8 communities.

9
10 And another factor that should be
11 considered is the cultural and spiritual use. We not
12 only use fish, you know, and wildlife, but we also pick
13 our medicine plants, and pick our berries and other
14 things, you know, that have -- from the earth. And we
15 have done -- you know, the indigenous people have done
16 this from time immemorial.

17
18 And I also believe that an accurate
19 history should be examined to see if the regulations
20 are in conformity with the laws. And I think there are
21 many legal questions that need to be considered.

22
23 And, you know, Dr. Anthony -- or Dr.
24 Allen Boris' research, if you don't mind, it's a short
25 little paragraph, but it's very profound, and I would
26 like to include it in this testimony, that his research
27 established the scientific fact that salmon is in the
28 DNA of Alaska's indigenous peoples. And to deprive us
29 of our right to our traditional diet is to deprive us
30 of our right to be genetically who we are.

31
32 Dr. Boris confirmed that indigenous
33 Alaskans need to have the freedom to make decisions
34 that are based in our cultural traditions, because we
35 know what is best for our natural and cultural
36 environment. Our culture has emerged from pre-history
37 to now. We still carry on our traditions. It is the
38 model by which we live today. Freedom is what we
39 should have to heal the injustices that have been
40 perpetrated upon us by our occupiers.

41
42 Thank you.

43
44 CHAIRMAN LOHSE: Thank you, Mary.

45
46 Gloria.

47
48 MS. STICKWAN: I would suggest to the
49 Federal Board that they look at Dr. Wolf's report. He
50 wrote a good report on the rural/non-rural. And the

1 ideas from that report to -- or the Staff should use
2 that report in doing their determinations for the next
3 time, because I think there was some good points in
4 that report that he wrote on rural/non-rural
5 determination.

6

7 I think that the -- I agree with what
8 Michelle Anderson said last night, and I agree with
9 what everybody said here last night -- I mean today.
10 And I would like to add Ahtna's letter as an addendum
11 to our comments, because I think there's good points in
12 there.

13

14 I would like to see that, you know, the
15 rural/non-rural determination review be only done for
16 extenuating circumstances such as Saxman, you know. If
17 there's -- or if there's a boom/ bust for development
18 or a five-year period. Then that's the only time that
19 they need to review the community I think.

20

21 I also agree with Mary about her
22 tribal. I think a community, tribes -- community
23 assessment should be in there, if they're willing to
24 share that information. Not be required if they're not
25 willing to, but if they want to, that should be
26 considered as an information source to be added in as
27 in making rural/non-rural determinations.

28

29 That's it.

30

31 CHAIRMAN LOHSE: Thank you, Gloria.

32

33 Well, I have a few comments, too. Some
34 of them are going to be repetitious, but I know that we
35 like to put things on the record so we have that kind
36 of support.

37

38 And I definitely agree that there
39 should be no set cycle, that an assessment should be
40 done when something changes. It doesn't need to be
41 done on a regular basis. It needs to be when things
42 change.

43

44 I really have a problem with
45 aggregation. I can see it in our area so tremendously.
46 High school. Kids from Chitina have to come to Kenny
47 Lake to go to high school right now. The last person
48 that lives on the road to Chitina, my brother's house,
49 had -- well, there's some people now at Lower Tonsina,
50 but from Lower Tonsina to Chitina is a distance of 18

1 miles, and there's nobody in that distance. That's
2 about as rural as you can get. And the kids have to
3 come all the way through that to go to Kenny Lake.

4
5 We heard last night that kids from
6 Chistochina to Nelchina to Copper Center all have to go
7 to Glennallen to go to high school. Does that -- I
8 mean, there's 15 miles between all those different
9 communities, or more. How could you aggregate them
10 into one community because they go to high school.

11
12 Work area. People from Kenny Lake go
13 to Glennallen. People from Chistochina go to
14 Glennallen. People from Kenny Lake go to Prudhoe Bay.
15 People from Glennallen go to Valdez. I mean, what's
16 the work area? The whole State of Alaska? I mean,
17 basically people have to go some place to find the
18 economy so that they can stay where they want to live.

19
20 Proximity. What's proximity? Kenny
21 Lake's 15 miles from Copper Center. Copper Center and
22 Tazlina are 15 miles from Glennallen. Glennallen's
23 what, 15 miles from Gakona or something like that.
24 Back in the States, if you're six miles apart and
25 you're between the six miles, you're in a rural area,
26 and there might be people everywhere, where here your
27 nearest neighbor might be a mile away, but you're still
28 in proximity to each other? The fact that a road goes
29 through doesn't make any difference at all.

30
31 Diversity of economy. Let's take a
32 look at the Glennallen area. We've got people in the
33 Glennallen area that I'll say live pure subsistence
34 lifestyles. I know a couple of them. I mean, they
35 basically try to get by with nothing. They grow
36 garden, they hunt, they take -- they put fish up in the
37 summertime. They pick berries in the fall. But we
38 also have magistrates, state troopers, park
39 superintendents. All kinds of people who have nice,
40 high paying jobs. That's a diversity of economy. Does
41 that go against the people who live there? And that
42 doesn't make -- I mean, that to me would be no criteria
43 as to whether it's a rural area or not a rural area,
44 the fact that somebody that has a good paying job
45 decides to move out to the suburbs and live there, or
46 has a job because that area needs -- I mean, we need a
47 state trooper. State troopers are well paid, and I'm
48 not complaining about state troopers being well paid,
49 don't get me wrong. But, I mean, they definitely have
50 a different income than the person who is trying to get

1 by on -- seeing if they can get by, cutting their own
2 wood, building their own house, picking their own
3 berries, shooting their own meat, and putting up their
4 own fish.

5

6 Okay. Now, I've got a couple more.
7 And I'm a little bit worried about using the use of
8 fish and wildlife and plants and berries as a criteria,
9 because we all know that everybody -- that a lot of
10 people in the State who you would say are non-
11 subsistence do the same thing. All you have to do is
12 look on the road to Chitina in June and see the amount
13 of motorhomes and boats and people going into Chitina
14 to catch fish. They're using fish. They're using fish
15 and wildlife. But they've got a \$250,000 motorhome
16 pulling three fourwheelers with a freezer on the back
17 on the trailer. That's kind of hard for me to think of
18 subsistence. But that's recognized in this State as a
19 proper use of fish and game. So people from all walks
20 of life, people from all levels of economy use fish and
21 wildlife. So that's not a good criteria. And I know
22 people who make real good income who love to go out and
23 pick berries, you know. So how do you -- and my wife
24 attended a class this year on edible plants and
25 medicinal plants, and the variety of people that were
26 in that class extend across the whole gamut of the
27 society. So you can't really use that as a criteria,
28 simply because that includes everybody. That doesn't
29 eliminate anybody.

30

31 And then I have to go one more step
32 farther. And that's the fact that we're dealing with
33 ANILCA. And ANILCA says, rural residents, Native and
34 non-Native. And one thing we have to remember is that
35 all of us come from rural residents. All of us at one
36 time come from a background of people who ate off of
37 the land. All of us come from a background of people
38 who killed their animal with a spear or a club or a bow
39 and arrow. I mean, I can look back in my history, and
40 if I look back far enough, I find the same thing.
41 Maybe I didn't -- maybe my ancestors didn't do it here,
42 but then again if we go back in history and we look at
43 history, we see that all societies that are existing in
44 a place usually moved another society out. None of us
45 were created right where we are, whether we have
46 legends that say so or not. Archeology has shown we've
47 moved into areas, we've moved people out, we've joined
48 people, we've taken people in.

49

50 One of the reasons you've got AB blood

1 type in Europe is because it was a mixing grounds. You
2 had Asiatics coming, you had Mediterraneans coming, you
3 had Saxons coming, and it's a mixing ground. And
4 that's what's happened here in the United States. And
5 I'm going to be real honest about it. Okay.

6
7 Now, I have a grandson and my grandson
8 qualifies as an Alaska Native. I have a daughter-in-
9 law. She's an Alaska Native. Am I -- you used the
10 word -- you used a word that basically said an
11 oppressor. Am I an oppressor to my grandson who
12 wouldn't exist if I wasn't here? Am I -- was the
13 father of my daughter-in-law, the grandfather of my
14 daughter-in-law, or like Mr. Bert was saying yesterday,
15 his great grandfather. Was he an oppressor because he
16 wasn't of Native? No. That's what happened down
17 through time in society. We have intermingled. We
18 have married.

19
20 Mr. Henrichs right here, and Alaska
21 Native, but he's not all Alaska Native. And I don't
22 know too many Alaska Natives who are all Alaska
23 Natives, because we live in a society that's got a
24 flux. We live in a society that we see these changes,
25 and I agree with you, I don't like the fact that if
26 you've got a rural community, whether it's Native or
27 non-Native, and you don't have any control over it, and
28 that community is then changed from non-rural. But how
29 do we -- and we discussed that when we talked about the
30 Park Service up at Denali, you know, and at one time we
31 wanted to put -- you know, if you worked for the Park
32 Service, you had to be there three years instead of one
33 year, because, after all, those people are moving into
34 a subsistence area, but they're not really subsistence
35 users.

36
37 We've set -- ANILCA sets this up, and
38 we've -- and it says rural. It doesn't say rural that
39 doesn't work for the Park Service. It doesn't say
40 rural that's not an oil worker. It doesn't say rural,
41 it's not somebody that goes all the way up to the North
42 Slope to make -- you know, to make money to pay for his
43 family. And I know Native and non-Native people that
44 go all the way to the North Slope to work, or down to
45 Valdez to work in our area. It says rural residents.
46 And that's what we have to concentrate on right here,
47 is how do we define rural to keep rural rural.

48
49 If we want to change it to -- if we
50 want to change it to ethnic-based, then the law has to

1 change. Then you have to go before Congress and get
2 the law changed, because the writers of the law made it
3 very clear. They said we're going to going to protect
4 the rural lifestyle of Alaska, and rural is Native and
5 non-Native. And so if you want to change ANILCA,
6 chance ANILCA. But if we're working under ANILCA,
7 remember, we cannot do this by ethnicity.

8

9 And I'm going to leave it at that.

10

11 Mary.

12

13 MS. MILLS: Yes, I would like to
14 correct one thing that you did say. You said that I
15 referred to other as oppressors, which I did not.

16

17 CHAIRMAN LOHSE: Okay. Sorry.

18

19 MS. MILLS: I said occupiers.

20

21 CHAIRMAN LOHSE: Occupiers.

22

23 MS. MILLS: And there's a huge
24 difference, but, you know, by implying that I am
25 calling you an oppressor, makes me look bad when in
26 fact I did not say that. And when I read that
27 statement, it was a statement by an anthropologist, Dr.
28 Allen Boris. So I would like to make that very, very
29 clear for those who may be listening or those who are
30 here, that that was a misconception by you. And I did
31 not call you an occupier.

32

33 And also I agree with you with regard
34 to ANILCA, but, you know, we also have to remember that
35 those of us who have been here and who have certain
36 rights, because we've done a great deal of research
37 into the legal status of Alaska. And we know what our
38 legal status are, many of the indigenous people,
39 because were diligent at our research. And we address
40 these violations due to the imposition of the
41 procedures in the Federal subsistence hearings since
42 anyone testifying can only refer to the unilaterally
43 imposed domestic legislation that violates our rights
44 to our self-determination. Food rights is not only for
45 the sustainability of our physical well-being, but it
46 is essential to our spiritual well-being and our
47 religious practices. And this goes back to the
48 potlatch.

49

50 And also yesterday, if you will

1 remember, I defended everyone's rights to food and the
2 right to self-determination. And that it was based on
3 Article I of the International Covenant on Civil and
4 Political Rights, which is an international treaty.
5 And when international treaties are ratified by
6 Congress, it carries the same weight as the United
7 States Constitution, which means it becomes law of the
8 land. And that is found in Article 1.2 of the Covenant
9 on Civil and Political Rights that states, in no case
10 may a people be deprived on their own rights to
11 subsistence.

12

13 Thank you.

14

15 CHAIRMAN LOHSE: Thank you, Mary. And
16 I do apologize for changing those two words right
17 there. And I guess in my way of thinking, when I think
18 of us as occupiers, I think of the -- I think of after
19 World II when we occupied other countries. And I'm
20 sorry that I used that term, and I apologize. And I
21 ask your forgiveness for it.

22

23 MS. MILLS: Yes. That's no problem,
24 but the reason that I used occupiers, and probably Dr.
25 Allen Boris used occupiers, is because after World War
26 II, the United States and many of the countries wrote
27 the U.N. Charter. And because of what happened during
28 Nazi Germany, they did not want to see that happen any
29 other place in the world. And so the United States put
30 Alaska and its original inhabitants into the U.N.
31 Charter, which gives us international status, and they
32 recognized -- the United States recognized their status
33 as occupiers of Alaska. So, you know, these are the
34 international laws and treaties that we have been
35 researching, and that we are trying to protect our
36 people and our future generations.

37

38 And just we have the highest of every
39 ugly statistics there is. We have the highest suicide
40 rate not only in this nation, but worldwide. And I
41 don't know how many people realize that. We have the
42 highest violence against our women, among the highest
43 in the nation. I think we're second highest. And the
44 statistics go on and on and on. And as leaders, some
45 of us have to address these situations, and they're
46 very uncomfortable for us as well.

47

48 So thank you.

49

50 CHAIRMAN LOHSE: Thank you, Mary.

1 And I apologize to anybody else if my
2 use of that word offended them.

3
4 Greg.

5
6 MR. ENCELEWSKI: Yeah. I just want to
7 make a comment. The word -- I was a little offended in
8 some of your stuff, but that had nothing to do with it.
9 That's just a.....

10
11 (Laughter)

12
13 CHAIRMAN LOHSE: I intended it that
14 way.

15
16 MR. ENCELEWSKI: Yeah. And I know you
17 did, and that's why I want to make a comment, because I
18 think you went a little overboard on here.

19
20 I don't believe, and this is just my
21 opinion. We're not fighting a Native/non-Native rule.
22 And I think we all understand on this Board very
23 clearly that it's rural determination we're working on.
24 And I want to be very clear on that.

25
26 But we are here to make changes on how
27 we make those determinations, and what we are saying is
28 that the tribes should be considered, the local
29 residents be consider, yada-yada-yada. And I don't
30 want it to become -- you know, and that's why I'm very
31 adamant, you know, on the C&T issues, too. Do they
32 truly have a C&T there? You know, I mean, I'm not one,
33 and I'm not selfish, I share everything I've got with
34 everyone in the moon, including my shirt. If you want
35 it, you can have this one. But, you know -- it's the
36 wrong color? Okay. Sorry.

37
38 But anyway, you know, we need to find a
39 way to make it work for the real truly rural users of
40 the State. If we go too far into this, Ralph, I'm
41 afraid we're going to -- we have to say the whole State
42 is just rural. Change the thing.

43
44 CHAIRMAN LOHSE: And that's where the
45 State is.

46
47 MR. ENCELEWSKI: Uh-huh. Exactly.

48
49 CHAIRMAN LOHSE: Gloria.

50

1 MS. STICKWAN: I just want to say that
2 I said to use the tribes resources as information. I
3 did not say to -- but I agree with him, that the
4 tribes, we're here to not just protect the tribes, but
5 all rural areas. And the tribes' information is a good
6 source to use as determining rural/non-rural I believe.
7 I'm not trying to say just tribes. I'm saying rural,
8 all rural areas as well, but I just think tribal
9 information is a good source.

10
11 CHAIRMAN LOHSE: Thank you, Gloria.

12
13 MS. CAMINER: Mr. Chair.

14
15 CHAIRMAN LOHSE: Judy.

16
17 MS. CAMINER: A couple follow-up
18 questions if I could.

19
20 Gloria, you mentioned a report, and I
21 think if it would be possible for us to get, you know,
22 a summary of it, or a copy of it maybe, if you're able
23 to get that to Donald, we.....

24
25 MS. STICKWAN: It's online.

26
27 MS. CAMINER: Okay. Maybe.....

28
29 MS. STICKWAN: I got it online.

30
31 MS. CAMINER: If you can give us the
32 reference then so Donald can send us that reference,
33 that.....

34
35 MS. STICKWAN: Yes, it's -- if you go
36 to the website, you can get it online.

37
38 MS. CAMINER: Okay. One other thought
39 I had from people's discussion, maybe a criteria is
40 sort of the availability of local employment. That
41 just might be another factor, because people are forced
42 to leave their communities because there isn't a lot of
43 employment, because it's a rural community.

44
45 And lastly I wanted to ask, again I
46 think Southeast or other RACs have asked the Board to
47 give deference to the RACs on rural determinations. I
48 wondered what the final decision, if there has been
49 one, or what the current thinking is on that deference.
50

1 CHAIRMAN LOHSE: I don't think we have
2 a decision on it yet, but I know that it's been a
3 request.

4
5 Donald.

6
7 MS. CAMINER: I think Carl's going to
8 try to.....

9
10 CHAIRMAN LOHSE: Okay. We've stirred
11 up a little bit anyhow.

12
13 (Laughter)

14
15 MR. ENCELEWSKI: Yeah. Sort of got the
16 (indiscernible - microphone not on).

17
18 CHAIRMAN LOHSE: Which?

19
20 MS. CAMINER: Carl.

21
22 CHAIRMAN LOHSE: Carl.

23
24 MR. JOHNSON: Thank you, Mr. Chair.
25 There has been no decision at this time on the request
26 regarding deference on C&T or rural determination.

27
28 But the discussion has stirred up a
29 couple things in the cobwebs here that came up in the
30 other Council meetings, that reflect what this Council
31 is saying, so you can feel that your ideas are shared.

32
33 Information resources, two that have
34 come up is tribal governments and whatever information
35 they may have regarding their local population numbers.
36 Also PFD applications are a good indication of who
37 actually lives in an area long enough to be considered
38 their residence. So going to the PFD division for the
39 application numbers for a particular area as a good
40 information resource.

41
42 Local economy. Specifically local
43 median income and availability of local employment are
44 two issues that have come up as rural characteristics
45 to consider. So that reflects Council Member Caminer's
46 suggestions.

47
48 Thank you, Mr. Chair.

49
50 CHAIRMAN LOHSE: Thank you.

1 And I was asked to request if we have
2 anybody on line that wishes to comment.

3
4 (No comments)

5
6 CHAIRMAN LOHSE: And then I have a
7 request from Bert Adams. Bert.

8
9 MR. ADAMS: Thank you, Mr. Chairman.

10
11 Always, you know, I have been sitting
12 in your seat. So I just wanted -- and the reason why I
13 didn't want to sit up there with you is I wanted to
14 find out what it was like to be on this side of the
15 mic.

16
17 (Laughter)

18
19 MR. ADAMS: Okay. Thank you for giving
20 me this opportunity to comment. I'm going to maybe
21 just make an opening statement and then I'm going to
22 share with you what the Southeast Regional Advisory
23 Council has suggested here in regards to rural
24 determination.

25
26 First off, my name is Bert Adams, and
27 I'm the Chairman of the Southeast Regional Advisory
28 Council. I live in Yakutat.

29
30 ANILCA is, of course, the law of the
31 land. And we operate all of our discussions, our laws
32 and regulations, you know, in accordance with ANILCA.

33
34 Originally, you know, the State of
35 Alaska in ANILCA was supposed to manage subsistence
36 resources. However, they came out of compliance
37 because of constitutional issues and, you know, the
38 reference issue. And so I look forward to the time
39 when the State of Alaska comes in compliance so that we
40 can put governments in their proper order and actually
41 doing their own things. I know a lot of people don't
42 agree that they should be doing, you know, these
43 things, but if you want proper form of governance, you
44 know, they have to play an important part.

45
46 When I first involved in tribal
47 government, about two weeks after I got elected the
48 president of our tribal organization, I was sent to
49 Washington, D.C. for a self-governance demonstration
50 meeting.

1 And I was invited to a meeting that
2 evening that was a Forest Service meeting. And they
3 had a guest speaker there. His name was William H.
4 Burke. He was a judge from one of the tribes, I can't
5 remember the name of the tribe, down in the South 48.
6 And he was their keynote speaker.

7
8 And he said something right at the very
9 beginning that has stuck with me ever since then. He
10 said that there are three sovereigns that we have to be
11 dealing with. That's the Federal Government, the
12 states, and tribal governments. And then the
13 presentation became so powerful that I became
14 converted, you know, to serving, you know, as my tribal
15 president for about 12 years. It was only supposed to
16 have been an eight-month thing. I got appointed to sit
17 on a vacant seat. And they promised me that all I
18 needed to be there for was eight months, and then they
19 would have an election and I would be gone. Well, as a
20 result I served 12 years because of my commitment to
21 tribal governance. Okay.

22
23 ANILCA also addresses this issue of
24 population. They knew that people were going to start
25 moving into Alaska, and we see that happening right now
26 today. And they also knew that many of the people are
27 going to be moving into the rural communities. And we
28 see that happening today. Although in some instances
29 in Southeast Alaska, many of our communities are being
30 deserted, because of the economy, and they're moving
31 into the urban areas like Juneau and Sitka and
32 Ketchikan. And so those areas like Juneau, Sitka, and
33 Ketchikan, population has grown, you know, quite bit
34 because of that.

35
36 And so ANILCA provides, you know, for
37 knowing that our resources are going to be affected by
38 gradual population increase, that we needed to be aware
39 of that, and that we needed to be prepared to address
40 those issues when those things happen.

41
42 So, you know, I just wanted to make
43 that opening statement just to share with you, you
44 know, some of the things that we need to be reminded
45 about. ANILCA is indeed the law of the land. And as I
46 mentioned yesterday when we were talking about C&T,
47 that section .804 we thought, you know, answers all of
48 the issues that we need to be concerned about in
49 regards to customary and traditional use.

50

1 And so another thing that I was trying
2 to remember to -- oh, yes. Okay. The Federal
3 Subsistence Board needs to really look at the hard work
4 that Regional Advisory Councils put into every one of
5 our issues, because that's where all of the good work
6 is done. Okay. And they need to show a deference to
7 us when we submit proposals or when we submit ideas or
8 proposals that has to do with C&T; although the Federal
9 Government -- or ANILCA does not provide for a C&T
10 determination. You know, that's something that the
11 State had developed, and then we adopted it. And
12 particularly with rural determination, they need to
13 show deference to the Regional Advisory Councils when
14 these issues come before them.

15
16 And I've seen, you know, that this has
17 not been so in the past years, although the handbook
18 for Regional Advisory Councils says that they will show
19 deference to Regional Advisory Councils and then
20 there's a little after thought there that they don't
21 have to if they don't want to. And I think, you know,
22 that they don't have to if they don't want to needs to
23 be stricken out of there. And, you know, rural -- and
24 deference should be given to the Regional Advisory
25 Councils.

26
27 So with that, Mr. Chairman, I
28 appreciate the opportunity to share those personal
29 thoughts with you. Now I'm going to talk with you
30 about our Council's position on rural determination.

31
32 Communities can be in close geographic
33 proximity, yet still retain separate and distinct
34 characteristics. Our example is, of course, you know,
35 Ketchikan and Saxman. And, you know, the Federal
36 Subsistence Board without really conferring with the
37 communities of Ketchikan and Saxman just at one
38 meeting, you know, combined the two communities. And
39 this has upset, you know, the people particularly from
40 Saxman. And so just because, you know, they have the
41 same geographic -- and you've all addressed it, the
42 same geographical area within proximity of each other,
43 you know, that doesn't take away their characteristics
44 of being subsistence.

45
46 Aggregation or grouping of communities
47 is an arbitrary process and does not lend itself to
48 objective criteria or a rationale rural determination
49 process.
50

1 By the way, I think you all have a copy
2 of these talking points that was given to you probably
3 yesterday.

4
5 Another bullet here is social and
6 cultural attributes are intangible characteristics of a
7 community, and are extremely important in determining
8 rural status. Let me say that. Social and rural
9 attributes are a very important part in, you know,
10 determining whether a community has rural status or
11 not.

12
13 You know, we have -- when Saxman and
14 Ketchikan were integrated, of course, the population
15 increased, you know. And that made them both non-rural
16 then. However, prior to that when Saxman and Ketchikan
17 were separate, we knew that Saxman had rural status
18 with not doubt, because of the small -- the smallest of
19 their community, only about 400 people there, and they
20 did meet all other criteria for being, you know, a
21 subsistence community.

22
23 Ketchikan was kind of questionable, but
24 several years the State of Alaska did a survey of
25 subsistence users in the Ketchikan area. I was amazed
26 at how many of the people within the community of
27 Ketchikan went out and participated in food gathering
28 and hunting and so forth. And that survey, you know,
29 showed how many pounds, you know, per family was used.
30 And to me that showed Ketchikan had the characteristics
31 of being a community, even though their population was
32 -- well, it might be about 12,000 -- 10 or 12,000 -- or
33 11 or 12,000 people there. Now I think it's more like
34 14,000. And I still think that it has -- that
35 characteristics hasn't changed.

36
37 Another bullet here is reliance on
38 subsistence resources. History of use and cultural
39 ties to resources are critical to fulfilling the
40 traditional values of a real subsistence lifestyles.
41 And, you know, that goes along with just what I was
42 talking about, you know, the characteristics of both
43 Ketchikan and Saxman.

44
45 It says here also that there should be
46 no review or change to a community's rural status
47 unless there is a significant change to the
48 characteristics of the community. And I think that's
49 -- you know, we heard Ralph, you know, mention that
50 same thing in his comments earlier. Even though, you

1 know, there might be a change in the community, if the
2 characteristics of being a subsistence user is still
3 there, that shouldn't change them at all.

4

5 Again as I said, you know, at the
6 beginning of my comments here, that Regional Advisory
7 Councils should have deference in deciding which
8 communities are rural. We do all of the work to
9 determine why a community is rural, and the Board
10 should give us deference.

11

12 The goal of the final rural
13 determination process should be to protect the personal
14 relationship with the community's predominant culture
15 and lifestyle.

16

17 And I missed a bullet point here, and
18 it's an important one. The harm in finding a community
19 non-rural to an individual is not to community -- and I
20 think I touched base on that a little bit, you know.
21 Let me read that again. The harm in finding a
22 community not rural is to the individual and not to the
23 community.

24

25 And then the final bullet I have here,
26 Mr. Chairman and members of the Board, the Southeast
27 Council believes Saxman should remain rural. It's
28 rural character is obvious to any one that has visited
29 that community. And I think I demonstrated that.

30

31 I also, ladies and gentlemen,
32 demonstrated what I thought why Ketchikan, you know, is
33 a rural community, because it has all of the
34 characteristics. There's individuals in that community
35 who engage in subsistence resources, and so they carry,
36 you know, the characteristics of being a rural
37 community.

38

39 So that's about all I have, Mr.
40 Chairman. I appreciate having this opportunity to
41 share with you, and, you know, it's good to be on this
42 side of the mic at this time -- at this point.

43

44 Gunalcheesh.

45

46 CHAIRMAN LOHSE: Thank you, Bert.

47

48 MR. ADAMS: If you have any questions,
49 I won't be ready to answer them.

50

1 CHAIRMAN LOHSE: Well, I have one
2 question for you.

3
4 MR. ADAMS: As long as it's not a hard
5 one.

6
7 CHAIRMAN LOHSE: It shouldn't be a hard
8 one I don't think. In fact, you probably would enjoy
9 it. I notice that from out Kodiak way one of the
10 proposals is that if it's an island, it's rural. And I
11 think that would pretty much apply to most of these
12 places you're talking about in Southeastern, wouldn't
13 it?

14
15 MR. ADAMS: Yeah.

16
17 CHAIRMAN LOHSE: I mean, I think
18 they're not road connected, and they're on an island.
19 If that was a criteria, that would automatically
20 include most of Southeastern right there.

21
22 MR. ADAMS: Yeah, of course. And, you
23 know, your Council, I really appreciated their
24 comments, because they address, you know, roads,
25 schools, and, you know, shopping centers and all that.
26 That does not take away, you know, a true person's
27 ability to be able to go out and use subsistence
28 resources that are available to them.

29
30 So we have a lot of work to do, and I
31 wish us all luck in addressing this issue. And let's
32 remember, the Board should give us deference.

33
34 Gunalcheesh.

35
36 CHAIRMAN LOHSE: Thank you, Bert.

37
38 With that, do we have anybody else that
39 wishes to testimony on rural determination.

40
41 (No comments)

42
43 MS. CAMINER: Anybody on the phone. Is
44 there anyone on the phone.

45
46 CHAIRMAN LOHSE: We already asked if
47 there's anybody on the phone. I'll ask again.

48
49 Is there anybody on the phone.

50

1 (No comments)

2

3 CHAIRMAN LOHSE: Hearing none, I think
4 we'll close this -- Mary Ann.

5

6 MS. MILLS: I have one more
7 recommendation that I had on my list and I forgot to
8 mention it, is I think also the price of fuel or the
9 price of energy should be included on the rural
10 determination, because it impacts a lot of the smaller
11 communities greater than the other communities. So I'd
12 like to see that as part of the mix as well.

13

14 Thank you.

15

16 CHAIRMAN LOHSE: Thank you, Mary. And
17 included in that could be the price of just plain
18 living there. Groceries and things like that. I mean,
19 if you have to pay to have an airplane haul your
20 groceries, you're pretty rural.

21

22 Okay. Thank you muchly, and with that,
23 if there's no further comment, I think we'll close our
24 discussion on rural determination and we'll go back to
25 our proposals. But I'm going to give everybody a 10-
26 minute break to get rid of their morning coffee and get
27 some more.

28

29 (Laughter)

30

31 (Off record)

32

33 (On record)

34

35 CHAIRMAN LOHSE: Okay. Let's call this
36 meeting back into session. We've had lots of good
37 discussions.

38

39 We have a bunch of proposals in front
40 of us. Let's see if we can't -- we've done a lot of
41 the extra things that we had to do, but this is what we
42 came for, so let's see if we can move through these at
43 a fairly good pace. And, Council, I expect you all to
44 participate. Put things on the Board. And we'll move
45 forward.

46

47 Okay. With that, we're on Proposal
48 WP14-08, caribou. Revise customary and traditional use
49 determination. Page 69.

50

1 MR. BROOKS: Thank you, Mr. Chair.
2 Good morning, Council members. I'd like to thank you
3 again for this opportunity and I hope that you all
4 spent a peaceful night in Anchorage last night.

5
6 I have written down that 14-08 is on
7 Page 70 of your book, but we won't quibble over the
8 details. 69 will probably work as well.

9
10 REPORTER: Your name, please.

11
12 MR. BROOKS: Excuse me. My name is
13 Jeff Brooks, and I work for the Office of Subsistence
14 Management.

15
16 I've prepared some brief talking points
17 for you today. 14-08 is a proposal submitted by Mr.
18 Robert Gibson of Cooper Landing. He requests a
19 positive customary and traditional use determination
20 for rural residents of Cooper Landing for caribou in
21 Unit 7. The proponent states that this regulation
22 change would be consistent with their traditional
23 hunting patterns and caribou use area. Eighteen
24 residents of Cooper Landing signed the proposal in
25 support of the request.

26
27 The proposal affects Federal public
28 lands managed by the Chugach National Forest and the
29 Kenai National Wildlife Refuge.

30
31 In 2010 the Federal Subsistence Board
32 did recognize the customary and traditional uses of the
33 rural residents of Hope and Sunrise for caribou in Unit
34 7.

35
36 And just as a little biological
37 background, this herd that we're talking about is the
38 Kenai Mountain Caribou Herd in Unit 7. And it was
39 derived from reintroductions of approximately 44
40 caribou by the State of Alaska in the years 1965 and
41 '66.

42
43 A detail about the community is that in
44 2011 more than 50 percent of the total housing units in
45 Cooper Landing were for seasonal, recreational,
46 occasional uses. However, this proposal would only
47 apply to the permanent residents of Cooper Landing.

48
49 A little bit about the historic use.
50 From '82 through 2010 the State of Alaska issued 58

1 permits to residents of Cooper Landing for caribou in
2 Unit 7. And during that period 31 residents of the
3 community hunted for caribou in Unit 7. They harvested
4 six caribou, and they expended 141 days of effort.

5
6 The effects of the proposal. If the
7 proposal is adopted, the residents of Cooper Landing
8 would be allowed to harvest caribou under Federal
9 subsistence regulations in Unit 7. If the proposal is
10 rejected, Cooper Landing residents would be allowed to
11 harvest caribou under state regulations.

12
13 It is often difficult for the residents
14 of Cooper Landing to obtain a State permit in Unit 7,
15 because it is a drawing that is open to all the
16 residents and non-residents.

17
18 If the proposal is adopted, it is
19 probable that more people would hunt caribou in Unit 7,
20 which could displace some non-subsistence hunters due
21 to increased competition. It is also probable that
22 more caribou would be harvested in Unit 7, and the
23 possibility that the Federal quota of five animals
24 being reached during one season is there. So far,
25 however, that quota has not been reached by the
26 residents of Hope hunting under Federal regulations in
27 Unit 7. They have only harvested two total caribou in
28 a single season, and a total of four caribou during the
29 past three seasons.

30
31 Adding the residents of Cooper Landing
32 to this hunt could increase competition between
33 residents of Hope and Cooper Landing, and others
34 possibly, for caribou in Unit 7.

35
36 The preliminary OSM conclusion is to
37 support Proposal WP14-08.

38
39 Brief justification points. It is
40 probable that early settlers of Cooper Landing did use
41 caribou as a source of meat. Cooper Landing residents'
42 contemporary patterns of caribou hunting and harvest
43 generally exhibit the characteristics of customary and
44 traditional use for caribou in Unit 7. The harvest
45 ticket data base demonstrates that residents of Cooper
46 Landing have hunted for caribou in Unit 7. And
47 although this harvest is low, the residents of Cooper
48 Landing have demonstrated some hunting for caribou
49 north of the Sterling Highway and west of the Seward
50 Highway in the Chugach National Forest and to a lesser

1 extent the Kenai National Wildlife Refuge.

2

3 And if you refer to Map 1 in the
4 analysis in the materials book, you'll see the caribou
5 hunting area. And that is based on data from the early
6 90s.

7

8 That's all I have, Mr. Chair.

9

10 CHAIRMAN LOHSE: Thank you. Any
11 questions.

12

13 (No comments)

14

15 CHAIRMAN LOHSE: Okay. We will now go
16 through our process. Alaska Department of Fish and
17 Game.

18

19 ** MR. CRAWFORD: Yeah. Drew Crawford, Alaska
20 Department of Fish and Game.

21

22 The Department's position on Wildlife
23 Proposal 14-08 is identical to what I said for 14-07
24 here, that our recommendation is to oppose this
25 proposal, because the Community of Cooper Landing is
26 located in a State non-subsistence use area.

27

28 CHAIRMAN LOHSE: Thank you. Any
29 Federal agencies or tribal agencies of InterAgency
30 Staff Committee that wishes to testify on this.

31

32 (No comments)

33

34 CHAIRMAN LOHSE: Advisory group
35 comments.

36

37 (No comments)

38

39 CHAIRMAN LOHSE: Neighboring Regional
40 Council comments and local Fish and Game Advisory
41 Committees. Do we have any of them testifying on this.

42

43 (No comments)

44

45 CHAIRMAN LOHSE: Do we have any written
46 comments, Donald.

47

48 MR. MIKE: Mr. Chair. There's no
49 written comments on this proposal.

50

1 Thank you.
2
3 CHAIRMAN LOHSE: Do we have any public
4 testimony out there.
5
6 MR. MIKE: Mr. Chair. I didn't receive
7 for any testimony on this.
8
9 Thank you.
10
11 CHAIRMAN LOHSE: Thank you, Donald.
12
13 Okay. A motion to put WP14-08 on the
14 table is in order.
15
16 MS. CAMINER: Mr. Chair.
17
18 CHAIRMAN LOHSE: Yes.
19
20 MS. CAMINER: I'll move to put 14-08 on
21 the table and move to approve.
22
23 CHAIRMAN LOHSE: Do we have a second.
24
25 MR. OPHEIM: Second.
26
27 CHAIRMAN LOHSE: It's been moved and
28 seconded to put WP14-08.
29
30 REPORTER: Pardon me. Who seconded?
31
32 MR. OPHEIM: I did.
33
34 CHAIRMAN LOHSE: Mike. To put WP14-08
35 on the table for discussion. I mean, we moved to put
36 it on the table, but we will now open for discussion.
37 Comments.
38
39 MS. CAMINER: Mr. Chair.
40
41 CHAIRMAN LOHSE: Yes, Judy.
42
43 MS. CAMINER: I appreciate the
44 analysis, Jeff. I'm not hearing that there's a
45 conservation concern. I believe there is evidence to
46 support the C&T.
47
48 I appreciate the State's comment, but,
49 of course, in our system this is a rural community, so
50 therefore eligible for C&T. We have granted C&T to

1 Cooper Landing for other fish or wildlife. And I think
2 this will address subsistence needs.

3

4 So I would support the motion.

5

6 CHAIRMAN LOHSE: Thank you. Any other
7 comments. Greg.

8

9 MR. ENCELEWSKI: Yeah. I guess I'll
10 just make a couple comments. And I guess my comment
11 would be, yeah, I know they have a C&T and I know this
12 is Unit 7. This is in their area, and it is an area of
13 their customary and traditional use.

14

15 I don't know -- I mean, the analysis
16 didn't prove to me that they've used caribou in the
17 past and much of that, but I mean, I'll give them the
18 grace it's there. And so I have no objection to this.
19 I would support it.

20

21 CHAIRMAN LOHSE: Thank you, Greg.

22

23 Any other comments.

24

25 (No comments)

26

27 CHAIRMAN LOHSE: Well, I take one look
28 at it, see Cooper Landing and see what the caribou use
29 area is. It's right in their backyard, actually closer
30 to Hope. And we've granted them C&T in Unit 7 for
31 moose. It's a little different than 15C which is quite
32 a ways away. I would have to grant them C&T in this
33 area if our consensus is that if you have C&T for one
34 species, like species, you should also have C&T for it.
35 And I see no conservation concern.

36

37 Any other discussion.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: The question is in
42 order.

43

44 MS. MILLS: Question.

45

46 CHAIRMAN LOHSE: The question's been
47 called. Mary called the question.

48

49 All in favor signify by saying aye.

50

1 IN UNISON: Aye.
2
3 CHAIRMAN LOHSE: All opposed signify by
4 saying nay.
5
6 (No opposing votes)
7
8 CHAIRMAN LOHSE: Motion carried.
9
10 Okay. WP19 -- I mean 14-09, black
11 bear, revised baiting restrictions and extend the
12 season in Unit 6. On Page 80.
13
14 MR. EVANS: Good morning, Mr. Chair and
15 members of the Council. My name is Tom Evans, and I
16 work as a wildlife biologist with the Office of
17 Subsistence Management. I'll be presenting the
18 analysis on this proposal.
19
20 Proposal WP14-09 was submitted by Andy
21 McLaughlin of Chenega Bay, Alaska. It requests that
22 the baiting season for hunting black bear on Federal
23 public lands in Unit 6 be extended for two weeks, from
24 April 15th to June 15th to the season April 15th to
25 June 30th.
26
27 The proponent requested that bear
28 baiting season be extended two weeks to increase the
29 opportunity for rural residents in Unit 6 to harvest a
30 black bear. During years of heavy snowfall and late
31 spring melt, black bears often do not emerge from their
32 dens before the baiting season closes on June 15th.
33
34 Since 1990 the bear baiting season in
35 Unit 6 was from April 15th to June 15th. The Federal
36 and State bear baiting seasons in Units 6A, B, and C is
37 still the same, but in 2005 the season in Unit 6D was
38 changed from April 15th to June 10th. In 2009 to 2010,
39 the Alaska Board of Game shifted the fall season for
40 the general black bear hunting season 10 days later to
41 reduce the take of black bears as they move from salmon
42 streams to the high country in the all.
43
44 Some information on the biological
45 background. Black bear densities and harvest are
46 highest in Unit 6D, which is part of western Prince
47 William Sound. Density estimates in good habitat in
48 Prince William Sound ranged in the 1970s from 0.4 to
49 0.85 bears per kilometer squared. In Unit 6D, the most
50 productive bear habit in Unit 6, densities averaged .59

1 between 2004 to 2006.

2

3 Black bear populations fluctuate due to
4 the severity of winter weather, food abundance, hunting
5 pressure, and in some areas due to competition and
6 predation by brown bears.

7

8 No accurate population data and harvest
9 monitoring and assessment has been -- or no accurate
10 population data exists. And the harvest monitoring and
11 assessment has been the primary method used to assess
12 the status of black bear population in Unit 6.

13

14 The State management goal is to
15 maintain a black bear population that will sustain a
16 three-year annual harvest of 200 bears composed of at
17 least 75 percent males. The percentage of females
18 taken in the harvest exceeded the recommended
19 guidelines of 25 percent on 5 out of the 7 regulatory
20 years since 2005.

21

22 To assess the population age structure,
23 the skull size is sometimes -- declining skull size is
24 sometimes used to indicate whether a population is
25 increasing or declining in harvest densities in the
26 eight geographic watersheds which correspond to well
27 defined areas within the Sound between 2005 and 2000.
28 So they assessed the skull size. The skull size
29 declined in the eight watersheds during that period.
30 The decline in the skull size, along with a high annual
31 harvest of about 680 bears per year during these years
32 suggest that the harvest may be impacting the age
33 structure of the black bear population in Prince
34 William Sound.

35

36 Black bears were an important food
37 source for the Alutiiq of Prince William Sound and the
38 Eyak Indians of the Copper River Delta, the traditional
39 inhabitants of Unit 6. According to the residents,
40 Sitka blacktail deer have -- Sitka blacktail deer have
41 replaced black bear in importance to local residents.

42

43 Between 2005 and 2012 the average
44 annual harvest was 646 black bears. And from 1986 to
45 2006, the distribution of the harvest was local
46 residents in Unit 6 about 11 percent; residents living
47 outside of Unit 6 58 percent; and non-residents 31
48 percent.

49

50 The average annual harvest between 2005

1 and 2009 by local residents was 44 per year, which is
2 approximately 7.4 percent of the total harvest. From
3 2005 to 2011, the harvest of black bears over bait
4 averaged 70 bears with a high of 97 during 2009 and a
5 low of 40 in 2011. The low harvest in 2011 was
6 probably due to the heavy snowfall that winter.

7

8 As with the general hunt, the highest
9 harvest over bait is in Unit 6D.

10

11 For this proposal, some other
12 alternatives were considered, at least one other
13 alternative was considered. The other alternative
14 considered was to extend the black bear baiting season
15 in Unit 6D for two weeks until June 30th, the date
16 requested by the proponent, but add a quota of no more
17 than 10 black bears during the extended period. This
18 action was not chosen because of the conservation
19 concerns for black bears in Unit 6D. However, the
20 option to lengthen the season could be done by special
21 -- as an option, the option exists to lengthen the
22 season by special action during those years when heavy
23 snowfall exists.

24

25 So the State recommended harvest is
26 roughly 200, and they're harvesting 650 bears roughly a
27 year. So that was the conservation concern. It had
28 nothing to do with this baiting proposal per se.

29

30 If proposal 14-09 were adopted, it
31 would add 10 days to the bear baiting season for
32 Federal subsistence users in Unit 6. Given the lack of
33 accurate population data, and the relatively high
34 levels of black bear harvest and past efforts by the
35 State to reduce the take of black bears in Unit 6D,
36 extending the season by two weeks is not recommended
37 due to conservation concerns.

38

39 So therefore OSM's preliminary
40 conclusion is to oppose Proposal WP14-09.

41

42 And that's it.

43

44 CHAIRMAN LOHSE: Thank you.

45

46 Alaska Department of Fish -- on, any
47 questions.

48

49 (No comments)

50

1 CHAIRMAN LOHSE: I had a couple
2 questions real quick, and I maybe missed this in the
3 report right here, but how many Federally-qualified
4 spring bait stations do we have? Or do we have that
5 information?
6

7 MR. EVANS: I do not know.
8

9 CHAIRMAN LOHSE: Could you see if you
10 can look through things and maybe see if you can get
11 how many Federally-qualified users actually use bait
12 stations and how many use them in the spring.
13

14 MR. ARDIZZONE: Mr. Chair. We don't
15 have our own permitting system, so that all bait
16 stations are permitted through the State, so we don't
17 have a way to track what Federal users are, and who's
18 not a Federal user out there with a bait station.
19

20 CHAIRMAN LOHSE: Okay. So if we were
21 going to have -- if we were going to separate Federal
22 users from other users, we would have to set up a
23 permitting system then that would only give permits to
24 Federally-qualified users, right?
25

26 MR. ARDIZZONE: You know, 100 percent
27 accurate, I guess, we'd have to.....
28

29 CHAIRMAN LOHSE: No, but I mean if we
30 were going to have a separate season for them, then we
31 would have to set up a separate permit for them, too.
32

33 MR. ARDIZZONE: Well, that would be up
34 to the Board. The Board may or may not, but currently
35 it's, you know, under State regulations.
36

37 CHAIRMAN LOHSE: No, but what I mean
38 is, again, if it was our proposal that you would allow
39 only Federal users to have an extended season, then
40 somewhere along the line that would require a Federal
41 permit, because the State permit would not be
42 applicable.
43

44 MR. ARDIZZONE: Correct. If the Federal
45 Board required a permit, yes.
46

47 CHAIRMAN LOHSE: Right. If the Federal
48 Board does it, but it will require a separate permit.
49 Okay. That's what I was wondering.
50

1 Okay. And do we have any information
2 on how many Federal bears -- how many bears are taken
3 by Federal subsistence users over bait? I'm looking at
4 this table here, and I'm trying to figure out. Does
5 this mean that in all of Unit 6 40 Federal permits were
6 used to take bears over bait?

7

8 Andy.

9

10 MR. McLAUGHLIN: I believe those are
11 State sport and not Federal.

12

13 MR. EVANS: Right. And there's no way
14 to separate the two.

15

16 CHAIRMAN LOHSE: There's no way to
17 separate them. I guess what I'm wondering is I'm just
18 wondering what kind of an impact the Federal bear hunt
19 extension would have because of what kind of use. I
20 recognize the fact -- and I agree with the fact that I
21 don't think the current bear harvest is sustainable.

22

23 I mean -- but again when we're dealing
24 with subsistence, if there is a State sport hunt on it,
25 the subsistence hunt should come first, and if there is
26 a problem with having sufficient -- in other words with
27 a conservation concern, and that conservation concern
28 is caused by a State bear hunt, then that's where the
29 reduction should take place before the reduction takes
30 place in subsistence opportunity. And, you know, I
31 have no question from what I've seen that the current
32 harvest since the Whittier Tunnel is there is in excess
33 of what the population can maintain; but at the same
34 time if the Federal subsistence users use two bear,
35 then the opportunity to take the two bear in the last
36 10 days really don't impact the resource compared to
37 the hunt that's already taking place. And from that
38 standpoint, that's what I'm looking at right now.

39

40 Okay. Any other question for him or
41 any other information anybody would like to see if he
42 could get while we're -- Mr. Henrichs.

43

44 MR. HENRICHS: Yeah. I'm looking at
45 this graph on 84, Table 1, and estimate of unreported
46 kills, 62. That's over 10 percent of the kill. I'm
47 surprised at that. Where did that estimate come from?

48

49 MR. EVANS: State reporting. Just they
50 estimated -- it came from the State records. And they

1 do an estimate of the number of bears that might be --
2 it comes from wounding loss, the number they know from
3 wounding loss; the number that might come from
4 household surveys; and law enforcement cases. So they
5 kind of combine all that and make an estimate of the
6 unreported kill.

7

8 CHAIRMAN LOHSE: Basically it looks
9 like about 10 percent, which it's probably in my way of
10 thinking probably lenient, but it's -- again, you know,
11 there's that many right there. And if we're talking
12 two or three or four bears in Unit 6D for subsistence
13 purposes, that's not much of a percentage of this.
14 But that's why I was wondering if we had any
15 information on that.

16

17 And other questions or we'll go to Fish
18 and Game.

19

20 MR. EVANS: One thing I might mention,
21 that in this, you know, the State has estimated that
22 they could have an annual harvest of 200. Obviously
23 there's been a much higher harvest than that of black
24 bears in Prince William Sound for a number of years.
25 So the population estimate that is probably -- since
26 there is no real good population estimate, that might
27 be something that might need to be done in the future,
28 if that could be done, so we could get a better handle
29 at what, you know, percentage of black bears that, you
30 know, could be harvested in the area.

31

32 CHAIRMAN LOHSE: Yeah. All we have
33 right now is anecdotal information, and I know that
34 from those of us that spend time on Prince William
35 Sound in the summer -- personally, you know, my family,
36 extended family, has had sites in Prince William Sound
37 that are known for being good bear areas. And we used
38 to have bears in camp all the time, and I think we
39 might have saw one bear this summer, you know. I mean,
40 I would say the popu -- personally, anecdotal, I'd say
41 the population is down.

42

43 Fish and Game.

44

45 ** MR. CRAWFORD: Drew Crawford, Alaska Department
46 of Fish and Game.

47

48 The Department concurs with OSM's
49 analysis on this proposal, and that it should not be
50 adopted.

1 We also oppose Wildlife Proposal 14-09.
2 It would increase the take of black bears -- or
3 increasing the take of black bears is not recommended
4 in Unit 6D due to conservation concerns.

5
6 This proposal will create divergent
7 Federal and State seasons for hunting black bear over
8 bait in Unit 6D and will increase confusion for all
9 hunters and exacerbate enforcement problems. And it is
10 also our opinion that if this proposal is adopted that
11 OSM would have to create their own permitting system in
12 order to track these -- this hunt of bears over bait.

13
14 CHAIRMAN LOHSE: Thank you.

15
16 MS. CAMINER: Mr. Chair.

17
18 CHAIRMAN LOHSE: A question, Judy.

19
20 MS. CAMINER: If I could ask a question
21 of Fish and Game. Does the Department have any plans,
22 and I know this might be kind of like heresy, to ask
23 the Board to reduce the allowance for the number of
24 bears taken given the conservation concern?

25
26 MR. CRAWFORD: Well, this proposal --
27 these comments are still in draft state. Like OSM,
28 they're preliminary. That is one of the things we'll
29 be discussing here, but it hasn't been finalized at
30 this point.

31
32 CHAIRMAN LOHSE: Thank you. So it's
33 possible that there is something on the table with the
34 Board of Game to reduce the take of black bears in
35 Prince William Sound?

36
37 MR. CRAWFORD: I have not seen that,
38 but amongst the State that question has been raised,
39 should this be something that we propose.

40
41 CHAIRMAN LOHSE: Thank you. Any other
42 questions for Fish and Game.

43
44 (No comments)

45
46 CHAIRMAN LOHSE: Okay. We'll go on to
47 other Federal agencies.

48
49 (No comments)

50

1 CHAIRMAN LOHSE: Forest Service.
2
3 (No comments)
4
5 CHAIRMAN LOHSE: No. Native, tribal,
6 villages. Chenega. Tatitlek.
7
8 (No comments)
9
10 CHAIRMAN LOHSE: Eyak. No.
11
12 MR. HENRICHS: Yeah, it's -- I think
13 Eyak would support this.
14
15 CHAIRMAN LOHSE: InterAgency Staff
16 Committee comments.
17
18 (No comments)
19
20 CHAIRMAN LOHSE: Advisory groups.
21 Prince William Sound Advisory Group.
22
23 (No comments)
24
25 CHAIRMAN LOHSE: Neighboring Regional
26 Councils.
27
28 (No comments)
29
30 CHAIRMAN LOHSE: Hearing none. Local
31 Fish and Game Advisory Committees.
32
33 (No comments)
34
35 CHAIRMAN LOHSE: Hearing none. Summary
36 of written comments.
37
38 MR. MIKE: Thank you, Mr. Chair.
39
40 In your packet there's comments
41 received from Mr. Michael Vizzel (ph) from Chenega Bay.
42 And he is in support of WP14-09. And he states that
43 bear baiting should be allowed until the end of June
44 under Federal subsistence. Recent history, I have
45 experience limitations under hunting by both State and
46 sports -- both State sporthunting and Federal
47 subsistence hunter, primarily due to the influx of non-
48 local bear hunters coming through the tunnel.
49
50 The people harvest black bears annually

1 in numbers that are small compared to sport hunters who
2 did not live in proximity to the black bears. And the
3 amount of bears they take is very small in comparison.

4
5 Recent heavy winters and late springs
6 have caused the bears to stay in dens longer, and
7 allowing baiting of bears on Federal lands would match
8 the Federal subsistence bear baiting season if allowed
9 up to the end of June.

10
11 And, Mr. Chair, if we can get
12 clarification on the last sentence, I'm guessing he
13 referring to state regulations.

14
15 Thank you, Mr. Chair. That concludes
16 the summary of written public comments.

17
18 CHAIRMAN LOHSE: Thank you. Do we have
19 any public testimony. If you're going to go up and
20 testify, then you're wearing your public hat.

21
22 MR. McLAUGHLIN: And will I have a
23 chance to.....

24
25 CHAIRMAN LOHSE: And you'll have a
26 chance to deal with it also as part of the RAC.

27
28 Okay. No public testimony?

29
30 MR. McLAUGHLIN: No.

31
32 CHAIRMAN LOHSE: Okay. So we will now
33 go on to putting WP14-09 on the table, if somebody will
34 make that motion.

35
36 MR. ENCELEWSKI: I'll make that motion.

37
38 CHAIRMAN LOHSE: Thank you, Greg.

39
40 MR. HENRICHS: Second.

41
42 CHAIRMAN LOHSE: And it's been moved
43 and seconded by Mr. Henrichs.

44
45 WP14-09. Discussion. Andy, we're
46 going to open it up with you.

47
48 MR. McLAUGHLIN: Okay. Everybody's got
49 the gist of trying to get the baiting season for
50 another two weeks. This never even would have come

1 about typically, because everybody Federal subsistence
2 why has actually been shooting bears on the State sport
3 season, which used to close the end of June. But since
4 this conservation concern thing about the road through
5 Whittier and the worry about the bear population, that
6 the season got moved to end on the 10th of June, which
7 subtracted 20 days of being able to get that under the
8 sport.

9

10 So harvest reporting since 2009 is
11 showing that there's .6 to 20 bears per square
12 kilometer. So in that range, I don't know the size of
13 how many square kilometers western Prince William Sound
14 is, but even at the .6, that's still half a bear every
15 square kilometer. Or more.

16

17 And what -- the survey methods being
18 used are inadequate. I agree with that statement
19 earlier, because what they're going by is skull size
20 criteria. Okay. And what I believe that reflects is
21 not population density per square kilometer, but what
22 that reflects is a deselection of the genetics of
23 larger bears, because everybody knows sporthunters look
24 for the large males for their trophy. So it is
25 possible that they have been genetically selected for
26 larger skull size and this skull size diameter criteria
27 that's being used to assess the population is not
28 accurate.

29

30 And I would point out on Page 83, third
31 paragraph down at the bottom, a similar trend was not
32 found for female harvested bears. This is concerning
33 the skull size criteria that they're using. And female
34 bears is what the main concern is about the population
35 in order for the reproductive capacity.

36

37 I would like to know what good
38 information that there is that black bear populations
39 are being harvested on an unsustainable basis. And I'd
40 also like to know what the average number of Federal
41 subsistence black bears harvested in 6D of Prince
42 William Sound is, and I'm quite sure it's zero, because
43 there's no record of that. It's kind of a new open
44 area when I started inquiring into this, and we had to
45 go look it up and Milo helped me figure that out. You
46 know, hey, what's going on with this with the Federal
47 subsistence black bears, because there was a
48 desperation about, hey, the bears aren't even out of
49 their dens yet, and the season's closed and nobody's
50 got their meat. So because those bears are harvested

1 mostly during the State sport season, okay, for
2 subsistence purposes.

3
4 Okay. And Page 84, I could point out,
5 there's a quote at the top there that without accurate
6 population estimates, it is difficult to determine if
7 current harvest levels are sustainable. Well, of
8 course it is, you know. So we need some accurate
9 population estimates that I believe should not be
10 reflected by skull size measurements taken from harvest
11 data.

12
13 The fact is that late winters makes the
14 bears stay in their dens longer. And when the season
15 closes on June 10th, that doesn't enable subsistence
16 users to get their meat.

17
18 And also less than or equal to 50
19 percent of bears are killed over bait. Okay. If the
20 Office of Subsistence Management has to adopt a Federal
21 bear baiting permit system, then so be it, if that's
22 what it's going to take for people to get their bear
23 meat.

24
25 I believe when the State -- because
26 basically the Feds have to look at the State, because
27 that's the only data that we can find, okay, to use and
28 extrapolate information from. Okay. And I believe it
29 is an overly conservative estimate that 200 bears per
30 year to be harvested when you look back and that up to
31 20 per square kilometer happens some times. And that
32 would be after the years when there's not these really
33 hard winters and there's more deer for them to eat.
34 Okay.

35
36 So it says in the State harvest,
37 greater than 600 bears are taken per year. Okay.
38 Well, that's been going on for so long that that
39 definitely proves that there's some type of
40 sustainability there with that type of higher harvest
41 level. So I don't believe this old number of 200 bears
42 as a State management goal is a good one.

43
44 I'd like to add that, you know, I live
45 in the proximity of the resource. I keep my finger on
46 the pulse of the populations of what's there. I of
47 most people feel I have the most vested interest that
48 that bear population exist in perpetuity for future
49 generations for us to be able to utilize that resource.
50 And I want to see it harvested on sustainable levels.

1 And I think I for one am a hypersensitive steward of
2 that resource. I don't feel that enabling the
3 extension of the baiting for Federal bear meat
4 subsistence users is a bad thing. I think there's an
5 extremely limited number of subsistence users Federally
6 there, extremely limited. And harvest of those would
7 not provide any type of measurable additive mortality
8 to the bear population.

9

10 That's it.

11

12 CHAIRMAN LOHSE: Thank you, Andy.

13

14 Comments by any other Council member.

15

16 (No comments)

17

18 CHAIRMAN LOHSE: Andy, I'll bow to your
19 perception on the bear population, because you're there
20 more part of the year than I am. I'm there only for a
21 short month or so. And the fact that we don't have
22 that many like in camp like we've been having doesn't
23 extend over the whole thing.

24

25 Personally from what I see out of this
26 is the problem is we don't even have any Federal data
27 as to what Federal users are using in the way of bear.
28 And from that standpoint, I really think that we need a
29 permit and a quota just so we can establish the fact
30 that Federal subsistence users are using bear, and if
31 they are using bear, and how many bear they're using.
32 And I personally think that if we put a Federal permit
33 in and put a quota on it to start off with, to -- you
34 know, when I look at a variation from 758 to 568 in
35 bears taken, and like Andy says, there aren't that many
36 Federal bears taken, what size quota would you consider
37 reasonable for the amount of people that actually --
38 Federally-qualified people who would want a bear in
39 spring in Unit 6D?

40

41 MR. McLAUGHLIN: I think you would have
42 to also include -- if we're talking 6D, you'd have to
43 include the False Bay community, the hatchery
44 communities. There are rural residents that qualify
45 that live in those localities as well other than
46 Tatitlek and Chenega. I wouldn't think that the bear
47 harvest would go over a dozen if you enabled that, you
48 know, and adding that in, perhaps -- I think the State
49 -- if that's the concern, the Federal takes -- just
50 like you said earlier, Federal would take priority over

1 the State, so the State should start knocking it. Why
2 should the Federal people suffer when they're using
3 that for the meat and they live there, and they care
4 for that resource, and they want it to exist for a long
5 time, why should they be penalized in order to enable
6 everybody who's got a boat that can now go launch it in
7 Whittier through the tunnel to go get something that
8 they put on their wall most of the time for sport.

9

10 CHAIRMAN LOHSE: Well, a dozen is way
11 under the variation in the take, and even way -- almost
12 under the variation in the estimated unreported kill.
13 So a dozen is a pretty small impact. Would you be
14 willing to put a proposal modification in there to
15 insist on a Federal permit and a quota?

16

17 MR. McLAUGHLIN: Absolutely, yeah.

18

19 MR. ARDIZZONE: Mr. Chair. I don't
20 want to confuse the issue, but we're kind of talking
21 two things. We require Federal users to register their
22 bait station with Fish and Game. That's one of the
23 issues that Fish and Game has. And then we're also
24 talking establishing another permit to be able to track
25 harvest, because the registration of the bait station
26 does nothing to track harvest.

27

28 CHAIRMAN LOHSE: That's right.

29

30 MR. ARDIZZONE: So I just want to make
31 sure we're clear on the record, so that it would be
32 kind of two issues. A new bait station registration
33 for the -- if the Board wanted to do that, and then
34 also a registration permit to harvest bears, so.....

35

36 MR. McLAUGHLIN: Harvest report,
37 tagging system for the Federal, yeah.

38

39 MR. ARDIZZONE: Right. I'm just trying
40 to clear up my things, right.

41

42 MR. McLAUGHLIN: A way to record it.

43

44 CHAIRMAN LOHSE: Yeah. To me that
45 would be something the Board would have to work out.
46 But that would show that we recognize that there's a
47 possible conservation concern, that we want to put a
48 quota on it, but we also need information for the
49 future as to whether or not Federal subsistence hunters
50 are making use of this resource and are making use of

1 bait stations. And so this is a perfectly good
2 opportunity to put an addition or a modification to a
3 proposal that's on the table in front of us to get that
4 information.

5

6 MS. CAMINER: Mr. Chair.

7

8 CHAIRMAN LOHSE: Yes, Judy.

9

10 MS. CAMINER: Well, I'd like to commend
11 Andy. I think you're a great example of someone who's
12 joined in the RAC and perhaps hadn't been that involved
13 maybe with our system before, but here you've come into
14 the system and set several proposals in front of us and
15 in front of the Board, and I think that's great. I
16 think that's exactly what helps communities become more
17 part of our system, which is vital.

18

19 And I just want to clarify the
20 difference between the general hunt that does go to
21 June 30th and the bait stations. And so you seem to be
22 saying, I just want to make sure I'm correct on this,
23 that people need that additional time over bait rather
24 than using the hunting season.

25

26 CHAIRMAN LOHSE: The general hunt in
27 that area closes on June 10th.

28

29 MS. CAMINER: The Federal one is.....

30

31 CHAIRMAN LOHSE: The State hunt does.

32

33 MS. CAMINER: But we have an existing
34 Federal hunt.

35

36 MR. McLAUGHLIN: Through the Chair.
37 Yeah, I would say likely in my brief 20 years of being
38 a resident there, nine times out of 10 the meat bears
39 would have been gotten not because of a late winter.
40 It's like a climate change things that's going on here
41 and we're trying to adapt to it. And so it hadn't been
42 a case before, because like I said people that were
43 Federal subsistence users are actually shooting bears
44 on the State tags and they are getting recorded, you
45 know. But on the years when there's snow, the bears
46 don't come out of their dens until -- and I for one
47 know this very well. I keep tabs on tracks and trail
48 cameras, trying to figure out where this -- and then
49 all of once, oh, season's closed. Darn it. And then
50 two days later, oh, there they are. Gollee, you know.

1 And so it's hard to say, but anyhow, yeah, I think that
2 it hasn't been recorded, because State tags have been
3 used for subsistence.

4

5 CHAIRMAN LOHSE: Judy did bring up one
6 thing, and that's a question I need to ask you then,
7 Andy. I see that the Federal season still is open to
8 June 30th?

9

10 MR. McLAUGHLIN: Yes. And.....

11

12 CHAIRMAN LOHSE: But not for bait.

13

14 MR. McLAUGHLIN: Not for baiting.

15

16 CHAIRMAN LOHSE: And how important is
17 the baiting part of it?

18

19 MR. McLAUGHLIN: Here's what the deal
20 is. What comes to the baits first, and somebody wrote
21 a nice report that was very accurate. The males come
22 out first and go to the beaches. Those are the ones
23 that you get on baits. Okay. You generally don't bait
24 far from the beach. You know, the females, I think
25 maybe because it's safer, keep their cubs up on south-
26 facing slopes and do a lot of grazing. And so that I
27 believe is true. And so the baiting just, if you know
28 about bear hunting, that just dramatically -- I mean,
29 basically it's taking advantage of that bear's nose,
30 and they come in. It's much more likely to get one
31 with -- it's almost like a needle in a hay stack if
32 you're not running a bait, you know. And bait just
33 enables -- it makes it that much easier for the
34 harvester.

35

36 CHAIRMAN LOHSE: In other words
37 increases your success ratio?

38

39 MR. BURCHAM: Absolutely. Yeah.

40

41 CHAIRMAN LOHSE: Okay. I see we have
42 Milo up there. Does Milo have something he'd like to
43 share with us?

44

45 MR. BURCHAM: Just one -- or a couple
46 real quick comments. You listed the communities that
47 would participate, but you left out Cordova, which is a
48 sizable community. But Cordova also has C&T for black
49 bears in Unit 6D, so they would be able to participate
50 in this hunt. And that does complicate things in my

1 mind a little bit, because it's a much larger
2 population. I personally have no concern over
3 Tatitlek, Chenega and residents of the hatcheries
4 participating in this. But anyway I just wanted to add
5 that Cordova clouds it in my mind just a little bit.
6

7 The Forest Service does share the
8 concern, but again it's hard to put the burden on rural
9 residents who are taking so few bears when this much
10 larger harvest is taking place. And so we had some
11 internal discussion about this, and that's what we --
12 how we see it as well.
13

14 CHAIRMAN LOHSE: Milo, can I ask you
15 one question. You live in Cordova. What is your
16 perception of how many people from Cordova will travel
17 over to 6D in the spring for an extended bear baiting
18 season?
19

20 MR. BURCHAM: Well, 6D is Nelson Bay.
21 You don't have to go to western Prince William Sound to
22 hunt in 6D. So some Cordova residents would probably
23 bait closer to town under this regulation. And that,
24 like I say, clouds the issue a little bit in my mind.
25 I don't think there's as great a conservation concern
26 in the eastern sound as there is in the western sound,
27 but it is a bigger population that's involved in this
28 proposal I just wanted to point out.
29

30 CHAIRMAN LOHSE: Do you think a quota
31 would protect that kind of a situation?
32

33 MR. BURCHAM: I think it could.
34

35 CHAIRMAN LOHSE: Okay. Any other
36 discussion. Mr. Henrichs.
37

38 MR. HENRICHS: It wasn't too long ago
39 where they busted some people for illegally harvesting
40 black bears for their gall bladders. And it was pretty
41 significant at that time. What's gone on in that field
42 since then? What you guys know about it?
43

44 MR. BURCHAM: I don't know anything
45 about it. I've heard those reports. I know there were
46 some law enforcement cases and that's all I know.
47

48 CHAIRMAN LOHSE: Andy.
49

50 MR. McLAUGHLIN: Yeah. I called about

1 that to ask when it happened, and it must have been
2 five years ago or something, and all I -- they were
3 like hush-hush right now, we're trying to match the DNA
4 from the paws that were in the cooler in the boat to
5 the entrails that are left at the coordinates on their
6 GPS of where they were putting the snares. And western
7 Prince William Sound was riddled with a bunch of snares
8 because some people were coming out of Whittier on
9 boats and snaring.

10

11 CHAIRMAN LOHSE: And that's part of our
12 illegal harvest.

13

14 Anyhow, do we have any further
15 discussion. Does anybody want to put a motion to
16 modify this proposal on the table. Shall we vote on
17 this proposal. It's up to the rest of the Council.

18

19 Greg.

20

21 MR. ENCELEWSKI: Well, I'll put the
22 motion on the table to modify it with 20.

23

24 CHAIRMAN LOHSE: To extend the season,
25 allow bait and with a quota of 20 bear?

26

27 MR. ENCELEWSKI: Yes.

28

29 MR. McLAUGHLIN: Second.

30

31 CHAIRMAN LOHSE: It's been moved and
32 seconded to put an amendment on this proposal to extend
33 the season to -- for bait with a quota of 20 bear for
34 Federal-qualified subsistence users. Recognizing that
35 this is going to take Federal paperwork, a Federal
36 permit and everything in order to be able to be done.
37 We recognize that.

38

39 MR. ENCELEWSKI: I recognize that and
40 the Feds know that, and they like that. Thank you.

41

42 (Laughter)

43

44 CHAIRMAN LOHSE: Okay. Well, it will
45 give us some data for one thing. We don't have data,
46 and that's really evident right now.

47

48 Okay. There's an amendment on the
49 table. Any discussion on the amendment.

50

1 MS. CAMINER: Mr. Chair.
2
3 CHAIRMAN LOHSE: Yeah.
4
5 MS. CAMINER: While I think it would
6 normally concern this Council that the words
7 conservation concern were used in the analysis, I think
8 upon further explanation from Forest Service and from
9 Andy from the local area, I think we can feel more
10 comfortable about proceeding, but it just may mean some
11 of the hunts have to be adjusted in the future.
12
13 MR. ENCELEWSKI: And just my one
14 comment to that conservation concern. I looked at it
15 that if there is truly one, then the State needs to
16 reduce that is the way I saw it.
17
18 CHAIRMAN LOHSE: Right. Yeah. Okay.
19 Question anybody.
20
21 MS. CAMINER: Question.
22
23 MS. STICKWAN: Question.
24
25 CHAIRMAN LOHSE: The question's been
26 called. All in favor of the amendment on the table to
27 have -- extend the Federal baiting season to the end of
28 June with a quota of 20 bear signify by saying aye.
29
30 IN UNISON: Aye.
31
32 (No opposing votes)
33
34 CHAIRMAN LOHSE: Okay. Now we have an
35 amended motion on the table. Do we have any further
36 discussion oh the motion.
37
38 (No comments)
39
40 CHAIRMAN LOHSE: Question's in order.
41
42 MR. ENCELEWSKI: Question.
43
44 CHAIRMAN LOHSE: Call the question.
45 The amended motion is to extend the Federal season
46 until June 30th for bait with a quota of 20 bear. All
47 in favor signify by saying aye.
48
49 IN UNISON: Aye.
50

1 CHAIRMAN LOHSE: All opposed signify by
2 saying nay.
3
4 (No opposing votes)
5
6 CHAIRMAN LOHSE: Motion carries. Thank
7 you for your detailed information, Andy, and for
8 bringing it forward.
9
10 Now we go to WP14-10, another Andy one.
11 Moose. To include the residents of Chenega Bay and
12 Tatitlek in the customary and traditional use
13 determination for caribou. ^That must be in Unit 7.
14
15 MR. McLAUGHLIN: Not caribou.
16
17 MS. CAMINER: Moose.
18
19 MR. HENRICHS: Moose.
20
21 CHAIRMAN LOHSE: Moose. Okay. So we
22 have a typo here then, because on my book it says
23 include residents of Chenega Bay and Tatitlek in the
24 customary and traditional use determination for
25 caribou. But it's on moose. So evidently there's just
26 a typo in the book here. You don't have that in yours?
27
28 MS. CAMINER: Number 6.
29
30 MS. MILLS: Mine's in here.
31
32 CHAIRMAN LOHSE: Number 6.
33
34 MS. CAMINER: 14-10.
35
36 CHAIRMAN LOHSE: Number 6 on Page 2.
37
38 MS. CAMINER: Moose.
39
40 CHAIRMAN LOHSE: Okay. Well, let's go
41 to Page 87.
42
43 MS. CAMINER: Right.
44
45 CHAIRMAN LOHSE: It was just a typo.
46 Okay. Request to include residents of Tatitlek and
47 Chenega Bay in the customary and traditional use
48 determination for moose in Unit 7 remainder. Okay.
49
50 And presenter.

1 MS. KENNER: Thank you, Mr. Chair and
2 members of the Council. My name is Pippa Kenner, and
3 I'm your Staff anthropologist at OSM here in Anchorage.

4
5 We are on Page 87 in your book. And
6 Proposal WP14-10 was submitted by Andy McLaughlin of
7 Chenega Bay. Request the Board to include residents of
8 Chenega and Tatitlek in the customary and traditional
9 use determination for moose in Unit 7 remainder.

10
11 The customary and traditional uses of
12 moose by residents of Chenega Bay and Tatitlek have
13 already been recognized by the Board, and the analysis
14 concerns the use of Unit 7 to harvest moose by these
15 communities. The Kings Bay drainage of Unit 7 is the
16 only customary and traditional use determination for
17 moose that includes residents of Chenega Bay and
18 Tatitlek. Chenega Bay and Tatitlek are located in Unit
19 6D, and there is no subsistence priority for moose in
20 Unit 6D. The harvest of moose in Unit 6D occurs in the
21 low river drainage outside of Federal public lands near
22 Valdez.

23
24 Not a lot of information is available
25 concerning uses of moose by these rural residents, but
26 based on ethnographic observations, the harvest
27 reporting system, and household harvest surveys, it's
28 clear that moose have been harvested and shared by
29 residents of these communities. According to the
30 harvest reporting system from 1985 to 2010, residents
31 of Chenega Bay have attempted to harvest moose in the
32 remainder area of Unit 7.

33
34 The OSM preliminary conclusion is to
35 support the proposal and recognize the subsistence
36 harvest of moose by Chenega Bay and Tatitlek in all of
37 Unit 7 based on their use of moose; traditional use of
38 the management area, for example, the Kings Bay
39 drainage; lack of a subsistence priority for moose in
40 other areas; and the close proximity of the communities
41 to Unit 7.

42
43 Thank you. That's the end of my
44 presentation. I'll answer any questions you might
45 have.

46
47 CHAIRMAN LOHSE: Any questions from
48 Council members.

49
50 (No comments)

1 CHAIRMAN LOHSE: No questions. Alaska
2 Department of Fish and Game.

3

4 ** MR. CRAWFORD: Yes. Drew Crawford, Alaska
5 Department of Fish and Game.

6

7 The State of Alaska opposes Wildlife
8 Proposal 14-10. Moose densities in Unit 7 are
9 chronically low. Severe winters and deep snow are
10 normal for this region, and probably contribute to high
11 mortality rates for moose in this area.

12

13 There are no customary and traditional
14 use findings for Chenega Bay and Tatitlek for moose in
15 Game Management Unit 7, neither positive or negative.

16

17 In 2003, the year of the last
18 subsistence survey in these villages, there was a
19 reported harvest of one moose in Chenega and zero moose
20 in Tatitlek. The location of the Chenega harvest is
21 unknown, because this data was not mapped at that time.

22

23 Tatitlek is long way from Game
24 Management Unit 7 and much closer to hunts near
25 Cordova.

26

27 For your information, a similar
28 proposal, Wildlife Proposal 12-29, to establish a
29 Federal subsistence moose hunt in that portion of Unit
30 7 draining into Kings Bay for residents of Chenega Bay,
31 Tatitlek, Cooper Landing, and Hope was opposed by OSM
32 and the Department.

33

34 That concludes my comments.

35

36 CHAIRMAN LOHSE: Thank you. Any for
37 the Alaska Department of Fish and Game.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: Thank you. Do we have
42 any other Federal agencies or Native, tribal, village
43 or other agencies that wish to speak to this proposal.

44

45 (No comments)

46

47 CHAIRMAN LOHSE: InterAgency Staff
48 Committee comments.

49

50 (No comments)

1 CHAIRMAN LOHSE: Advisory group
2 comments.
3
4 (No comments)
5
6 CHAIRMAN LOHSE: Regional Councils.
7
8 (No comments)
9
10 CHAIRMAN LOHSE: Local Fish and Game.
11
12 (No comments)
13
14 CHAIRMAN LOHSE: Summary of written
15 comments. Donald.
16
17 MR. MIKE: Thank you, Mr. Chair. Again
18 I'll refer you to a comment received from Michael
19 Vizzel (ph) from Chenega Bay on Proposal 14-09. He's
20 in support of the proposal. And he additionally states
21 that in recent history they have experienced
22 limitations on -- oh, I'm sorry, I'm reading the wrong
23 one.
24
25 Pardon me, Mr. Chair. Mr. Vizzel
26 supports the proposal, stating that moose harvesting in
27 Kings Bay drainage of western Prince William Sound, I
28 am of the opinion that the priority should be for the
29 village residents of Chenega Bay and Tatitlek to obtain
30 the use of moose from that area regardless of sex.
31
32 Thank you, Mr. Chair.
33
34 CHAIRMAN LOHSE: Thank you. Milo.
35
36 MR. BURCHAM: I was busy back there
37 when you were asking about other Federal.
38
39 CHAIRMAN LOHSE: So this is a Federal
40 comment.
41
42 MR. BURCHAM: Comment.
43
44 CHAIRMAN LOHSE: Okay.
45
46 MR. BURCHAM: Related to that. In
47 visits to Tatitlek, I have spoken at length with David
48 Totemoff about various things, but he gave me personal
49 accounts of him hunting in Kings Bay and harvesting
50 moose in the past. And he was talking quite some time

1 ago. Andy could speak better to the history of Chenega
2 I think, but Tatitlek has definitely taken moose from
3 Kings Bay in the past I just wanted to add.

4

5 CHAIRMAN LOHSE: Thank you. And this
6 proposal is about all of Unit 7, that would be
7 including Kings Bay and the remainder, right? Right.
8 Thank you.

9

10 Any other public comments.

11

12 (No comments)

13

14 CHAIRMAN LOHSE: Okay. Council
15 members. Put WP14-10 on the table, somebody.

16

17 MR. HENRICHS: I'll make the motion.

18

19 CHAIRMAN LOHSE: Mr. Henrichs makes the
20 motion. Do I have a second.

21

22 MS. MILLS: Second.

23

24 CHAIRMAN LOHSE: It's been moved and
25 seconded by Mary.

26

27 Okay. With that, discussion. Andy,
28 you submitted it, you can open.

29

30 MR. McLAUGHLIN: Yeah. It seems --
31 it's ironic, because at this meeting there's been all
32 these, oh, well, where did they draw the line for that
33 unit to this unit, and that seems to be where the main
34 issue thing happened with this.

35

36 Reiterating what Milo had just
37 mentioned about David Totemoff, one of the chiefs of
38 Tatitlek there, having had historical use of that, I
39 can speak. I had personal conversation, for the record
40 -- well, just because there's no record doesn't mean
41 there wasn't a record of it, of C&T. Charles Salanoff,
42 everyone called him Papa Charlie, a well respected
43 resident of Tatitlek, and John M. Totemoff of Old
44 Chenega and New Chenega Bay, both told me of accounts
45 of using skin boats back in the day to paddle there.
46 And part of my kinship with these people was the fact
47 that I had also kayak to the same locales and we spoke
48 of the same rocks that held the same goats on them, the
49 same swampy areas, and the drainages that had the
50 moose. And I know for a fact that those two men went

1 there and brought moose meat back in the mid 1900s to
2 the villages. And sometimes that meat even enabled the
3 people of the village to -- who were having dire
4 straights and wintertime famine issues. So I can say
5 that those skin boat trips that they took, if that
6 doesn't constitute customary and traditional use.

7
8 And I know the regions where they went,
9 and the problem is if you look at the map, the line
10 between 6 and 7, if you're heading west in Kings Bay
11 and you hit the drainage, there's two rivers that come
12 to the head right there. On the right side, if you go
13 up the Kings drainage, then everything on the right
14 side of the river is Unit 6, but everything else right
15 there, three-fourths of what you're hunting is Unit 7.

16
17 And that's why this proposal came
18 about, because it's like, you're kidding me. That's
19 where they did their hunting and they're not even
20 included in that now? That doesn't make any sense. So
21 that's why this is proposed.

22
23 CHAIRMAN LOHSE: Thank you, Andy.

24
25 Judy.

26
27 MS. CAMINER: Mr. Chair. I just want
28 to mention, you know, I heard from Fish and Game that
29 there's a concern over the moose populations; however
30 the C&T determination would only go to eligibility, and
31 we haven't yet set any harvest.

32
33 CHAIRMAN LOHSE: Right. Mr. Henrichs.

34
35 MR. HENRICHS: Yeah. I recall in the
36 1960s when Jerry O'Brien and Dean Kramer returned to
37 Cordova with a moose they had harvested in Kings Bay.
38 And they shot it up the river, and they floated it down
39 to their boats.

40
41 CHAIRMAN LOHSE: So we know moose have
42 been taken there. We have reports from both Milo and
43 Andy anecdotal reports. I guess I'll use anecdotal,
44 because they're not written down. It does not mean
45 they're questionable. But anecdotal reports of
46 residents of Tatitlek and Chenega taking moose in Kings
47 Bay.

48
49 The only question I have here is this
50 proposal deals with all of Unit 7 and not just Kings

1 Bay. We went through Kings Bay once before. We didn't
2 have the information on the table at that time. We
3 didn't -- I think if I remember right, we did not give
4 C&T to Kings Bay the first time we went through it.
5 That doesn't mean it can't come back on the table
6 again.

7

8 And I'm going to leave it up to the
9 rest of the Council to do the questioning or make the
10 comments or anything like that.

11

12 Andy.

13

14 MR. McLAUGHLIN: Just my comment, one
15 of the -- it seems again where do you draw the line.
16 Should we divide, like say in the previous proposal,
17 Unit 6D into another little subunit to exclude Cordova,
18 or should we divide Unit 7, for the western part, to --
19 I mean, you can draw another line in there, make a
20 subunit of a unit, you know, maybe that would apply,
21 but I was pretty shocked earlier when I noticed, I
22 don't know, five years ago or whenever that was,
23 relatively recent history, that Cooper Landing and Hope
24 in the -- now that I'm learning how the system's
25 working, are now included in the Kings Bay. Well,
26 gosh, do you think those people hiked way over the
27 mountains and then packed all that moose meat back over
28 to those places in customary and traditional use of
29 that resource? No. But if they're allowed to now be
30 included in the Kings Bay part, which really should be
31 Unit 6 and not 7, you know, from the use of the
32 villages in Prince William Sound, then why shouldn't
33 the Prince William Sound be able to go to moose over in
34 their regions now that, you know, access is easier by
35 plane or whatever.

36

37 MS. CAMINER: Mr. Chair.

38

39 CHAIRMAN LOHSE: Judy.

40

41 MS. CAMINER: It seems to say in terms
42 of effects of this proposal that if we don't change
43 anything, people from Tatitlek and Chenega Bay can hunt
44 Unit 7 under State regs, so of that's allowed under
45 State regs, I don't see why it wouldn't be allowed
46 under Federal regs.

47

48 CHAIRMAN LOHSE: Well, again I think we
49 have to remember two things. Number 1, C&T is not
50 based on population estimates or, you know, the

1 conservation concerns or anything like that. C&T,
2 we're dealing with people. C&T does not set a season.
3 It does not set a quota. All it does is says do these
4 people have -- have these people customary and
5 traditionally used this area? And that's what we're
6 looking at right here.

7
8 Personally, I have absolutely no
9 problem at all with Kings Bay. I question whether or
10 not -- but we had people talk to us before from Chenega
11 that talked about going through the pass to travel to
12 Anchorage back in pre-time, or not that far pre-time,
13 and knowing like what we've had on the Kenai, there's
14 no question in my mind, knowing how people traveled
15 back in those days. They didn't pack sufficient food
16 with them to go the whole way. You hunted your way
17 there, like Wilson Justin said, life was a trail. You
18 lived on the trail, you took what you -- and if you got
19 something, you ate it on the way, and if you didn't get
20 something, you just went hungry until you got
21 something. And so, I mean, we can put that in the pot,
22 too.

23
24 So anyhow -- Milo.

25
26 MR. BURCHAM: Yes. Milo Burcham, U.S.
27 Forest Service, Cordova.

28
29 Ralph, you're on the right track. My
30 previous comment was caught up in the side track of
31 Kings Bay. I just wanted to clarify that this proposal
32 was about Unit 7 remainder. Hope and Cooper Landing
33 have had that C&T previously, and this is adding
34 Tatitlek -- or Chenega Bay and Tatitlek to -- or is it
35 both?

36
37 MS. CAMINER: It's both, yeah.

38
39 MR. BURCHAM: Tatitlek and Chenega Bay
40 to that Unit 7 remainder, so really Kings Bay isn't
41 part of this discussion, and I added to that confusion.

42
43 CHAIRMAN LOHSE: Kings Bay part of Unit
44 7. This is all of Unit 7.

45
46 MR. BURCHAM: Correct.

47
48 CHAIRMAN LOHSE: Right. Judy.

49
50 MS. CAMINER: I'm going to call for the

1 question. Call for the question.

2

3 CHAIRMAN LOHSE: You can call for the
4 question if you wish.

5

6 MS. CAMINER: Call for a question.

7

8 CHAIRMAN LOHSE: Okay. The question's
9 been called. Do we include Tatitlek and Chenega for
10 Unit 7, customary and traditional. All in favor
11 signify by saying aye.

12

13 IN UNISON: Aye.

14

15 CHAIRMAN LOHSE: All opposed signify by
16 saying nay.

17

18 (No opposing votes)

19

20 CHAIRMAN LOHSE: Motion carries.

21

22 With that, we go to Unit WP14-11.

23 Establish a season for community harvest in the portion
24 of Unit 7 draining into Kings Bay. So now we're down
25 to the nitty-gritty. Page 96.

26

27 MR. EVANS: So for the record this is
28 Tom Evans. I'll be doing the presentation on this
29 proposal.

30

31 As you can see, this is related to some
32 of the discussion we were having on the previous
33 proposal.

34

35 Proposal 14-11 was submitted also by
36 Andy McLaughlin of Chenega Bay, requests that Unit 7,
37 that portion that drains into Kings Bay, so just that
38 portion, be opened to a limited moose hunt of one bull
39 per community. And currently the communities that are
40 allowed to hunt for -- one bull per community and the
41 four villages that currently have C&T for that area
42 would be Chenega Bay, Cooper Landing, Hope, and
43 Tatitlek, every four years. So one bull per community
44 every four years.

45

46 The proponent does not want Chenega Bay
47 and Tatitlek residents to lose the occasional
48 opportunity to harvest a moose in this area that their
49 ancestors commonly used. The proponent estimates that
50 the historical average of moose harvested in Kings Bay

1 drainage by residents of Tatitlek and Chenega Bay has
2 been at least one bull every 10 years.

3

4 A summary of some of the regulatory
5 history. In 1997 the Federal Subsistence Board adopted
6 a proposal to crate a season from August 10th to
7 September 20th for residents of Chenega Bay and
8 Tatitlek for the closure to all other users. At that
9 time the limit was -- the recommended limit was two per
10 community.

11

12 In 2001 closed the harvest season,
13 because the moose population was too small to support a
14 harvest. A special action lasted for one regulatory
15 year without a proposal to continue the closure;
16 therefore the original August 10th to the September
17 20th season was reopened the following year.

18

19 In 2006 the Southcentral Alaska
20 Subsistence Regional Advisory Council requested
21 changing the Kings Bay moose harvest limit -- harvest
22 season and removing the Federal closure. However,
23 because of conservation concerns, the InterAgency Staff
24 Council recommended the opposition of the proposal,
25 contrary to the recommendation of the Southcentral RAC.
26 Subsequently the Federal Subsistence Board closed
27 Federal lands to the hunting of moose by all users at
28 its May 2006 meeting.

29

30 Currently there's no open moose season
31 on Federal lands in the Kings Bay area since 2006. So
32 that's where we stand now.

33

34 The amount of moose habitat in Kings
35 Bay area consists of marginal habitat located in very
36 limited narrow riparian areas along the Kings River and
37 Nellie Juan River. An aerial survey conducted by
38 Alaska Department of Fish and Game in 1997 revealed 20
39 moose in the area. The herd consisted of 8 bulls, 10
40 cows, and 2 calves. The counting conditions were good
41 with heavy snow cover and excellent visibility.

42

43 The entire drainages of Nellie Juan and
44 Kings River were flown in March 2001 by Alaska
45 Department of Fish and Game from the Nellie Juan Lake
46 downstream to the head of Kings Bay, and up Kings River
47 to the glacier country from where it arises. Nine
48 moose were counted during the survey in conditions that
49 were considered excellent for aerial surveying.

50

1 The small area of moose habitat at
2 Kings Bay is isolated with only one accessible route
3 for moose to enter the area across the mountains from
4 the Paradise Lakes and the Nellie Juan Lake areas, and
5 then down the Nellie Juan River, a distance of 15 or 20
6 miles over difficult terrain. Therefore it's thought
7 that interchange with moose in other areas is pretty
8 minimal.

9
10 In 2006 a moose index survey was flown
11 by the Department of Fish and Game, and a total of five
12 moose were observed. Four cows were observed. Two
13 were seen south of the Nellie Juan River confluence
14 with Kings Bay, and two were seen in the area between
15 Nellie Juan River and Kings River. One bull moose was
16 observed upstream in the Kings River watershed. No
17 calves were observed in the area. And the total moose
18 in this area in the fall -- the total number of moose
19 in this area in the fall would be hard to predict from
20 this late spring survey.

21
22 Average counts since 1996 is 11. The
23 viability of this moose population is low due to the
24 small population, low productivity, limited safe
25 calving habitat, the presence of brown and black bears,
26 and then limited habitat and the steep terrain which
27 limits easy movement in and out of the area.

28
29 The last, harvest data indicate that no
30 moose were harvested in the area from 1997 to 2000. In
31 2001 some hunting has occurred from the Village of
32 Tatitlek with no success. And the hunters of Chenega
33 Bay informally discuss this hunt, concluding that they
34 knew of no one from Chenega Bay that hunted Kings Bay
35 area in recent years.

36
37 The general hunt under State
38 regulations was closed to Federal lands in the Kings
39 Bay drainage in 1997 by the establishment of exclusive
40 Federal subsistence management regulations in the area.
41 The State's general hunt regulations apply to the non-
42 Federal areas in the vicinity of Nellie Juan Lake, with
43 a harvest limit of one bull with a spike fork or 50-
44 inch antlers, or antlers with four or more brow tines
45 at least on one side.

46
47 For years from 2000 to 2008 a total of
48 five moose with an average of zero to two moose per
49 year have been reported harvested under the State
50 regulations within the Nellie Juan drainage area, which

1 is a part of Unit 7 remainder. This is near the Kings
2 River drainage. The 2000 to 2008 moose harvest was by
3 non-Federally-qualified users, and the affected area is
4 typically accessed by aircraft.

5
6 Other alternatives considered. A
7 Section .804 analysis a potential to limit the harvest
8 to just Chenega Bay and Tatitlek. Even with this
9 reductions, there's still conservation concerns of
10 modifying the proposal to allow for one bull moose per
11 community with C&T.

12
13 The affects of the proposal. If
14 Proposal 14-11 were adopted, it would establish a
15 harvest season from August 10th to September 20th for
16 the harvest of one bull moose every four years from the
17 communities of Tatitlek, Chenega Bay, Cooper Landing,
18 and Hope. The Seward Ranger District of the Chugach
19 National Forest would establish the quota and have the
20 authority to close the Federal season once the quota is
21 reached.

22
23 Establishing a season may have
24 detrimental effects on moose populations since there
25 are four communities which have positive and customary
26 use determination for moose in this portion of Unit 7.

27
28 The take of four bull moose from this
29 low density moose population that use the Kings Bay
30 drainage, which is estimated between 5 and 20, is not
31 considered sustainable. The small population, very
32 limited habitat, and the presence of both brown and
33 black bears in the area suggest that a limited hunt in
34 this area could have a negative impact on this local
35 moose population.

36
37 Therefore, OSM's preliminary conclusion
38 is to oppose this proposal, 14-11. The justification,
39 I'll just read a few -- reiterate some of the few
40 justification for this recommendation.

41
42 The last moose census in 2005 had five
43 moose with one bull. The population has been at low
44 density since 1996. And there have been no increases
45 in the population to justify any harvest. The
46 interchange with other areas is likely minimal due to
47 the steep rugged terrain. Even a limited hunt as
48 proposed could result in the loss of the whole
49 population. And maintaining a closure is necessary for
50 the continued viability of this local moose population.

1 I might mention that I think there are
2 plans to do a survey this fall if weather conditions
3 and support is doing it, to survey the area again to
4 see what the moose might be in this area.

5
6 Thank you. That's all.

7
8 CHAIRMAN LOHSE: Thank you. Any
9 questions.

10
11 (No comments)

12
13 CHAIRMAN LOHSE: I have just one, and
14 that's -- and Andy might have to answer this one if you
15 can't. When it says one moose every four years by the
16 communities of Chenega Bay, Cooper Bay, Hope and
17 Tatitlek, there's -- I guess there's two ways to read
18 -- three ways to read this that I can think of. One is
19 one bull moose, and the first community that gets it
20 gets the one bull moose, and then there's no bull moose
21 taken for the next three years. Or if Chenega gets one
22 bull moose, they're ineligible for three years, and --
23 but that closes the season for the year. My impression
24 was that what you were intending was that no more than
25 one bull moose be taken in a single year; am I correct
26 on that?

27
28 MR. McLAUGHLIN: That would be
29 accurate, yeah.

30
31 CHAIRMAN LOHSE: But one way to do it
32 would be have it so that no more than one bull moose
33 would be taken every four years by all four communities
34 combined. And that to me would be within the -- you
35 know, and these would be the four qualified
36 communities, but once one bull moose is taken, you
37 can't take one for another three years.

38
39 MR. McLAUGHLIN: I would be into
40 modifying the proposal to reflect that one for all and
41 then three more years have to go by until another
42 community or that same community on the fourth year.

43
44 CHAIRMAN LOHSE: Well, see, that's what
45 I was wondering, what you had intended by this. I
46 didn't think you'd ever intend to having four bull
47 moose taken in one year.

48
49 MR. McLAUGHLIN: No. Actually -- well,
50 I was going to get to some of that in discussion, but,

1 yeah, I would think.....

2

3 CHAIRMAN LOHSE: But I was wondering,
4 when he read it, because he said four moose in one
5 year, and that would be, you know -- okay.

6

7 MR. EVANS: And the problem is.....

8

9 CHAIRMAN LOHSE: So the idea behind the
10 proposal was not that four moose could ever be taken in
11 one year; but I think the way the proposal's written,
12 one moose could be taken in one year, but you could
13 modify it, like he could modify it later, to have it so
14 one moose could be taken every four years.

15

16 MR. EVANS: I think what he -- the way
17 the proposal sort of came in, I didn't read it exactly
18 that way either. I read it that it was one bull per
19 community every four years, so every four years there
20 could be the potential of four moose being taken.
21 That's way when I read the original proposal, that's
22 the way I understood it to read. So in four years, you
23 know, you could have a total of four moose. It could
24 be in one year, it could be any choice here.

25

26 CHAIRMAN LOHSE: Okay. Well, see,
27 that's what I was trying to clarify, because I was
28 thinking that -- I was thinking the way I read the
29 proposal that no more than one moose could be taken
30 every year. And once a community took a moose, they
31 couldn't take another one for four years. But the
32 other way to read it would be that no more than one
33 moose can be taken by these communities, and then that
34 can only happen every four years. Okay.

35

36 I just wanted to know if -- because you
37 evidently read it different than I did.

38

39 Thank you.

40

41 MS. CAMINER: Mr. Chair.

42

43 CHAIRMAN LOHSE: Yes.

44

45 MS. CAMINER: I think in the past this
46 Council had asked for a survey of this area, and it
47 sounds like one is going to be done, and so we really
48 appreciate the follow up on that.

49

50 CHAIRMAN LOHSE: Thank you.

1 MR. EVANS: There was one planned for
2 last year and it just -- it didn't get done, so ideally
3 by the time we had this meeting we would have an
4 updated population estimates.

5
6 CHAIRMAN LOHSE: Okay. Alaska
7 Department of Fish and Game.

8
9 ** MR. CRAWFORD: Drew Crawford, Alaska Department
10 of Fish and Game.

11
12 The State also opposes Wildlife
13 Proposal 14-11. The Alaska Department of Fish and Game
14 is greatly concerned that the adoption of this proposal
15 has the potential to possess -- pose severe long-term
16 conservation issues for this moose population. The
17 moose population in this area is considered stable, but
18 extremely low. Even a slight increase in harvest has
19 the potential to negatively impact this population,
20 jeopardizing it's sustainability. As Tom indicated,
21 previous attempts to count this population failed to
22 satisfactorily reveal calves.

23
24 That's all we have here.

25
26 CHAIRMAN LOHSE: So we have a low calf
27 survival, or almost non-existent.

28
29 MR. CRAWFORD: Yes.

30
31 CHAIRMAN LOHSE: So basically what we
32 could have here basically is a transient moose herd.
33 If we're not having calf survival, in order for the
34 herd to survive, we have to have migration in and out.
35 Or at least migration in. I mean, if we're not
36 counting any calves that are surviving in there, but
37 the herd is surviving, then we must have immigration
38 from the Nellie Juan Lake area to keep the herd viable.

39
40 MR. CRAWFORD: It seems so.

41
42 CHAIRMAN LOHSE: I mean, would that
43 seem logical?

44
45 MR. EVANS: Uh-huh. That seems
46 logical, although the population has been going down,
47 at least the last survey in 2005 was only five, so it's
48 a population, whatever resident moose are there, maybe
49 they're just slowly declining in population, too, and
50 there isn't much -- but you're right, any kind of

1 increases to that population would have to probably
2 come in through the Nellie Juan drainage, or there is I
3 guess a potential population of a moose swimming, if
4 they swim a really long way, but that's not very likely
5 there.

6

7 CHAIRMAN LOHSE: Well, the thing that I
8 was thinking of is that population has never been very
9 great. The moose calf survival has never been very
10 great. It just looks to me like what it is, is a
11 population of migrant moose. And that's the only thing
12 that -- there's a little bit of habitat there. Some
13 moose migrate in, some moose migrate out. But it would
14 be interesting if there was any genetic data to show
15 that they were a -- and I'm pretty sure that that would
16 not -- that's what it would have to be if you have no
17 calf survival and you've got moose there, you've got to
18 have movement.

19

20 Thank you. Any questions for Fish and
21 Game.

22

23 (No comments)

24

25 CHAIRMAN LOHSE: Okay. Do we have any
26 other Federal agencies, like Milo.

27

28 MR. BURCHAM: I guess there's plenty of
29 activity in Unit 6 this meeting. Milo Burcham, U.S.
30 Forest Service in Cordova.

31

32 I just wanted to reiterate or share
33 some of the Forest Service comments that we've
34 discussed.

35

36 First of all, we share the conservation
37 concern. We realize the very small number of moose.
38 Looking at the table that Tom provided in the analysis,
39 it does show that there have been calves counted, not
40 in the most recent count in 2005, but in 2002 and in
41 other previous years calves have been seen in that
42 population. But we realize it's a small population
43 that can't sustain a very heavy harvest in the least.

44

45 We do, however, support the concept of
46 a limited or experimental type hunt, which is I think
47 what the Council is after. We also support the idea of
48 an .804 analysis, because Hope and Cooper Landing would
49 likely fall out if that type of analysis were done.

50

1 And I just wanted to answer, you know,
2 the comments about the moose survey this winter. We
3 have -- the Forest Service has given funding to Fish
4 and Game, \$2500 to conduct a survey this season. I
5 know we've talked about it for quite some time, and
6 wanted to do it, but anyway it is on the slate, and
7 Jeff Salinger with Fish and Game in Kenai is planning
8 on getting a survey in this season.

9

10 CHAIRMAN LOHSE: Thank you.

11

12 Any questions for the Forest Service.

13

14 MS. CAMINER: Mr. Chair.

15

16 So, Milo, should we have anything by
17 our March meeting then? Hopefully you would bring that
18 to us.

19

20 MR. BURCHAM: It would certainly -- if
21 it's going to happen, it would have happened by that
22 meeting, yes.

23

24 CHAIRMAN LOHSE: Thank you.

25

26 Any other questions.

27

28 (No comments)

29

30 CHAIRMAN LOHSE: Do we have any written
31 comments.

32

33 MR. MIKE: Mr. Chair. There are no
34 written comments on this proposal. Thank you.

35

36 CHAIRMAN LOHSE: And we have no local
37 Fish and Game Advisory Committee comments.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: So summary of written
42 comments, we don't have any. Any public testimony.

43

44 (No comments)

45

46 CHAIRMAN LOHSE: We don't have.....

47

48 MR. McLAUGHLIN: I believe Mr. Virgil
49 did have a written in his second paragraph.

50

1 Yeah, he mentioned taking one moose
2 from that area regardless of sex. A minimum of at
3 least one moose annually for each of the two villages.
4 And I think he was referring to Tatitlek and Chenega
5 Bay.

6
7 MR. MIKE: Thank you. Mr. Chair.

8
9 I was reading that summary for Wildlife
10 Proposal 10, and I think it applies to Wildlife
11 Proposal 11 also. Is that correct?

12
13 CHAIRMAN LOHSE: Yeah.

14
15 MR. MIKE: Let the record show that,
16 Mr. Chair.

17
18 Thank you.

19
20 CHAIRMAN LOHSE: Thank you. Thank you.
21 So we have one written comment in support of a season
22 on Kings Bay.

23
24 Okay. No public testimony.

25
26 A motion to put WP14-11 on the table.

27
28 MR. HENRICHS: I make the motion.

29
30 CHAIRMAN LOHSE: It's been moved by Mr.
31 Henrichs.

32
33 MS. CAMINER: Second.

34
35 CHAIRMAN LOHSE: Seconded by Judy.
36 Okay. We have WP14-11 on the table.

37
38 Andy, would you like to speak to this
39 since you put this in.

40
41 MR. McLAUGHLIN: Sure. Yeah.
42 Basically relative recent history, the season closed.
43 When it kind of brought up, hey, about the moose years
44 ago at one of these meetings I assume, and then it
45 brought to light, hey, geez, we'd better close that,
46 you know, and so it got closed at that point and then
47 now generations of people in the villages are not able
48 to utilize that resource or even -- if you can't go
49 get, hunt a moose there, then why go there type thing.
50 And so similar to how the State decides in certain

1 areas where brown bears are limited, it came about
2 that, hey, why not one every four regulatory years,
3 make it more restrictive. Make it, you know, that way,
4 so I just felt that opening it up for one every four
5 regulatory years.

6
7 Then I thought, well, geez, it's only
8 Tatitlek and Chenega at the time, and then all at once
9 I find, oh, well, Cooper Landing and Hope are in here.
10 Well, I'll be amazed.

11
12 Okay. So the next thing I know, you
13 know, I think that the Fish and Game surveys will be
14 really great to know, up to date information,
15 especially after these hard winters, that I think that
16 the censuses by plane, those numbers are kind of
17 conservative, because you don't see every moose. I've
18 been there, you know. I agree that it's marginal
19 habitat. It's not like willow, swamp up in the
20 interior that they're munching on birch trees all
21 winter long type thing. I think it's alders and, you
22 know, cottonwoods and not the best stuff. But -- so
23 it's not ideal habitat.

24
25 I do believe there is a -- how did the
26 moose get there in the first place? Immigration and
27 probably emigration. Because when you're flying in
28 that area in a lane, I have been blown away sometimes
29 by there's a moose on top of the mountain in like sheep
30 and goat country. Okay. So the do go over from Seward
31 mainly down the Nellie Juan drainage. I'm sure of it.

32
33 So I was thinking, looking at the
34 numbers, okay, roughly 12 to 20 moose total in there on
35 an average year. Okay. If we guessed a 50/50 gender
36 ratio, okay, so that leaves 6 to 10 of those are cows
37 and 6 to 10 of those are bulls. Okay. If one bull was
38 taken, okay, then that leaves five to nine left, okay,
39 to breed the cows. Okay. The few remaining cows. So
40 anyhow I see it as a sustainable harvest of a resource
41 that currently is not able to be utilized by the
42 people in the communities who have C&T determination.

43
44 CHAIRMAN LOHSE: Thank you, Andy.

45
46 Any other comments. Greg.

47
48 MR. ENCELEWSKI: Well, Andy, I guess I
49 need to make a comment on this one. And my comment is,
50 you know, your analogy you just gave me seems semi-

1 sound, but I really have a concern for this one. And I
2 have a concern that it is so low, and I'm not sure it's
3 sustainable. And I'd love to see that survey and this
4 proposal come back to us. But I'm not saying I
5 wouldn't support it, but I -- you know, I'd sure love
6 to know a little more about it. But anyway, that's my
7 comment.

8

9 CHAIRMAN LOHSE: Thank you, Greg.

10

11 MS. CAMINER: Mr. Chair.

12

13 CHAIRMAN LOHSE: Judy.

14

15 MS. CAMINER: Well, perhaps the timing
16 would work out right for what you're asking, Greg, is
17 we do have some preliminary survey results by March
18 let's say for our meeting. And the season wouldn't
19 open until August 10th. That would allow time. I
20 mean, and also I guess you're going to have somebody
21 deciding on this, so population levels would come into
22 it at that point in time. I also think it would be
23 vital, as was mentioned, perhaps to do an .804, and
24 then further limit communities, participants.

25

26 CHAIRMAN LOHSE: Thank you, Judy.

27

28 I look at the fact that the average
29 harvest from all of the anecdotal and other reports is
30 one moose every 10 years. And like Milo was saying,
31 you know, looking at an experimental season,
32 recognizing the C&T and everything else.

33

34 And if the maker of the proposal would
35 be acceptable to it, I don't know if I as a the Chair
36 can offer a modification or an amendment, but I can at
37 least propose a modification or amendment that one of
38 you can make if you wish.

39

40 And my modification would be to this,
41 that no more than a total harvest of one bull moose can
42 be taken in the Kings Bay area every four years by
43 residents with C&T. And basically that would give the
44 opportunity -- the opportunistic opportunity for
45 somebody to take -- you know, somebody with C&T to take
46 a bull moose in that area if they happened to be there.

47

48 But it sounds like normally it happens
49 about once every 10 years. And if they couldn't take
50 more than one every four years, that would probably not

1 have much impact on the population. And we may come up
2 -- I mean, we may come up with our survey and find out
3 there's three moose there, and have to emergency close
4 it, you know. But that would -- that would satisfy the
5 experimental hunt. That would satisfy at least allowing
6 the opportunistic opportunity for C&T hunters, because
7 it doesn't sound like this is a regular place to go
8 moose hunting. And it would also limit the take to one
9 -- not one bull moose by the community, not one bull
10 moose by every C&T resident, but one total bull moose
11 in the Kings Bay area. And every four years.

12
13 Andy, you made the original proposal.
14 If you would -- if you want to make the modification,
15 that's fine. If you don't, that's fine, too.

16
17 MR. McLAUGHLIN: I'd make a motion to
18 modify it to exactly what you just said.

19
20 CHAIRMAN LOHSE: A total of one bull
21 moose every four year.....

22
23 MR. McLAUGHLIN: Every four regulatory
24 years.

25
26 CHAIRMAN LOHSE:by residents with
27 C&T.

28
29 MR. McLAUGHLIN: Yes.

30
31 CHAIRMAN LOHSE: And that means no more
32 than one bull moose every four years.

33
34 Chuck.

35
36 MR. ARDIZZONE: Yeah. Mr. Chair. I
37 just want to add some information. The Federal Board
38 meeting's in April this year. This RAC should meet in
39 March. The survey should be done by March. So there
40 is always that you could defer it until your next
41 meeting. You'll have better information, and you could
42 make a decision then. I don't want to precedent
43 anything, but I'm just giving you that option. Because
44 then all information would be on the table, and you
45 won't make a decision on what we have now.

46
47 CHAIRMAN LOHSE: Andy.

48
49 MR. McLAUGHLIN: I'm not quite sure how
50 the system works, but I'd be into tabling until the

1 survey comes through and we've all got better
2 information to make a good decision by.
3
4 CHAIRMAN LOHSE: It sounds okay to me.
5 How do we table the motion.
6
7 MR. ENCELEWSKI: I'll make a motion to
8 table the motion.
9
10 CHAIRMAN LOHSE: You make the motion to
11 table the motion. Do I have a second.
12
13 MS. MILLS: Second.
14
15 CHAIRMAN LOHSE: It's been moved and
16 seconded to table this motion until our spring meeting.
17
18
19 Are we within the Robert's Rules of
20 Order to do this?
21
22 MR. ARDIZZONE: Mr. Chair, we just had
23 a little discussion. I think if you deferred it to
24 your next meeting that would be more appropriate.
25
26 But I just want to throw out there,
27 too, you know, weather being -- you know, that survey
28 might not happen, so I'm just trying to.....
29
30 CHAIRMAN LOHSE: Well, that's what I
31 was thinking is that, you know, we have the ability to
32 modify what we do in this meeting at the meeting in
33 March. And basically all I was -- by what we were
34 doing here, and we only have a motion on the table
35 right now to amend it. We have to remember we have a
36 motion on the table to amend it. We're stating what we
37 -- you know, that we support this concept. I mean, the
38 amount and the season can be modified depending on the
39 survey. So it's up to -- we can cancel our -- we can
40 withdraw our amendment and vote to defer the motion.
41
42 MR. ENCELEWSKI: We need to withdraw --
43 table the first one.
44
45 MS. CAMINER: Yeah.
46
47 CHAIRMAN LOHSE: Yeah. Because we have
48 a motion to table. So we can't -- first of all, who
49 made the motion to table?
50

1 MR. ENCELEWSKI: I made that motion,
2 and I still think it should be tabled, but I'll
3 withdraw it.
4
5 CHAIRMAN LOHSE: Who seconded it?
6
7 MS. MILLS: I did.
8
9 CHAIRMAN LOHSE: Does the first and
10 second withdraw their motion to table?
11
12 MS. MILLS: Yes.
13
14 CHAIRMAN LOHSE: Okay. Now, we have an
15 amendment on the floor. Does the first and second
16 withdraw their amendment?
17
18 MS. MILLS: Yes.
19
20 MR. McLAUGHLIN: Yes.
21
22 MS. CAMINER: Mr. Chair. But maybe
23 before we do that, I think it seems to be the intent of
24 the Board -- of the Council to include that concept as
25 part of what we would then discuss in March. So we
26 would need, you know, perhaps an amended write up to
27 reflect our action that we'd like to make an amendment
28 to the proposal. We'd like maybe further analysis as
29 in an .804 by then. And then be able to take a vote on
30 that concept with the information about the population
31 surveys.
32
33 CHAIRMAN LOHSE: Okay. So we can vote
34 to put the amendment on this proposal, and then vote to
35 table the proposal until March.
36
37 MS. CAMINER: Defer.
38
39 MR. McLAUGHLIN: To defer.
40
41 CHAIRMAN LOHSE: To defer not table
42 until March. Okay. So we have an amendment on the
43 floor.
44
45 Now Donald's going to throw something
46 in here, too.
47
48 MR. MIKE: I'm sorry, Mr. Chair. Just
49 to simplify the process, you know, the Council's going
50 to get the amendment off the table and there's a motion

1 on the table right now by Mr. Opheim and seconded by
2 Judy. And to make the process easier, I think it would
3 be a lot easier for this Council to defer action and
4 then talk about the amendments at the next meeting when
5 we address this. I think that would simplify the whole
6 process this morning.

7

8 Thank you, Mr. Chair.

9

10 CHAIRMAN LOHSE: Andy.

11

12 MR. McLAUGHLIN: So I'm not getting
13 this straight, but defer.....

14

15 MR. MIKE: Mr. Chair. Just to clarify.
16 Defer this proposal, Proposal WP14-11 to our spring
17 meeting. So if the main motion by Mr. Henrichs and
18 seconded by Judy, if you can get that off the table,
19 and make a new motion to defer action until the spring
20 meeting. That way we can get a fresh start and bring
21 up the amendments after first discussing. So this way
22 we would not be confused as to what will be coming up
23 in our future meeting dates. I'm just trying to
24 simplify your work and my work.

25

26 Thank you, Mr. Chair.

27

28 CHAIRMAN LOHSE: Okay. So what we need
29 is we need the motion withdrawn.

30

31 MS. CAMINER: Do we need it withdrawn
32 or just deferred?

33

34 MR. HENRICHS: I'll withdraw the
35 motion.

36

37 MS. CAMINER: Is it deferred or
38 withdrawn?

39

40 CHAIRMAN LOHSE: And then we will make
41 a motion to defer action.

42

43 So Mr. Henrichs withdrew his. Do you
44 withdraw yours?

45

46 MS. CAMINER: Okay. I'll withdraw my
47 second.

48

49 CHAIRMAN LOHSE: Okay. So the motion
50 to accept WP14-11 has been withdrawn, and now a motion

1 to defer action on WP14-11 is in order.
2
3 MR. ENCELEWSKI: I'll so moved to make
4 it deferred.
5
6 CHAIRMAN LOHSE: Andy. Or Mary.
7
8 MR. McLAUGHLIN: I'll second.
9
10 CHAIRMAN LOHSE: Okay. Andy seconded
11 it. Okay. Now we have a motion to defer action on
12 WP14-11 until our spring meeting with the concept that
13 we are going to get more information on it and possibly
14 an .804 analysis.
15
16 Okay. Anyhow, with that.....
17
18 MS. CAMINER: Mr. Chair. And an
19 expanded analysis that would cover the kinds of
20 amendments on the wording in terms of one moose every
21 four years.
22
23 CHAIRMAN LOHSE: Yeah.
24
25 MS. CAMINER: We'd like to have that
26 before us at our meeting.
27
28 CHAIRMAN LOHSE: Okay. With that on
29 the table, let's have the question if somebody wants to
30 call it.
31
32 MS. STICKWAN: Question.
33
34 CHAIRMAN LOHSE: The question's been
35 called. All in favor signify by saying aye.
36
37 IN UNISON: Aye.
38
39 CHAIRMAN LOHSE: Opposed signify by
40 saying nay.
41
42 (No opposing votes)
43
44 CHAIRMAN LOHSE: Motion carries.
45
46 Do we have any more controversial ones
47 by Andy McLaughlin.
48
49 (Laughter)
50

1 CHAIRMAN LOHSE: Okay. Our next one.
2 I'm sorry if I'm not giving breaks often enough,
3 but.....
4
5 MS. CAMINER: That's okay.
6
7 MR. HENRICHS: Well, isn't it time for
8 lunch?
9
10 CHAIRMAN LOHSE: Oh, it's noon? It's
11 high noon. I wanted to work through lunch time.
12
13 MS. CAMINER: Beat the rush and keep
14 going.
15
16 CHAIRMAN LOHSE: Okay. We can't do
17 that.
18
19 MS. CAMINER: One more from Andy.
20
21 CHAIRMAN LOHSE: No, we're going to --
22 okay. Oh, we've got one more minute. Oh, my gosh.
23 No, we will recess for lunch, Andy. I think this next
24 one's.....
25
26 MR. MIKE: Mr. Chair. Before we recess
27 for lunch, Mr. Ken Lord will be available this
28 afternoon to discuss the Katie John II decision, so if
29 we can find time to insert him at our agenda later on
30 today.
31
32 CHAIRMAN LOHSE: Good. As soon as we
33 get all of these proposals done, we'll have him.
34
35 (Off record)
36
37 (On record)
38
39 CHAIRMAN LOHSE: Well, we have a quorum
40 here, and our next one's fairly non-controversial. So
41 we are going to get started in the interest of trying
42 to accomplish the rest of these proposals this
43 afternoon.
44
45 We are on WP14-12, number 8, and that's
46 to revise the cultural/educational permit for the
47 annual Old Chenega memorial. And it's on Page 104.
48
49 MS. KENNER: Thank you, Mr. Chair,
50 members of the Council. Again my name is Pippa Kenner,

1 and I'm your Staff anthropologist at the Office of
2 Subsistence Management here in Anchorage.

3
4 The proposal does start on Page 104 in
5 your book. And this proposal, WP14-12 was submitted by
6 Andy McLaughlin of Chenega Bay. And it requests
7 changes to the unit-specific regulation that allows
8 residents of Chenega Bay to harvest up to five deer per
9 year from Unit 6D to be used at the annual Old Chenega
10 memorial event.

11
12 The proponent requests that the
13 allowable uses of the deer harvested for this event in
14 Federal regulations be expanded to include any memorial
15 potlatch in the community.

16
17 The proponent explains that other
18 potlatches are held throughout the year, often on short
19 notice. Residents want the flexibility to use deer
20 taken under the regulation at other memorial potlatches
21 in the village as well as at the Old Chenega memorial
22 event.

23
24 Adopting the regulation would have no
25 effect on deer populations or other uses.

26
27 And the OSM preliminary conclusion is
28 to support the proposal.

29
30 Since writing the analysis, I have had
31 a chance to talk to the first and second chiefs of
32 Chenega Bay, and it's the Chenega Council that
33 authorizes the hunt. And both suggested that the
34 proposal should be modified to include other
35 traditional potlatches, not only memorial potlatches.
36 And I have talked to the proponent who indicated that
37 same request.

38
39 There are some details in this proposal
40 that people might have questions about, but a lot of
41 information is in the analysis, and I'll just stop
42 there and I'm more than happy to answer your questions.

43
44
45 Thank you.

46
47 CHAIRMAN LOHSE: Thank you. You
48 mentioned that there are other things in here that
49 might cause people to question. Are there any
50 questions -- I mean, are there any controversial points

1 to this proposal that you can think of?

2

3 MS. KENNER: No.

4

5 CHAIRMAN LOHSE: Thank you.

6

7 Okay. With that, any questions for
8 her.

9

10 (No comments)

11

12 CHAIRMAN LOHSE: With that we will go
13 to State Department of Fish and Game comments.

14

15 ** MR. CRAWFORD: Mr. Chair. The Department of
16 Fish and Game is neutral on Wildlife Proposal 14-12.

17

18 CHAIRMAN LOHSE: Thank you. And do we
19 have any other Federal agencies or Native, tribal,
20 villages or InterAgency Staff Committee comments.

21

22 Mr. Henrichs.

23

24 MR. HENRICHS: Yeah. The Native
25 Village of Eyak will support this.

26

27 CHAIRMAN LOHSE: Okay. Mary.

28

29 MS. MILLS: The Kenaitze Indian Tribe
30 will also support this.

31

32 CHAIRMAN LOHSE: Thank you.

33

34 MR. ENCELEWSKI: So will the Ninilchik
35 Traditional Council.

36

37 CHAIRMAN LOHSE: Thank you. Okay.
38 Then advisory group comments, neighboring Regional
39 Councils, or local Fish and Game Advisory comments. Do
40 we have any.

41

42 (No comments)

43

44 CHAIRMAN LOHSE: No. Do we have any
45 written public comments.

46

47 MR. MIKE: Thank you, Mr. Chair. Again
48 this is comment received from Michael Vizzel of Chenega
49 Bay for Proposal WP14-12. They wrote in support of the
50 harvest of deer used for potluck purposes for Chenega

1 Bay Village. Somehow the regulations were rewritten to
2 state that this is allowed only for the memorial
3 service we conduct annually on Chenega Island in the
4 memory of the loved ones we lost in the 1964
5 earthquake. They like that option, but reserve the
6 idea that the use of those few deer we allowed does not
7 have to be confined to that event and should be allowed
8 to be utilized for any potluck, which often occur at
9 unexpected times and irregularly scheduled times such
10 as funerals or weddings.

11
12 Thank you, Mr. Chair.

13
14 CHAIRMAN LOHSE: Thank you. Okay. Do
15 we have any public testimony at this point in time.

16
17 (No comments)

18
19 CHAIRMAN LOHSE: Hearing none, a motion
20 to put WP14-12 on the table is in order.

21
22 MR. HENRICHS: I'll make the motion.

23
24 CHAIRMAN LOHSE: It's been moved.

25
26 MR. ENCELEWSKI: I'll second it.

27
28 CHAIRMAN LOHSE: Seconded by Greg.
29 WP14-12, up to five permits will be issued for deer for
30 memorial and other potlatches for the Community of
31 Chenega. It doesn't change the limit. I think we
32 already had a limit of five to begin with. All it does
33 is allows them to be used for other potlatches or other
34 memorial services.

35
36 Any discussion.

37
38 MS. CAMINER: Mr. Chair. This does not
39 present a conservation concern. It certainly would be
40 beneficial and more clarifying for subsistence users.
41 So I think we have the appropriate evidence to support
42 this proposal.

43
44 CHAIRMAN LOHSE: Thank you. Any other
45 comments. Mary.

46
47 MS. MILLS: Oh, I was going to call for
48 the question.

49
50 CHAIRMAN LOHSE: Okay. The question's

1 been called for. All in favor signify by saying aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN LOHSE: All opposed signify by
6 saying nay.

7

8 (No opposing votes)

9

10 CHAIRMAN LOHSE: Motion carries.

11

12 We now go to WP14-13, to require antler
13 destruction.

14

15 MR. EVANS: Thank you, Mr. Chairman.

16 My name is Tom Evans, again with OSM. And I'll present
17 this proposal.

18

19 Proposal WP14-13, submitted by Dan
20 Presley of Anchor Point requests that antlers from
21 moose harvested by Federally-qualified subsistence
22 users in Units 15B and 15C be cut in half and the cut
23 piece be turned into the U.S. Fish and Wildlife
24 Service.

25

26 The proponent states this requirement
27 would limit the use -- limit using the subsistence hunt
28 for hunting trophy bulls.

29

30 The regulatory history. There are no
31 existing Federal or State regulations that require the
32 destruction of antlers or horns from legally harvested
33 animals in Units 15B or C. Three similar proposals
34 addressing the destruction of antlers for trophy bulls
35 were rejected by the Board in 2008.

36

37 And just a little bit of a note here.
38 There's also been an additional opportunity to take --
39 an additional opportunity to take moose in Unit 15
40 under the State regs during this fall hunt that's due
41 to the addition of moose with spike requirements. The
42 previous year there was no ability to take spike and up
43 to 60 percent of the harvest is often spike -- bulls
44 with spike requirements. So this may lessen the
45 hunting pressure this fall.

46

47 Unit 15B, the biological background is
48 divided up into eastern and western sections. The
49 Kenai National Wildlife Refuge management objectives
50 are 25 to 30 bulls per 100 cows in the west, and 40 to

1 60 per 100 cows in the east. The State's management
2 objectives are 15 bulls per 100 cows in the west and 40
3 bulls per 100 cows in the east.

4
5 In 2001 in Unit 15B the population was
6 958 with a density of 1.5 per square mile. During that
7 survey, there were 21 percent calves. No composition
8 survey was done this year, because it was conducted in
9 February after most of the moose had shed antlers.

10
11 Composition counts in Unit 15B east in
12 2010 and '11, the bull/cow ratio was 33 per 100 cows,
13 which was down from 51 per 100 in 2009 and 2010. The
14 cow/calf ratio in 2010/11 was also down from -- down to
15 9 per 100 from 11 over 100 in 2009/2010.

16
17 The overall assessment is that the
18 moose population in 15B is declining.

19
20 And now we're going to talk about 15C,
21 so we're separating out the two units in discussion
22 here. Unit 15C is the most productive area for moose
23 on the Kenai Peninsula. Again the Kenai National
24 Wildlife Refuge objectives are 40 to 60 bulls per 100
25 cows in the Caribou Hills area, and 25 bulls per 100
26 cows in the remainder of Unit 15C. The State's
27 management objectives are 15 to 20 bulls per 100 cows.

28
29 The population based on the geospatial
30 analysis during 2001 to 2002 was 2,918. In 2010 was
31 2,195. In 2013 was 3,204. So the population basically
32 was around 2900 in early 2000s, 2010 was up to about
33 2200, and in 2013 it's up to 3200. The average
34 bull/cow since 2001 is 16. In 2010 there were 9 bulls
35 per 100 cows. In 2011 14 bulls per 100 cows. In 2013,
36 23 bulls per 100 cows. The State's assessment of the
37 moose population in Unit 15C is stable.

38
39 The harvest history. An average of 280
40 moose are taken annually from -- were taken annually
41 from 2001 to 2012 in Unit 15C, and 52 in Unit 15B.
42 Five moose per year are taken under the Federal
43 subsistence hunt in Units 15B and C. So not very many.

44
45
46 In Unit 15 breeding age bulls are
47 protected from over-harvest by antler restrictions.
48 Spike or spike fork or greater than 50 with three or
49 four brow tines per one side.

50

1 Under Federal regulations when antler
2 restrictions are in lace, antlers must be removed from
3 the field intact.

4
5 So the effects of the proposal are as
6 follows. If Proposal 14-13 is adopted it would require
7 any Federally-qualified subsistence user that harvests
8 an antlered moose on Federal lands under the Federal
9 subsistence regulations to cut the antler in half on
10 one side, destroying the trophy value of the antlers.
11 If this proposal is adopted, it could potentially
12 prevent Federally-qualified subsistence users from
13 making full use of the antlers for handicrafts.

14
15 Current Federal regulations require the
16 antlers be removed from the field intact. Federal
17 regulation also allows for the sale of moose antlers
18 once they are detached from the skull of a legally
19 harvested bull as long as they are not made to
20 represent a trophy. And most subsistence hunters take
21 moose that are readily available and do not actually go
22 after very large trophy-size bull moose.

23
24 OSM's preliminary conclusion for this
25 proposal is to oppose Proposal 14-13.

26
27 Justification is breeding aged bulls
28 are protected from over-harvest by the current antler
29 restrictions. The proposal requests that moose antlers
30 be destroyed by cutting the palms in half would
31 diminish or eliminate the value for creation of
32 handicrafts. There's no documented impacts for the
33 subsistence take of very large pulls during the
34 subsistence hunt on Federal lands. And it's also not
35 consistent with current historical subsistence
36 practices, and would be unnecessarily burdensome for
37 the subsistence hunters.

38
39 So that's it.

40
41 CHAIRMAN LOHSE: Thank you. Basically
42 this has no conservation concerns, because it doesn't
43 affect the amount of moose being taken or where they
44 can be taken. It just affects what has to happen to
45 the antlers, right?

46
47 MR. EVANS: That's correct.

48
49 CHAIRMAN LOHSE: Okay. Department of
50 Fish and Game.

1 ** MR. CRAWFORD: Department of Fish and Game.
2 Drew Crawford here.

3
4 For Wildlife Proposal 14-13, the State
5 supports this proposal. Conservative regulations have
6 been carefully established to ensure moose populations
7 are sustainable. Conservative management plans,
8 including moose antler restrictions, are implemented to
9 prevent over-exploitation.

10
11 The State proxy hunting restrictions
12 with antler destruction stipulations were designed and
13 implemented to prevent abuses to the proxy system.
14 This is especially true for easily accessible areas
15 where a single hunter might take numerous animals under
16 the proxy system at the expense of other hunters who
17 want to harvest their own game. Such abuses to the
18 system not only take opportunity away from other
19 hunters, but may cause conservation concerns in small
20 areas.

21
22 CHAIRMAN LOHSE: Question. Does this
23 affect a proxy hunt? I mean, are we dealing with a
24 proxy hunt, or are we.....

25
26 MR. CRAWFORD: No, that's just an
27 example of one the area where State uses the same
28 restriction. And why.

29
30 CHAIRMAN LOHSE: Right. And why. And
31 in this case here, we're dealing with an extremely low
32 number of moose taken over a wide area. And basically
33 what this is is again just destroying the antler for
34 the sake of destroying the antler so somebody doesn't
35 go out and hunt a big moose, which doesn't have
36 anything to do with conservation. Okay.

37
38 That's what I was wondering, because I
39 knew the State had a couple places. Somebody said that
40 they didn't have, but had a place where they did ask
41 for antlers destroyed. And I think they do up on the
42 Kuskokwim/Yukon or up there on the northern Yukon, too,
43 don't they?

44
45 MR. CRAWFORD: Yeah, I believe so. And
46 the folks up there requested this.

47
48 CHAIRMAN LOHSE: Yeah. They requested
49 that to keep people from flying in just to take their
50 big moose. Right.

1 Okay. Any questions for Fish and Game.

2

3 MS. CAMINER: Mr. Chair. So do State
4 regulations allow where you don't have a destruction
5 regulation for handicrafts to be made from moose
6 antlers?

7

8 MR. CRAWFORD: Yes.

9

10 CHAIRMAN LOHSE: Correct me if I'm
11 wrong on this, but if antlers are detached from the
12 skull, they're a saleable item. They can be bought and
13 sold, turned into handicrafts and everything, am I
14 correct on that?

15

16 MR. CRAWFORD: I'll have to look into
17 that. I'm a fish biologist, so I'll have to do a
18 little research to give you an answer.

19

20 CHAIRMAN LOHSE: Okay. All I know is I
21 see lots of places that have.....

22

23 UNIDENTIFIED VOICE: A fish biologist
24 to a wildlife meeting. Come on. Oh, man.

25

26 MR. MIKE: Mr. Chair, if I can
27 interrupt. Folks on line, if you can mute your phone
28 system. We can hear you in the background noise. And
29 if you don't have the mute function, please hit star 6.
30 Thank you.

31

32 CHAIRMAN LOHSE: Okay. So if -- I
33 mean, because there are -- I know they buy them in
34 Anchorage, they buy them along the road. There's a lot
35 of advertisements: we buy antlers, we buy horns, stuff
36 like this. So, you know, if it was illegal, there sure
37 would be an easy enforcement problem, and there
38 evidently isn't any. I think that if they're detached
39 you can do it, but in this case here we're not dealing
40 with that. We're not dealing with sale other than the
41 fact that it would destroy the value if a subsistence
42 user wanted to sell it.

43

44 MS. CAMINER: Exactly. And make it
45 into something else.

46

47 CHAIRMAN LOHSE: Okay. Any questions
48 for Fish and Game.

49

50 (No comments)

1 CHAIRMAN LOHSE: Okay. Then we have
2 Federal agencies, Native, tribal, villages, or
3 InterAgency Staff Committee comments. Mr. Henrichs.

4
5 MR. HENRICHS: You know, a funny thing.
6 Now there's a big business in taking a moose rack and
7 then making a mold and then making an artificial one.
8 And I've seen some, and they look exactly like them.
9 I've seen some that were taken off of a world record
10 moose, and they're selling for big money.

11
12 CHAIRMAN LOHSE: Yeah. I'd make a
13 comment on that, Mr. Henrichs, but I won't at this
14 point in time. I'll tell you a joke later. Okay.
15 I've been told to cut it down.

16
17 Anyhow, local Fish and Game Advisory
18 Committee or Regional Councils. Any comments.

19
20 (No comments)

21
22 CHAIRMAN LOHSE: National Park Service
23 Subsistence Resource Committee, do they have a comment.

24
25 (No comments)

26
27 CHAIRMAN LOHSE: Then we go to summary
28 of written comments.

29
30 MR. MIKE: Mr. Chair. There were no
31 written comments on this proposal. Thank you.

32
33 CHAIRMAN LOHSE: And public testimony.
34 Do we have any public testimony.

35
36 (No comments)

37
38 CHAIRMAN LOHSE: No. Okay. With that,
39 a motion to accept WP14-13 is in order by the Council.

40
41 MS. CAMINER: So move, Mr. Chair.

42
43 CHAIRMAN LOHSE: So move. Do I have a
44 second.

45
46 MR. ENCELEWSKI: I'm going to second
47 it, Mr. Chairman, so I could vote on it.

48
49 CHAIRMAN LOHSE: Good. I'm glad you
50 did that.

1 Okay. Discussion.

2

3 MS. CAMINER: Go ahead, Greg.

4

5 MR. ENCELEWSKI: I don't know how to
6 say this. I need to control myself. But if I've ever
7 seen anything so asinine as this, I think this takes
8 the cake. Hunters, you know, if they're allowed to
9 Federally take that moose, to use that horn for art
10 work, whatever, I see absolutely no reason to
11 destruction that.

12

13 In fact, I personally know the guy that
14 submitted this, and he is a trophy hunter and hunts
15 with horses. I don't think he would destroy his.

16

17 But anyway, I put that forth to you,
18 and I really -- I am totally opposed to this.
19 Subsistence users take very few moose down there. They
20 don't hunt for trophy, but when they do get it, there
21 are certain people that use, artwork it, very beautiful
22 artwork, and other things that they use it. They use
23 that whole moose as their subsistence experience,
24 culturally and everything else. And so I am opposed to
25 it.

26

27 Thank you, Greg.

28

29 Judy.

30

31 MS. CAMINER: Mr. Chair. And I
32 certainly appreciate Greg's comment.

33

34 I think just in general it's better,
35 even though perhaps we're all going to oppose the
36 proposal, to have on the record our reasons for this,
37 because the Federal Board will still take it up.

38

39 So having said that, this proposal
40 clearly would be detrimental to subsistence users.
41 While we know moose populations are being very
42 carefully watched in these units, so conservation
43 concern, I don't think we have to worry about. As
44 Ralph said, we're talking about antlers, not more
45 moose. So I would oppose the motion.

46

47 CHAIRMAN LOHSE: Thank you, Judy.

48

49 And I want to throw in one comment,
50 because we've discussed this in the past before. A

1 perfectly good subsistence use of your moose antlers is
2 to hang it on your garage door or over your house. It
3 doesn't -- if we go back into subsistence history or
4 prehistory, we find that people have always, you know,
5 hung claws or teeth or antlers or something as art of
6 their subsistence experience. I don't think anybody's
7 hunting moose to enter them in the Boone and Crocket
8 Club or competing with the trophy hunters, but if you
9 have a nice moose, you should be able to hang it over
10 your door.

11

12 MR. McLAUGHLIN: Mr. Chairman.

13

14 CHAIRMAN LOHSE: Mary.

15

16 MS. MILLS: I as well oppose this. I
17 don't see where it has any conservation concerns, and I
18 know a lot of subsistence users do use the horns for
19 handicraft and for their handicraft items.

20

21 CHAIRMAN LOHSE: Thank you. Andy.

22

23 MR. McLAUGHLIN: Yeah, I'm in 100
24 percent agreement with everybody that's been speaking
25 here on the RAC. It makes no sense to me to open up a
26 door for some burden about the antlers that a
27 subsistence user is going to utilize them for, so I
28 would not have them destroyed.

29

30 CHAIRMAN LOHSE: Thank you. Any other
31 comments.

32

33 MR. ENCELEWSKI: Mr. Chairman. I've
34 just got to make one more comment.

35

36 CHAIRMAN LOHSE: You're welcome to.

37

38 MR. ENCELEWSKI: When you stated about
39 the hanging it on the wall or whatever, and I'm
40 stepping out there, but, you know, a lot of the people
41 I know, there's a lot of stories and folklore and
42 things that are passed on from generations over horns
43 and over hunts and over things. They are traditionally
44 stories. I could tell you about a moose that drowned
45 in Ninilchik Lake, on my grandfather's lake. I have
46 those horns hanging on my garage to this day. But I
47 can't disclose any more about that, because it was like
48 in a closed season, the first of October. But that's
49 all I'll say.

50

1 (Laughter)
2
3 CHAIRMAN LOHSE: Well, Greg, and I'll
4 agree with you 100 percent. I mean, the horns that are
5 hanging there are the stories. And they're the stories
6 that you pass down to your kids. You tell them about
7 when you got it, where you got it, and they pass their
8 stories down to their friends and their kids. And I
9 would hate to think of having to go into my house and
10 destroy all of the antlers, because they were not taken
11 as trophies, you know.
12
13 Okay. With that, I think we've all
14 made ourselves fairly clear. We've made ourselves
15 clear on this in the past. I think somebody better
16 call the question before we take too much.
17
18 MS. CAMINER: Question.
19
20 MS. MILLS: Call the question.
21
22 CHAIRMAN LOHSE: The questions been
23 called. All in favor signify by saying aye.
24
25 SEVERAL: Aye.
26
27 MS. CAMINER: Aye. Oh, sorry. Could
28 you say that again? Excuse me.
29
30 CHAIRMAN LOHSE: The motion on the
31 table is to require the destruction of antlers. And I
32 don't know if that was understood.
33
34 MS. CAMINER: No, no, we didn't
35 understand that.
36
37 CHAIRMAN LOHSE: Okay. That's the
38 motion. We did not make the motion in the negative.
39 We made a motion in the positive.
40
41 MS. CAMINER: Right.
42
43 CHAIRMAN LOHSE: So WP14-13 requires
44 the destruction of moose antlers taken in the
45 subsistence hunt. All in favor signify by saying aye.
46
47 (No affirmative votes)
48
49 CHAIRMAN LOHSE: All opposed signify by
50 saying nay.

1 IN UNISON: Nay.

2

3 CHAIRMAN LOHSE: Motion fails
4 unanimously.

5

6 Okay. We now go on to WP13-14 [sic].
7 And this requests a positive customary and traditional
8 use determination for goat in Unit 11 for residents of
9 Kenny Lake.

10

11 MR. HENRICHS: Where do you live?

12

13 CHAIRMAN LOHSE: Kenny Lake. That's
14 part of my home. Submitted by the Wrangell-St. Elias
15 National Park Subsistence Resource Committee.

16

17 MS. INGLES: Good afternoon, Mr.
18 Chairman and Council members. I'm Palma Ingles with
19 the Office of Subsistence Management. I'm an
20 anthropologist and also the coordinator for the
21 Partners Program which you'll hear about later.

22

23 Proposal WP14-14 was submitted by the
24 Wrangell-St. Elias National Park Subsistence Resource
25 Commission. And they request a positive customary and
26 traditional use determination for goat in Unit 11 for
27 the residents of Kenny Lake.

28

29 The proponent states that residents of
30 Kenny Lake have subsistence use patterns that closely
31 resemble those of other communities that have positive
32 C&T use determination for goat in Unit 11, and
33 therefore should be added to the customary and
34 traditional use determination. Further, the proponent
35 states that the residents of Kenny Lake may have been
36 inadvertently omitted from the current C&T traditional
37 use determinations.

38

39 Under current Federal subsistence
40 regulations, the C&T uses of residents of the proposal
41 area have also been recognized by the Federal
42 Subsistence Board for moose, caribou, black and brown
43 bear, sheep, and wolf in Unit 11. The proposed
44 regulation change would more closely align the
45 customary and traditional use determination for goat
46 with these other species.

47

48 So when the Federal Subsistence Board
49 assumed management of subsis -- I can't talk today --
50 subsistence wildlife resources on Federal lands, and

1 they adopted what the State of Alaska had for the C&T
2 use determinations, there was no subsistence
3 determination for goat under the State regulations.

4
5 In 1997 the Board adopted Proposal 22
6 which addressed C&T uses of goat in Unit 11. The Board
7 recognized C&T use of goat for the residents of Unit 11
8 and the residents of Chistochina, Chitina, Copper
9 Center, Gakona, Gulkana, Mentasta Lake, and the Native
10 Village of Dot Lake, Tonsina, and Tazlina.

11
12 As far as they're figuring out, and
13 Barbara's here, I spoke with her in person, she thinks
14 that they were just inadvertently left out by the
15 Council when they voted on all this. So it's not on
16 the list, but it should have been on the original list.

17
18 Wrangell-St. Elias National Park and
19 Preserve in cooperation with Alaska Fish and Game
20 conducted subsistence harvest surveys in the winter of
21 2013 in Kenny Lake and Willow Creek, and the data is
22 still being processed. But the residents of these two
23 communities were asked if they had ever hunted goat,
24 and if so, where. And the preliminary data showed that
25 10 households harvested 25 goats in a 43-year period.
26 Three of the harvests took place in Unit 11.

27
28 So the Board had previously determined
29 that residents of Unit 11, as well as residents of
30 several communities in Unit 13, generally exhibit the
31 eight factors for goat for C&T, and thus have made
32 positive customary and traditional use determinations
33 for these residents. Kenny Lake residents who reside
34 in Unit 13 have harvested goat in Unit 11. The
35 residents of Kenny Lake share similar subsistence
36 patterns with the residents of Copper Center and
37 Chitina which are both in close proximity to the
38 proposed area.

39
40 There are 23 resident zones for
41 Wrangell-St. Elias National Park, including Kenny Lake.

42
43
44 Because positive customary and
45 traditional use determinations have been added for
46 Kenny Lake and for other species, it followed that goat
47 should be included along the same rationale.

48
49 So if WP14-14 is adopted, no effects on
50 goat populations are anticipated. It is not expected

1 that goat harvest would increase substantially.
2 Preliminary data analysis from the surveys conducted in
3 January of 2013 show that 10 Kenny Lake and Willow
4 Creek households had harvested goat in the last 43
5 years.

6
7 So the OSM preliminary conclusion is to
8 support Proposal WP14-14.

9
10 The residents of Kenny Lake may have
11 been inadvertently excluded during the previous C&T use
12 determinations for goats. And the residents of the
13 proposal area have subsistence use patterns similar to
14 those which are in close proximity to the proposal
15 area, which also had C&T designation.

16
17 CHAIRMAN LOHSE: Thank you. Any
18 questions.

19
20 (No comments)

21
22 CHAIRMAN LOHSE: None. Alaska
23 Department of Fish and Game.

24
25 ** MR. CRAWFORD: Drew Crawford with the Alaska
26 Department of Fish and Game.

27
28 On Wildlife Proposal 14-14, the
29 Department of Fish and Game has no recommendation.
30 This is an allocation issue with no biological
31 concerns.

32
33 CHAIRMAN LOHSE: Thank you. Any
34 questions for Fish and Game.

35
36 (No comments)

37
38 CHAIRMAN LOHSE: Thank you. Do we have
39 any other Federal agencies, tribal agencies, or
40 InterAgency Staff Committee that would like to speak to
41 this one. There's Barbara. Good.

42
43 MS. CELLARIUS: Mr. Chair. Barbara
44 Cellarius from Wrangell-St. Elias. And I'll present
45 the SRC comments later.

46
47 But I just wanted to let you know about
48 the survey. We actually added this question to the
49 survey about a lifetime history of goats specifically
50 to try to get some data for this survey.

1 However, I also would note that it was
2 a sample of the community. It was not -- we did not
3 interview every household in the community, so there
4 may have been additional households that actually
5 harvest goat. But from the -- and I don't -- we're not
6 far enough along in that survey for me to tell you
7 whether it was, you know, half the communities, half
8 the households in the community. I think that was
9 roughly what we were trying to get at. So just so you
10 know, it was a sample of the community, not every
11 single household in the community that that data
12 represents.

13
14 CHAIRMAN LOHSE: Any questions for
15 Barbara.

16
17 (No comments)

18
19 CHAIRMAN LOHSE: Thank you, Barbara.

20
21 Summary of written comments. Do we
22 have any.

23
24 MR. MIKE: Thank you, Mr. Chair.
25 There's written comments received, and these comments
26 didn't make it in time to be published in our book, in
27 our meeting materials, but the copies are provided in
28 front of you that was handed out this morning.

29
30 The Ahtna Customary and Traditional Use
31 Committee supports Proposal WP14-14 to add Kenny Lake
32 to the list of communities with positive C&T
33 determinations for goat in Unit 11. Residents live
34 close to the area where Unit 11 goat are, and have
35 hunted for and harvested goat in this area. A few
36 residents of Kenny Lake have harvested goat in Unit 11,
37 and should have a positive C&T determination for goat.

38
39 Mr. Donald Woodruff of Eagle supports
40 Proposal WP14-14 for goat. Many communities harvest
41 resources and don't document their use, but that does
42 not mean that the resources are not being used. Often
43 oral traditional use is all that exists. Many people
44 use resources and pass that knowledge on to family
45 members through oral traditions. He feels that Kenny
46 Lake was overlooked when C&T determinations were done.

47
48 Thank you, Mr. Chair.

49
50 CHAIRMAN LOHSE: Thank you, Donald.

1 Do we have any public comments.
2 Barbara.
3
4 MS. CELLARIUS: I'm a little confused
5 about the order, and whether you wanted advisory group
6 comments.
7
8 CHAIRMAN LOHSE: Okay. Did you give me
9 -- I'm sorry.
10
11 MS. CELLARIUS: I gave you Federal
12 agency comments.
13
14 CHAIRMAN LOHSE: Right.
15
16 MS. CELLARIUS: Speaking as the
17 subsistence coordinator who is managing a research
18 project. And now I would like to give you.....
19
20 CHAIRMAN LOHSE: SRC comments.
21
22 MS. CELLARIUS:SRC comments.
23
24 CHAIRMAN LOHSE: Okay. That's fine.
25
26 MS. CELLARIUS: Yeah. No, I just.....
27
28 CHAIRMAN LOHSE: I'm a little confused,
29 too.
30
31 MS. CELLARIUS: It's hard when I wear
32 two hats. And maybe I should like bring two different
33 hats so you know who I am.
34
35 CHAIRMAN LOHSE: Okay. Go ahead.
36 You're SRC right now.
37
38 MS. CELLARIUS: Right now I am going to
39 present the comments from the Wrangell-St. Elias
40 National Park Subsistence Resource Commission, which
41 unanimously supports the proposal.
42
43 Kenny Lake is surrounded on all sides
44 by other communities that have a positive customary and
45 traditional use determination for goat in Unit 11. And
46 Kenny residents already have C&T for most large mammal
47 species in Unit 11.
48
49 The data presented in the analysis as
50 well as common sense support recognizing Kenny Lake as

1 having a positive C&T for goat in Unit 11.

2

3 CHAIRMAN LOHSE: Thank you. Okay.
4 With that we need a Regional Council Motion to put
5 WP14-14 on the table. Mary.

6

7 MS. MILLS: I make a motion to put
8 WP14-14.

9

10 MR. HENRICHS: I'll second.

11

12 CHAIRMAN LOHSE: And it's been seconded
13 by Mr. Henrichs.

14

15 This -- if we were the Federal Board,
16 we would say that we had consensus on this. We had
17 Ahtna, we had written testimony, we had the SRC, and
18 like it says, common sense. And there is no
19 conservation concern. And I'm not even going to enter
20 into anecdotal stories. So we'll just let it go at
21 that.

22

23 I'll just say that I did have a couple
24 people from Kenny Lake call me with concern on this,
25 because they do hunt up there, and they felt like they
26 should be able to take goat under Federal regulations
27 also.

28

29 MS. CAMINER: Mr. Chair. Certainly
30 this would be beneficial to subsistence users, so I
31 would support the motion, and hopefully once the
32 results of the study come in, we'll get to see that as
33 well. And I imagine we'll support what we've already
34 heard.

35

36 Thank you.

37

38 CHAIRMAN LOHSE: Any other comments.
39 Discussion.

40

41 (No comments)

42

43 CHAIRMAN LOHSE: Question's in order.

44

45 MR. ENCELEWSKI: Call the question.

46

47 CHAIRMAN LOHSE: Question on WP14-14
48 adding Kenny Lake to the list of resident zone
49 communities that are listed with positive C&T for goat
50 in Unit 11. All in favor signify by saying aye.

1 IN UNISON: Aye.
2
3 CHAIRMAN LOHSE: All opposed signify by
4 saying nay.
5
6 (No opposing votes)
7
8 CHAIRMAN LOHSE: Motion carries.
9
10 With that we go on to WP14-15/45. And
11 this is on caribou. This is on one that we've had
12 before on the Chisana caribou. And we're going to take
13 a look at revising the list of eligible residents
14 exempt from the closure. And this is exempt.
15
16 MS. STICKWAN: Sir, you were going to
17 take up Proposal.....
18
19 (Whispered conversation)
20
21 CHAIRMAN LOHSE: Okay. My fault. I
22 forgot that I had put that on the thing that we were
23 going to move 11 down to 16, and do 11 and 16 at the
24 same time since they deal with the same caribou herd.
25
26 So if that's the case, we will now go
27 on to WP14-16. WP-16. And that is on Page, for those
28 of you that need to find the page like I do, that's on
29 Page 145.
30
31 MR. JOHNSON: Mr. Chair.
32
33 CHAIRMAN LOHSE: Yes.
34
35 MR. JOHNSON: I'd like to take the
36 opportunity since you just did a proposal on C&T to
37 correct the record, earlier Council Member Henrichs
38 requested an update as to the Board's position on
39 deference regarding C&T and rural determination. I
40 incorrectly stated that the Board had not decided
41 regarding either.
42
43 Since this was before my time, it was
44 not my institutional memory, but in your winter 2011
45 meeting books there was a summary of a January 5, 2011
46 executive session by the Federal Subsistence Board that
47 covered several items. And one of them, I'll provide
48 you a copy of this, but I'll read it into the record.
49
50 There was a section where they

1 discussed updates on the Secretarial review. One of
2 them states, as a matter of policy -- and this was the
3 Secretarial required this. As a matter of policy,
4 expand deference to appropriate Regional Advisory
5 Council recommendations in addition to the takings
6 decision of the Board provided under Section .805(c) of
7 ANILCA subject to the three exceptions found in that
8 section. The Board states then, the Federal Subsistence
9 Board will generally defer to Regional Councils on C&T,
10 but likely not on rural as the courts have ruled that
11 rural is an absolute term. The Federal Subsistence
12 Board had not yet decided on whether or not it will
13 defer to the RACs on the rural process.

14
15 And then I'll add that there was an
16 April 27, 2012 letter from the Board to then Secretary
17 Salazar providing an update on the Secretarial review.
18 And one of those items updating the Secretary further
19 on that issue stated, the Federal Subsistence Board has
20 addressed and has expanded deference to include
21 customary and traditional use determinations.

22
23 So this letter will be handy, because
24 it does a complete overview, update on the Secretarial
25 review, including that item. And then I'll also
26 provide a copy of that executive session summary.

27
28 Thank you, Mr. Chair.

29
30 CHAIRMAN LOHSE: Thank you.

31
32 Okay. With that we go to WP14-16,
33 which is a new winter hunt for moose in the southern
34 portion of Unit 11 from November 20th to December 20th.
35 Submitted by the Wrangell-St. Elias National Park
36 Subsistence Resource Commission.

37
38 MR. EVANS: Thank you, Mr. Chairman and
39 members of the Board -- members of the Council. My
40 name is Tom Evans, and again I'll be presenting this
41 proposal, and as well as 17 that comes up next.

42
43 Proposal WP14-16 submitted by Wrangell-
44 St. Elias National Park Subsistence Resource Commission
45 requests a new winter hunt for moose in a southern
46 portion of Unit 11 from November 20th to December 20th.
47 This would provide an opportunity for Federally-
48 qualified subsistence users to hunt moose during a
49 winter season when moose are more accessible by
50 snowmachine. Also it would make it easier for those

1 that live off the electrical grid and don't have
2 freezers to keep the moose from spoiling.

3

4 A little bit on the regulatory history.
5 In 1992 the Federal Subsistence Board added 10 days to
6 the moose season in Unit 11, aligning it with the
7 seasons in adjoining subunits in Units 6, 12, and 13.

8

9 In 1999 the Board approved with
10 modification a five-day extension to the Unit 11 moose
11 season at the beginning of the season which provided
12 additional opportunity for subsistence harvest while
13 protecting the moose population during the breeding
14 season. It also aligned the Federal and State season.

15

16 In 2012 the Board adopted Proposal
17 WP12-70 which divided Unit 11 into two hunt areas and
18 created a single Federal/State registration permit to
19 administer the hunts in Unit 11 and 12 along the
20 Nabesna road, and a Federal registration permit in Unit
21 11 remainder.

22

23 The Alaska Board of Game also
24 established a winter community subsistence hunt in Unit
25 13 from December 1st to December 31st, 2014.

26

27 A little bit on the biological
28 background. The State's management objectives are to
29 maintain a post-hunt bull/cow ratio of 30 bulls per 100
30 cows, of which 15 are adult.

31

32 No moose survey has been conducted in
33 the proposed winter hunt area. There are three main
34 surveys that have been conducted in Unit 11
35 historically. ADF&G has conducted aerial population
36 and composition trend surveys every other year in the
37 Mount Drum area since 1998. The second one, the
38 Wrangell-St. Elias Staff have conducted surveys at the
39 northern end of Unit 11, which is Upper Copper River,
40 from 2003 to 2008. And the third one is the geospatial
41 population estimators, or also known as GSPC surveys,
42 were conducted in 2007, 2010, and 2011 throughout Unit
43 11 by the Wrangell-St. Elias Staff.

44

45 The GSPC surveys provide the best
46 population data. Unit 11 is a really large area, and
47 Map 2 in the analysis kind of shows the location of
48 these survey efforts.

49

50 Table 3 presents the most comprehensive

1 and reliable population information that we have from
2 the GSPE surveys conducted in Unit 11 in 2007 and 2010.
3 The overall population estimates are similar from 2007
4 to 2010. Moose densities were two to three times
5 higher in the Upper Copper River than in the Mount Drum
6 area and Crystalline Hills area. The Upper Copper
7 River area showed an increase from 2007 to 2010,
8 whereas the Mount Drum area, an area normally monitored
9 by the State, declined, and the Crystalline areas
10 remained about the same.

11
12 Bull/cow ratios remained above the
13 State management goals in all areas. The bull/cow
14 ratio along the Nabesna Road corridor, 34 bulls per 100
15 cows, is in an area that's heavily hunted, was lower
16 than the other areas surveyed by the GSPC survey
17 techniques.

18
19 Predation on calves by bears and wolves
20 has been shown to be an important limiting factor on
21 some of the moose populations.

22
23 And the Wrangell-St. Elias Staff hope
24 to be able to conduct a moose survey in the proposed
25 hunt area probably next year.

26
27 I'd also like to take at this time just
28 a thank you to Barbara Cellarius and Judy Putera for
29 helping with providing some of the data and stuff that
30 was used in the analysis here.

31
32 Harvest history. From 1963 to 1974 an
33 average of 164 moose were harvested annually. During
34 this time there was both a fall and winter and cows
35 made up as much as 50 percent of the harvest. In
36 response to declining numbers the seasons were
37 shortened, the winter season was eliminated, and there
38 was a restriction to a bull only harvest. From 1975 to
39 1978 -- '89, an average of 45 bulls per year were
40 harvested. So that's a big drop from the 164 mentioned
41 at the earlier time frame. During the 1990s the annual
42 harvest in Unit 11 was 34 per year. Since 2000 the
43 average harvest, including an estimate of 10 unreported
44 moose each year in Unit 11 was 58. And since 2000 an
45 average of 10 moose have been taken each year in the
46 proposed winter hunt area.

47
48 The effects of the proposal. If
49 Proposal 14-16 is adopted, it would establish a winter
50 moose season from November 20th to December 20th in a

1 portion of Unit 11. The season would provide
2 Federally-qualified subsistence users with an
3 additional opportunity to harvest moose that are
4 difficult to access during the fall season. If
5 adopted, a Federal registration permit with a harvest
6 quota announced by the Wrangell-St. Elias Park would be
7 established to ensure that the harvest levels are
8 sustainable. A month-long season would allow the
9 hunters to take advantage of periods of good weather.

10

11 OSM's preliminary conclusion is to
12 support Proposal WP14-16 with a modification to delete
13 the regulatory language in the proposed Unit 11 moose
14 regulation and delegate the authority to the Wrangell-
15 St. Elias Park and Preserve superintendent to open and
16 close any portion of the season and establish a quota
17 for the winter moose season from November 20th to
18 December 20th via delegation of authority letter which
19 was included as an appendix 1 in the document.

20

21 Note. During the fall season one
22 antlered bull may be taken from August 20 to September
23 in the proposed hunt area, but during the winter
24 season, November 20th/December 20th, one bull may be
25 taken.

26

27 The justification for the preliminary
28 conclusion is a winter moose would allow subsistence
29 hunters to take advantage of favorable weather and
30 provide more opportunity to harvest a moose. Since the
31 hunt will occur in the winter, it will make it easier
32 for users who don't have electricity to keep the moose
33 from spoiling. Moose populations in the area surveyed
34 in the unit have remained relatively stable to slightly
35 increasing in recent years. Now, this is the areas
36 that aren't in the winter area, but it's the other
37 areas in Unit 11 that have been surveyed. The
38 population should be able to sustain a small harvest of
39 bulls during the winter season. And thirdly, the
40 winter harvest should be low and will be controlled by
41 the use of registration permits and quotas set by the
42 Wrangell-St. Elias Park and Preserve Superintendent.

43

44 Thank you, Mr. Chairman. That's all I
45 have.

46

47 CHAIRMAN LOHSE: Thank you. Yeah.

48

49 MR. ARDIZZONE: Mr. Chair. I just want
50 to come up here and add some clarification. Striking

1 that language out of the regulation is something we've
2 been trying to do throughout the regulation booklet, is
3 get rid of delegated authority and it's in regulation,
4 and put it in a letter. It makes it easier if the
5 Board wants to remove that delegation than having to go
6 through the whole regulatory process to get rid of it.
7 So it's kind of been a standard practice that we've
8 been working on, getting it out of the official
9 regulations, putting it in a letter.

10

11 CHAIRMAN LOHSE: Thank you. Okay. So
12 what I got out of this mostly is that at this current
13 time there is no conservation concern involved in this
14 one here, that we expect the harvest to be low, that
15 it's a limited amount of users, and it's hard to
16 access.

17

18 MR. EVANS: That is correct, sir.

19

20 CHAIRMAN LOHSE: Okay. Fish and Game
21 Advisory -- Department of Fish and Game .

22

23 ** MR. CRAWFORD: Yeah. Drew Crawford, Department
24 of Fish and Game.

25

26 For Wildlife Proposal 14-16, the
27 Department has two options to consider. The first
28 option is amend and adopt. And they recommend amending
29 the proposal by changing the bag limit to one antlered
30 bull to protect the bull segment of the population from
31 over-harvest, and reduce the potential for cow harvest
32 during the period when bulls are losing their antler.
33 Imposing an antlered bull requirement will protect some
34 bulls from harvest and help alleviate -- and help
35 alleviate our concern about the potential for over-
36 harvest given the lack of information needed to set a
37 quota.

38

39 Now the background on this is the dates
40 proposed for this winter hunt surround the post rut
41 concentration period where almost all the moose are up
42 at high elevation. For example, the area the proponent
43 of this proposal states it's difficult to hunt during
44 the fall season. Moose typically start to disperse in
45 mid December, but they don't typically move down in
46 elevation until later in the winter. Sometimes as late
47 as January or February when they concentrate along
48 river drainages. Moose would likely be less
49 concentrated in January and February, reducing the
50 chance for high harvest, but most bulls will have

1 dropped their antlers by that time, making it difficult
2 to identify bulls from cows. However, some bulls will
3 carry this antlers into January.

4
5 Moose start to concentrate again along
6 drainage bottoms in March and April. However, late
7 winter hunts are usually not recommended until a
8 population is relatively high, because moose are in
9 poor condition and easily disturbed.

10
11 So that is option number 1 for your
12 consideration.

13
14 Under conservation concerns, the
15 Department as this to say. The proposal indicates that
16 hunt quotas would be set by the Wrangell-St. Elias
17 National Park and Preserve superintendent based on
18 current population data. However, no data has been
19 collected for this specific hunt area. The Wrangell-
20 St. Elias geospatial moose surveys are scheduled every
21 three years, and the next one is in 2013, with a
22 boundary slightly west of this hunt area. The
23 Department recommends that the Wrangell-St. Elias Staff
24 conduct some late winter trend counts in the proposed
25 hunt area to document the number of moose in the area
26 as well as any effect the hunt may have.

27
28 So the Alaska Department of Fish and
29 Game cannot support this new winter hunt until the
30 regularly scheduled data supports such an opening.

31
32 Therefore the second option they
33 propose is defer this proposal to a future Federal
34 Subsistence Board meeting when the survey information
35 is available for the proposed hunt area to set a quota.

36
37 CHAIRMAN LOHSE: Thank you. If I
38 understood the first portion correct, by limiting it to
39 antlered bulls, the concept would be that some of the
40 bulls would have dropped their antlers so they would be
41 out of the pool. And if I understand -- if I'm talking
42 from what my observation is, some of the first ones to
43 drop their antlers are the big ones. And so the big
44 ones would have dropped theirs; you'd be more likely to
45 get a nice spike or a nice fork or something like that,
46 which would be better eating at that time of the year
47 anyhow. But that's a -- I could see that.

48
49 But that's what it's -- the one I'm
50 looking at right now on the proposed says -- okay. It

1 just one bull. It was one antlered up above there.
2 Okay.

3
4 And what was the other part of that
5 first part of the proposal. It wasn't to delay it
6 until January or anything like that, was it?

7
8 MR. CRAWFORD: No.

9
10 CHAIRMAN LOHSE: Okay. It was -- that
11 was just explaining how they disperse and things like
12 that.

13
14 MR. CRAWFORD: Yes.

15
16 CHAIRMAN LOHSE: Okay. So basically it
17 would be the same season, but limit it to bulls with
18 antlers only.

19
20 MR. CRAWFORD: One antlered bull.

21
22 CHAIRMAN LOHSE: And the second one was
23 to wait until we have some data.

24
25 Any other questions for Fish and Game.

26
27 (No comments)

28
29 CHAIRMAN LOHSE: Thank you.

30
31 Okay. So we have Federal agencies.
32 Barbara, are you going to talk for a Federal agency or
33 just for the SRC this time? You're what?

34
35 MS. CELLARIUS: SRC only.

36
37 CHAIRMAN LOHSE: Okay. SRC only.
38 Native, tribal, village, and other, InterAgency Staff
39 Committee. Do we have anybody from them.

40
41 (No comments)

42
43 CHAIRMAN LOHSE: Advisory group
44 comments, neighboring Regional Council comments, local
45 Fish and Game Advisory comments, and the SRC.

46
47 MS. CELLARIUS: Thank you, Mr. Chair.
48 And I will point out that the Park's wildlife biologist
49 is here. If there were questions, she'd certainly be
50 happy to answer them. But I'm just going to present

1 the comments from the SRC.

2

3 So this is the SRC proposal. And the
4 Commission supports the proposal with modification to
5 add some additional things to the delegation of
6 authority. And so they suggest adding to the
7 delegation of authority the ability to limit the number
8 of permits and to announce the reporting period. And
9 this is similar to the delegation of authority that
10 exists for the Chisana Caribou Herd hunt.

11

12 This season would provide additional
13 subsistence opportunity on a moose population that is
14 difficult to access during the existing fall season,
15 and consequently lightly harvested. The delegation of
16 authority to the Park superintendent to open the
17 season, announce the harvest quota, number of permits
18 to be issued, and reporting period, and to close the
19 season would provide the tools needed to limit the
20 harvest to a sustainable level, and thereby address any
21 conservation concerns.

22

23 Educational material could be provided
24 to permittees about how to distinguish antlerless bulls
25 from cows and such a handout could also remind hunters
26 not to harass the animals with their snowmachines.

27

28 CHAIRMAN LOHSE: Thank you, Barbara.
29 Then I'm going to ask you a question then. If we had
30 that kind of delegation of authority, and we approve
31 the hunt, but the information that came in from the
32 survey would show that there would be insufficient
33 animals for a hunt or how many animals that the hunt
34 could have, the Park superintendent would then set the
35 quota based on the information he gets, because we're
36 not setting a quota right here.

37

38 MS. CELLARIUS: Right. This allows the
39 superintendent to set the quota based on the available
40 information. That was what the SRC had put in their
41 original proposal. And, you know, one of the things in
42 the delegation of authority is opening the season. If
43 there aren't enough animals to harvest, you don't open
44 the season.

45

46 CHAIRMAN LOHSE: Okay. So basically
47 what we would be doing if we voted on this proposal
48 would be agreeing to the concept of the season and
49 setting time and everything, but that could be then
50 completely changed by the superintendent. I mean,

1 basically he does not have to open it on November 20th.
2 We're saying that it could be opened between November
3 20th to December 20th, but the superintendent could say
4 there are insufficient moose, I'll open it on November
5 25th and I'll close it on December 5th.

6
7 MS. CELLARIUS: You know, I would look
8 to somebody like Chuck in terms of experience with the
9 delegations of authority, but it seems to me that
10 that's probably within the realm of the delegation.

11
12 MS. CAMINER: Opening and closing.

13
14 CHAIRMAN LOHSE: Uh-huh. Opening and
15 closing the season, that sounds to me like it would be.

16
17
18 Chuck.

19
20 MR. ARDIZZONE: Mr. Chair. That's
21 correct. And in theory if the superintendent could set
22 the quota, if there's no harvestable surplus, he could
23 set it at zero and never have a season.

24
25 CHAIRMAN LOHSE: And that should answer
26 the conservation concerns of the State is what I would
27 be thinking at that point in time.

28
29 MS. CELLARIUS: And I would add the SRC
30 is recommending two additions to their original
31 proposal to the delegation of authority. One being to
32 set the number of permits and the other being to
33 establish the reporting period. So we used these with
34 the Chisana hunt. You know, we have a quota of seven
35 for that hunt. We only give out a maximum of 14
36 permits. At least that's what we've done the last
37 couple of years. So there aren't an unlimited number
38 of hunters out.

39
40 We also require them to call us or
41 other wise report within three days. We discussed with
42 a variety of stakeholders what was the minimum
43 reporting time that was sort of feasible with that
44 hunt. They can call me. They can call me. They can
45 send me an email if they harvest an animal. Sometimes
46 we have to do some follow up to get the full harvest
47 report, but I get -- I have gotten for the last two
48 years within three days somebody gets an animal, I've
49 hears. And so I think that also helps us with managing
50 the hunt.

1 CHAIRMAN LOHSE: Okay. Thank you. Any
2 questions for Barbara.

3
4 (No comments)

5
6 CHAIRMAN LOHSE: Thank you, Barbara.

7
8 Judy.

9
10 MS. CAMINER: Actually I might have a
11 question for Chuck since you're there. Just looking at
12 the State and the Federal existing regulations, and I
13 know this is not what was asked to be changed, but I'm
14 just not sure I understand, for the State it says,
15 existing State regulation, Unit 11 remainder, residents
16 one bull. But on the Federal program, and this is just
17 for August 20th to September 20th, so it's not even
18 part of what's being asked to be changed, but I'm just
19 trying to understand this. But for the Federal program
20 it says one antlered bull for that same time. I mean,
21 maybe it's pretty identical and it doesn't matter, but
22 it doesn't exactly match.

23
24 CHAIRMAN LOHSE: At that time of the
25 year all bulls should have antlers.

26
27 MS. CAMINER: It should be all right.
28 Okay. All right.

29
30 MR. ARDIZZONE: That is correct, how
31 the regulations are written has been -- so that's what
32 it -- yeah. It doesn't.....

33
34 MS. CAMINER: Okay. As long as it's
35 not a problem.

36
37 CHAIRMAN LOHSE: It's not a problem.

38
39 MS. CAMINER: Okay. Very good.

40
41 CHAIRMAN LOHSE: Okay. Any further
42 questions there.

43
44 (No comments)

45
46 CHAIRMAN LOHSE: Do we have any written
47 comments.

48
49 MR. MIKE: Thank you, Mr. Chair. In
50 front of you you should have a handout of written

1 public comments on Wildlife Proposal 14-16.

2

3 The Ahtna Customary and Traditional Use
4 Committee supports Proposal WP14-16 with a Federal
5 registration permit and the harvest quota to be
6 announced by the Wrangell-St. Elias National Park and
7 Preserve and to keep the existing fall hunt. And this
8 will provide for subsistence needs. Moose are in the
9 high country during the fall months and are difficult
10 to harvest. Harvesting a bull moose during the winter
11 months will help local Federally-qualified subsistence
12 users harvest a bull moose when it is easier to harvest
13 and is more accessible. A quota to be determined by
14 the NPS headquarters in Copper Center will ensure that
15 bull moose will not be over-harvested by local
16 Federally-qualified subsistence users.

17

18 Mr. Donald Woodruff of Eagle supports
19 Proposal 14-16. Winter access for subsistence hunters
20 that are not connected to the grid with freezers is a
21 very important aspect of subsistence life and the
22 success of people living on the land in remote areas.

23

24 And Mr. Jim Hannah, retired Service
25 employee, opposes WP14-16. The Wrangell-St. Elias
26 National Park Subsistence Resource Commission
27 preference should not be used to develop the winter
28 moose hunt. Such moose management should be based on
29 law and policy with reference to the desired future
30 conditions. The National Park Service should be the
31 sole judge of what these conditions are.

32

33 And, Mr. Chair, Mr. Hannah wrote his
34 justification into the record based on biological
35 concerns, public safety, and conservation concerns, and
36 other concern that he wrote on these public comments.

37

38 Mr. Chairman. Thank you.

39

40 CHAIRMAN LOHSE: Thank you. What?

41

42 MR. McLAUGHLIN: It's a pretty long
43 list.

44

45 CHAIRMAN LOHSE: Yeah. Okay. So we
46 had Ahtna and somebody supporting, and Jim Hannah
47 opposing it. We've got the State not opposing, but not
48 supporting it the way it is. And we've got the SRC
49 supporting it. So this is one that we need some
50 discussion on. It's not a universal -- or it's not a

1 consensus item.
2
3 Now, do we have any public testimony.
4
5 (No comments)
6
7 CHAIRMAN LOHSE: Hearing none, a motion
8 to put WP16-16 [sic] on the table is in order.
9
10 MS. STICKWAN: I move to put it in
11 order. I move.
12
13 CHAIRMAN LOHSE: You move. Gloria
14 moved it.
15
16 Do I hear a second.
17
18 MS. MILLS: Second.
19
20 CHAIRMAN LOHSE: Mary seconded it.
21 Okay. WP16-16 [sic], establish a winter hunt in Unit
22 11 for Federally-qualified subsistence users in that
23 portion of Unit 11, and I won't describe it. You'll
24 have to read it yourself. It's the portion Unit 11
25 south of the north bank of the Nazina and Chitina
26 River. And basically I don't know if it goes all the
27 way to the Canadian border or not, but I think it does.
28
29 SRC.
30
31 MS. CELLARIUS: I'm not the SRC any
32 more. I really need two different colored hats. On
33 Page 149 there is a very nice map that our GIS
34 specialist made, and it is a map of the proposed hunt
35 area. So it's slightly confusing, because he has a
36 blue and white line in some places and a solid blue
37 line in other places. But, yeah, it's basically that
38 southern portion of the unit all the way down to the
39 southern boundary of Unit 11.
40
41 He has also -- because I think it's a
42 useful piece of information, he has cross hatched those
43 lands that are designated as national park. So there's
44 an area on the Upper Chitina River that is National
45 Preserve and can be accessed using airplanes, but the
46 remainder of the area can only be accessed by surface
47 transportation means, because it is in the national
48 park.
49
50 CHAIRMAN LOHSE: Okay. So -- see, we

1 don't have colors on ours.
2
3 MS. CAMINER: This is very hard to
4 tell.
5
6 CHAIRMAN LOHSE: And we've got cross
7 hatches, but I can see, we've got the line of Unit 11
8 is that bright clear line that goes all the way around,
9 right? And goes to -- yeah. Okay. That's what we
10 needed. And what we're basically looking at though is
11 we're looking at here's the Chitina, here's the Nazina.
12 Are we including -- let me ask you this. Are we
13 including this portion back here?
14
15 MS. CELLARIUS: I believe so.
16
17 CHAIRMAN LOHSE: So in other words
18 we're including the section that along the Canadian
19 border here at the head of the Chatina river.
20
21 MS. CELLARIUS: Yes.
22
23 CHAIRMAN LOHSE: Okay.
24
25 MS. CELLARIUS: Yes, it goes all the
26 way to the Canadian border.
27
28 CHAIRMAN LOHSE: All the way down to
29 the bottom of Unit 11.
30
31 MS. CELLARIUS: All the way to the
32 Bagley Ice Field.
33
34 CHAIRMAN LOHSE: Yeah. Except for this
35 little chunk here which is now -- which is out of it.
36 It's in.....
37
38 MS. CELLARIUS: Well, that is -- no,
39 that is,,,,,
40
41 CHAIRMAN LOHSE: It's not Park.
42
43 MS. CELLARIUS: That is not Park, but
44 it is within Unit 11.
45
46 CHAIRMAN LOHSE: Yeah, but is it
47 Federal?
48
49 MS. CELLARIUS: It's Chugach Forest I
50 think. But if you look at who has C&T for -- keep in

1 mind who has C&T for moose in Unit 11 when you think
2 about that little piece of land.
3
4 CHAIRMAN LOHSE: Right. Right. Yeah,
5 I'm not too worried about anybody getting there, that's
6 for sure. Not if they can't use an airplane.
7
8 MS. CELLARIUS: Well, it's Chugach, so
9 they don't have that rule.
10
11 CHAIRMAN LOHSE: Yeah.
12
13 MS. CELLARIUS: It's still going to be
14 hard to get there in the winter. We don't know if the
15 Copper's going to.....
16
17 CHAIRMAN LOHSE: Yeah. Well, it's on
18 top -- it's top of the ice field, too.
19
20 MS. CELLARIUS: We don't know if the
21 Copper's going to be frozen then. Yeah, it's probably
22 ice.
23
24 CHAIRMAN LOHSE: Okay. So here we have
25 the Copper, and here we have the Chitina, and here we
26 have the Nazina, right. And so this is all -- this is
27 all the area -- basically we're talking about this area
28 here, the area in the south part of the Park, and the
29 south part of Unit 11.
30
31 MS. CELLARIUS: It's mostly that part
32 of Unit 11 that is south of the Chitina River. The
33 proponent wanted a little bit of land that was sort of
34 on the east side, sort of the northeast corner of Unit
35 11, a little bit of that as well. So you see there's
36 kind of a finger going up there.
37
38 CHAIRMAN LOHSE: Up here?
39
40 MS. CELLARIUS: Yeah.
41
42 CHAIRMAN LOHSE: Yeah. Okay.
43
44 MS. CELLARIUS: And if I could get
45 my.....
46
47 CHAIRMAN LOHSE: Map back?
48
49 MS. CELLARIUS: Well, and it's not --
50 if you want the map, you can have the map.

1 CHAIRMAN LOHSE: No, no, I'll give you
2 your map back. I just.....
3
4 MS. CELLARIUS: I have notes on the
5 other pieces of paper in that handout, but if you would
6 like the map, you're welcome to the map.
7
8 CHAIRMAN LOHSE: Well, this is fine.
9 Once we've seen the color -- I had a kind of feeling
10 that that's where it was, and like I said, the clear
11 land is the Preserve. That's where McCarthy and the
12 Crystalline Hills, and Fireweed Mountain and everything
13 is. Right in that chunk of with -- that doesn't have
14 cross hatches, right?
15
16 MS. CELLARIUS: That's correct. I was
17 thinking when you were saying things like Fireweed
18 Mountain, you know, some of -- we're talking south of
19 the Chitina and south of the Nazina for the most part,
20 so.....
21
22 CHAIRMAN LOHSE: Right. But I'm
23 talking about where --just to get a.....
24
25 MS. CELLARIUS: But in terms of the
26 fact that there's no cross hatching, that is National
27 Preserve and can be accessed using aircraft.
28
29 CHAIRMAN LOHSE: Right.
30
31 MS. CELLARIUS: The National Park can't
32 be accessed using aircraft. And with the big river in
33 the way, you know, a winter hunt with the possibility
34 for snowmachine action -- access had some appeal to the
35 SRC.
36
37 CHAIRMAN LOHSE: Right. Okay. Any
38 other questions. Does everybody have an idea of what
39 we're talking about right here? Here's the Chitina
40 River going up here, down here. Copper's over here.
41 And McCarthy's over here. And so do you see -- do you
42 understand that?
43
44 MS. CAMINER: Uh-huh. (Affirmative)
45
46 CHAIRMAN LOHSE: Okay. Good. I
47 figured you would.
48
49 MS. CAMINER: I mean, Mr. Chair, I
50 guess sort of the bottom line is it's a huge amount of

1 acreage, not all of which, could be accessed. Excuse
2 me. But we're also talking about the potential of a
3 small hunt and small take.

4

5 CHAIRMAN LOHSE: Right. Small hunt,
6 small take, and extremely difficult to get to.

7

8 MR. MIKE: I can display the map on the
9 wall. I have a map here on that probably. If it's the
10 wish of the Council, I can display the map on the wall.

11

12 CHAIRMAN LOHSE: Would the rest of the
13 Council like that, or has everybody figured out pretty
14 much from looking at their map what we're talking
15 about.

16

17 MR. OPHEIM: I'd like a little more
18 clarification.

19

20 CHAIRMAN LOHSE: You'd like a little
21 more clarification. Donald, if you'll put it on the
22 wall, we can point it out.

23

24 MR. EVANS: And I think Pippa's
25 actually going and trying to make some copies, too, as
26 well, color copies.

27

28 MS. CAMINER: Mr. Chair.

29

30 CHAIRMAN LOHSE: Yeah.

31

32 MS. CAMINER: Maybe I could ask Barbara
33 or Gloria, we have the written SRC recommendation, but
34 you mentioned maybe a couple of thoughts that had
35 happened since the meeting. Or are we.....

36

37 MS. CELLARIUS: No, the modification --
38 so there's the original SRC proposal which had certain
39 -- which had some delegation of authority, and the SRC
40 at their meeting said, well, maybe delegating a couple
41 of other things. And those are provided in the SRC
42 letter.

43

44 CHAIRMAN LOHSE: And that's for
45 delegation of authority.

46

47 MS. CAMINER: Okay. So the way the
48 modified regulation, as shown on Page 157, the way that
49 reads, given what Chuck told us about how the Board
50 wants to not mention delegation of authority, that's

1 okay? This version is okay to the SRC?

2

3 MS. CELLARIUS: Well, so they didn't
4 really discuss how OSM is doing the delegation of
5 authority. That's not -- I don't believe that's the
6 most critical thing to them. It's what is delegated.
7 And they would add to what's in the proposal, they
8 would add a couple of items to the delegation. And
9 that's written in their comment.

10

11 MS. CAMINER: So presumably when the
12 delegation is put together, those comments would be
13 included there with our support.

14

15 MS. CELLARIUS: Well, that's what they
16 would -- what they're recommending with their proposed
17 -- you know, their recommendation on the proposal would
18 add to the delegation of authority. Whether it's in a
19 letter, whether it's in regulation, I don't think that
20 that's the critical thing. It's just what is delegated
21 to the superintendent that they wanted to make a
22 comment on.

23

24 MS. CAMINER: Okay. Very good. So
25 we're satisfying that then. Okay.

26

27 MR. HENRICHS: This one, we go into
28 Canada.

29

30 MR. McLAUGHLIN: Yeah. On this one we
31 go across the border.

32

33 CHAIRMAN LOHSE: What?

34

35 MS. CAMINER: A little bit across the
36 border, but not -- you know, big pen.

37

38 CHAIRMAN LOHSE: We have to talk to
39 Canada about that part of it.

40

41 MS. CAMINER: It's okay, Donald.

42

43 CHAIRMAN LOHSE: Donald, it's okay. I
44 think we've got what we need. Basically the
45 description is, you know, on -- basically the
46 description is based -- to a certain extent it's going
47 up the Chitina River and then up the Chitina River and
48 then up the Nazina River passed McCarthy. And up to
49 the border of Unit 11 on the north, and then following
50 the border of Unit 11 to the border of Canada, down the

1 border of Canada to the south border of Unit 11, and
2 then across. An area of only 4,800,000 acres out of
3 which we hope to take a couple moose.

4
5 Okay. With that I think -- we have a
6 motion on the table, don't we?

7
8 MS. CAMINER: Yes.

9
10 CHAIRMAN LOHSE: Yes. Gloria, do you
11 have something to.....

12
13 MS. STICKWAN: I just want to say I
14 support this proposal, because of the way it's written
15 and what the SRC wrote. It will address the
16 conservation concern. And also at this time, in
17 December, it will be very cold, maybe down to 50 below
18 at the time, so I don't think very many people will go
19 out there to hunt. So I think there will be very few
20 bulls taken.

21
22 CHAIRMAN LOHSE: Thank you.

23
24 MS. CAMINER: Question.

25
26 CHAIRMAN LOHSE: The question's been
27 called. All in favor signify by -- oops. Chuck

28
29 MR. ARDIZZONE: I jus want to try and
30 catch it this time before we get too far.

31
32 MS. MILLS: As written or.....

33
34 MR. ARDIZZONE: Right. That was what I
35 was going to ask. Is it as written or is it OSM
36 modification, just so I don't have to try and backtrack
37 it.

38
39 MS. CELLARIUS: Or the SRC
40 modification.

41
42 MR. ARDIZZONE: Or the SRC. Yeah,
43 there's.....

44
45 CHAIRMAN LOHSE: Well, now wait a
46 second. Wait a second. The SRC only modified the
47 letter of -- the letters of delegation, didn't they?
48 Or did the SRC modify the proposal?

49
50 MR. ARDIZZONE: I think they just added

1 -- if I wrote it down right, they suggested that the
2 superintendent could set the number of permits issued
3 and set the recording requirements.

4
5 CHAIRMAN LOHSE: But that's not in.....

6
7 MR. ARDIZZONE: That's not in the
8 current letter.

9
10 CHAIRMAN LOHSE: That's not in the --
11 that's in the -- but that's going to be in the current
12 letter, but that is not part of the proposal.

13
14 MR. ARDIZZONE: Correct.

15
16 CHAIRMAN LOHSE: Okay. And so the
17 proposal has all of the delegation authorities struck
18 out of it, right?

19
20 MR. ARDIZZONE: The current
21 modification has it all struck out, yes.

22
23 CHAIRMAN LOHSE: Right. What we're
24 just doing is the proposal -- if I understood correctly
25 from the first and second we're just doing the proposal
26 that has to do with the season, not with the delegation
27 of authority. And the delegation of authority is in a
28 letter separate. Am I correct. Am I correct.

29
30 (Whispered conversation - microphones
31 not on)

32
33 MR. ARDIZZONE: The proposed -- the
34 proposal that's on the table, if you just put what's on
35 table doesn't have anything stricken. It has the
36 delegation in the regulation. What our office did was
37 strike it.

38
39 CHAIRMAN LOHSE: Okay. So what we need
40 to do is say which proposal on which Page.

41
42 MR. ARDIZZONE: Right. That would be
43 very helpful. Thank you, sir.

44
45 CHAIRMAN LOHSE: Okay. Let's take a
46 look. Let's have the people who made the proposal, so
47 that we don't get on top of ourselves -- where is the
48 proposal.

49
50 MS. CAMINER: 145.

1 CHAIRMAN LOHSE: 145.
2
3 MS. CAMINER: The proposal never had
4 the delegation stuff in there.
5
6 CHAIRMAN LOHSE: Well, it does though.
7 Okay. So what we are doing is the proposal a found on
8 145 or the one that's found on.....
9
10 MR. ENCELEWSKI: The one on 145.
11
12 MS. CAMINER: Yeah, because 157 is the
13 modification that OSM did.
14
15 CHAIRMAN LOHSE: Yeah. So the question
16 is are we doing 145 -- Page 145 or Page 157. Would
17 the person who made -- the people who made the proposal
18 take a look at it.
19
20 MR. EVANS: So Proposal 157 is with the
21 modification.
22
23 CHAIRMAN LOHSE: That's right. That's
24 with the modification.
25
26 MS. CAMINER: As proposed by OSM.
27
28 CHAIRMAN LOHSE: And so we just need to
29 know which of the two you meant when you made the
30 proposal, Gloria.
31
32 MS. STICKWAN: I supported the SRC's
33 proposal.
34
35 CHAIRMAN LOHSE: Okay. So the modified
36 proposal?
37
38 MS. STICKWAN: Yes.
39
40 CHAIRMAN LOHSE: Okay. So we're doing
41 the modified proposal on Page 157. And then we have
42 the SRC's recommendations for delegation of authority
43 in a separate letter. Right. Okay.
44
45 Proposal, that portion south and east
46 of a line running along the north bank of the Chitina
47 River and north and west banks of the Nazina River, and
48 the west bank of the West Fork of the Nazina River,
49 continuing along the western edge of the West Fork
50 Glacier to the summit of Regal Mountain. One bull by

1 Federal registration permit. However during the
2 antlered -- during the period August 20th to September
3 20th, only an antlered bull may be taken. Okay. There
4 we go. That's what's on the table.

5
6 Now the question's been called. All in
7 favor signify by saying aye.

8
9 IN UNISON: Aye.

10
11 CHAIRMAN LOHSE: All opposed signify by
12 saying nay.

13
14 (No opposing votes)

15
16 CHAIRMAN LOHSE: And we have some
17 abstaining? Let's have a show of hands so we know what
18 we've got here. All in favor signify by saying aye and
19 raising your hand. One, two, three, four, five, six,
20 seven, eight. It's unanimous. Okay.

21
22 MR. ENCELEWSKI: I don't like the add
23 on.

24
25 CHAIRMAN LOHSE: You don't like the
26 delegation of authority. Okay. I realize that.

27
28 MS. CAMINER: But it won't be there.

29
30 CHAIRMAN LOHSE: Okay. And with that
31 WP14-16 passes unanimously.

32
33 We go on to WP14-17, and that is open
34 the Resurrection Creek closed area to moose, on Page
35 162.

36
37 MR. EVANS: Okay. Thank you, Mr.
38 Chairman. I'll present this proposal as well.
39 Proposal WP14-17, submitted by Jim Skogstad, President
40 of the Hope Village Council, requests that the
41 Resurrection Creek closed area, which consists of
42 Resurrection Creek downstream from Rimrock and Highland
43 Creeks, including Palmer Creek in Unit 7, be opened to
44 the taking of moose by Federally-qualified subsistence
45 users.

46
47 The proponent states under the current
48 Federal subsistence regulations, Federally-qualified
49 subsistence users are restricted from hunting in the
50 Resurrection Creek closed area, while hunters under

1 State regulations may hunt there. Opening the
2 Resurrection Creek closed area will allow Federally-
3 qualified subsistence users an additional 10 days of
4 opportunity to hunt in an area that is currently closed
5 prior to the start of the State season.
6

7 Prior to 2008 there was no Federal open
8 season in Unit 7 remainder and no Federal subsistence
9 priority. In 2008 the Federal Subsistence Board
10 adopted Proposal WP08-22b establishing a harvest season
11 from August 10th to September 20th for one antlered
12 bull with a spike fork or 50-inch antlers, or with
13 three or more brow tines on either antler. In addition
14 a special provision which closed an area around
15 Resurrection Creek to the taking of moose, which is
16 referred to as Resurrection Creek closed area, was
17 established for conservation reasons.
18

19 In 2011 the Alaska Board of Game
20 removed the spike fork option and changed the antler
21 restrictions from three to four brow tines during
22 declining bull/cow ratios in Units 7 and 15.
23

24 In 2011 the Federal Subsistence Board
25 adopted the changes by the State by adding the
26 requirement for the moose taken in Unit 7 remainder --
27 adding a sealing requirement for moose taken in Unit 7
28 remainder.
29

30 In 2011 Proposal 179 was adopted by the
31 Alaska Board of Game which eliminated the Resurrection
32 Creek closed area, because there was no biological
33 concerns to warrant the closure.
34

35 In 2012, the Board adopted emergency
36 special action, WSA12-03 to open the Resurrection Creek
37 closed area to moose hunting by Federally-qualified
38 subsistence users from August 10th to September 20th.
39

40 In July 2013, the Board approved a
41 similar emergency special action -- a similar emergency
42 special action was approved for a fall moose session
43 from August 10th to September 20th.
44

45 In March 2013, the Alaska Board of Game
46 adopted amended Proposal 143b, which retained the
47 requirement of a bull with antlers 50 inches or larger
48 with four brow tines, but also added a spike to the
49 2013 moose hunt in Units 7 and 13. This should help
50 alleviate some of the hunting pressure on the larger

1 bulls.

2

3 Biological background. A comprehensive
4 moose survey has never been done in Unit 7, and thus
5 there are no population estimates. Winters with deep
6 snow, which are typical of the area, along with
7 predation, vehicle collisions, and lack of suitable
8 habitats are all factors that contribute to the high
9 mortality and low reproduction of moose in Unit 7.

10

11 Based on the limited composition
12 surveys, the last one being done in 2005/2006, and
13 harvest reports, the moose population is thought to be
14 stable, but at low densities, especially when compared
15 to other units on the Kenai Peninsula.

16

17 Harvest summary. Residents from Hope
18 and Cooper Landing, which harvest moose under both the
19 state, and there were 15 of them last year, and Federal
20 regulations, two last year, average two to three moose
21 per year from 2004 to 2010. So during that whole
22 period about 17 moose were taken. Harvest from these
23 two communities counts for approximately five percent
24 of the total annual harvest.

25

26 If Proposal WP14-17 were adopted, it
27 will eliminate the Resurrection Creek closed area,
28 which is open to both residents and non-residents under
29 the State regulations. It would increase the
30 subsistence opportunity for hunting moose in this area
31 by opening the area to subsistence hunters 10 days
32 earlier than the State season, and increase the
33 potential harvest opportunities due to fewer antler
34 restrictions.

35

36 Given the past harvest rates by
37 Federally-qualified subsistence users, the impact on
38 the moose population should be minimal. It would also
39 align the Federal and State regulations.

40

41 So OSM's preliminary conclusion is to
42 support Proposal WP14-17. And it's expected that
43 although moose composition surveys haven't been done
44 since 2005/6, it's not expected that there will be a
45 significant increase in the harvest based on past
46 harvest rates.

47

48 Thank you.

49

50 CHAIRMAN LOHSE: Thank you. Basically

1 in summary then this area is open to hunting. It was
2 closed for the State and the Federal, but the State has
3 reopened it. There is a hunt taking place in it under
4 State regulations, and currently as a Federal, we
5 haven't opened it in conjunction with the State. Okay.

6

7 Thank you. Alaska Department of Fish
8 and Game.

9

10 ** MR. CRAWFORD: Yeah. Drew Crawford, Alaska
11 Department of Fish and Game.

12

13 Regarding Wildlife Proposal 14-17, the
14 State supports this proposal with modification to align
15 the season dates and antler restrictions.

16

17 CHAIRMAN LOHSE: Thank you. Any
18 questions for the State.

19

20 (No comments)

21

22 CHAIRMAN LOHSE: So basically if I
23 understand that correct, the State doesn't see any
24 reason for the closure, but would like the seasons to
25 align with State seasons and State antler restrictions.

26

27 MR. CRAWFORD: Yes.

28

29 CHAIRMAN LOHSE: Thank you. Okay.
30 With that, do we have any Federal agencies, tribal,
31 village agencies, or InterAgency Staff Committee people
32 who would like to speak to this one. Forest Service.

33

34 MR. BURCHAM: Milo Burcham, U.S. Forest
35 Service.

36

37 I just wanted to relate some of the
38 conversations I've had from people, especially in Hope
39 who live right next to Resurrection Creek. They were
40 disappointed to see it opened in State regulations, and
41 resisted -- I think you might have mentioned this, they
42 resisted opening it in Federal regulation, because they
43 were hoping to get it closed again in State regulation.
44 They liked having a little buffer or a closed area or a
45 refuge for moose on the Kenai Peninsula. Anyway, I
46 think they're seeing the writing on the wall. It's
47 been open for over two years in State regulation, and
48 had to be opened by special action for them to hunt.
49 And since it doesn't look like it will closed, they are
50 reluctantly going along with it, and realize that it

1 should be open in Federal regulation.

2

3 CHAIRMAN LOHSE: Okay. Thank you. Any
4 advisory group comments, neighboring Regional Councils,
5 or local Fish and Game Advisory comments.

6

7 (No comments)

8

9 CHAIRMAN LOHSE: How about written
10 comments. Donald.

11

12 MR. MIKE: Mr. Chairman. There's no
13 written public comments on this proposal. Thank you.

14

15 CHAIRMAN LOHSE: Do we have any public
16 comments on this proposal.

17

18 (No comments)

19

20 CHAIRMAN LOHSE: Hearing none.
21 Regional Council recommendation. Motion. Do we have a
22 motion on the table to accept WP14-17.

23

24 MR. ENCELEWSKI: I'll move to put it on
25 the table, 14-17.

26

27 MR. McLAUGHLIN: Second.

28

29 CHAIRMAN LOHSE: Andy seconds it.
30 Okay. Thank you.

31

32 Discussion.

33

34 (No comments)

35

36 CHAIRMAN LOHSE: Anybody see a reason
37 this shouldn't be opened if you've already got a State
38 hunt there. Can there be a conservation concern.

39

40 Gloria.

41

42 MS. STICKWAN: I was wondering why they
43 resisted or were reluctant to.

44

45 CHAIRMAN LOHSE: Because they were hope
46 -- according to Milo, they were hoping that the State
47 would reclose it. It would be like having a park in
48 your backyard where you could have.....

49

50 MS. STICKWAN: I know, but I'm asking

1 why.

2

3 CHAIRMAN LOHSE: What?

4

5 MS. STICKWAN: Why.

6

7 CHAIRMAN LOHSE: Why? Because they
8 probably liked to have moose in their backyard to see,
9 you know. But the State didn't close it, so they asked
10 for emergency openings, and they had emergency openings
11 up to this point in time.

12

13 MR. EVANS: Some of them were concerned
14 about safety issues of hunting off the road, you know,
15 right along their property and stuff like that, and
16 with all the recreational activities. That was one of
17 the concerns that was brought up.

18

19 CHAIRMAN LOHSE: Andy.

20

21 MR. McLAUGHLIN: In my opinion
22 considering subsistence priorities over sport
23 priorities, I don't see a reason that they would have
24 to align in season.

25

26 CHAIRMAN LOHSE: Greg.

27

28 MR. ENCELEWSKI: Yeah, it's an
29 interesting situation. I find it very interesting that
30 absolutely if -- I mean, if the State is open, I think
31 then the Federal should be open also.

32

33 MS. CAMINER: Mr. Chair. I was in that
34 area this fall, and there were quite a few people
35 hunting on the Palmer Creek area. So I think it would
36 be appropriate to have subsistence hunters eligible for
37 that as well under our program.

38

39 CHAIRMAN LOHSE: Thank you. Any other
40 discussion.

41

42 (No comments)

43

44 CHAIRMAN LOHSE: The question's in
45 order.

46

47 MS. MILLS: Call for the question.

48

49 CHAIRMAN LOHSE: Mary's calling for the
50 question. All in favor of opening the Resurrection

1 Creek closed area as found on Page -- let's make sure
2 we get it right this time, Page 162, so it would be --
3 where is a copy of it written out.

4

5 MS. CAMINER: 162, right there.

6

7 CHAIRMAN LOHSE: Where?

8

9 MS. CAMINER: 162 and 163. 163.

10

11 CHAIRMAN LOHSE: 163. I'm not seeing
12 it in dark letters. But anyhow.....

13

14 MS. CAMINER: At the bottom.

15

16 CHAIRMAN LOHSE: At the bottom.

17 Proposed. Right here. One antlered bull with spike
18 fork or 50-inch antlers or with three or more brow
19 tines on either antler by Federal registration permit
20 only, August 10th/September 20th, in the following
21 areas, taking -- and this -- what's this. In the
22 following areas the taking of wildlife for subsistence
23 use is prohibited or restricted on public lands?

24

25 Boy, I don't know. I'm looking for a
26 good clear -- am I correct, is that it? Yeah, it just
27 drops. Okay. It just drops the Resurrection Creek
28 closed area. Okay.

29

30 So the bottom of Page 163, proposed
31 Federal regulation. Unit 7 remainder, moose. August
32 10th/September 20th, there are no closed areas on this
33 one.

34

35 MS. CAMINER: Right.

36

37 CHAIRMAN LOHSE: Okay. All in favor
38 signify by saying aye.

39

40 IN UNISON: Aye.

41

42 CHAIRMAN LOHSE: All opposed signify by
43 saying nay.

44

45 (No opposing votes)

46

47 CHAIRMAN LOHSE: Motion carries.

48

49 I can tell we're getting later in the
50 day. Our ayes and our nays are getting quieter and

1 quieter.

2

3 (Laughter)

4

5 MR. HENRICHS: Let's get a
6 controversial one and then you'll see what happens.

7

8 CHAIRMAN LOHSE: You have one coming up
9 right now.

10

11 (Laughter)

12

13 CHAIRMAN LOHSE: Okay. Can we do one
14 more before we take a break. Okay. WP14-18. Moose.
15 Submitted by our Mr. Carpenter who isn't here. And I
16 think Milo's going to be the presenter on this one.
17 And maybe you can fill us in with some of the
18 background at the same time.

19

20 MR. BURCHAM: Okay. This is Milo
21 Burcham, U.S. Forest Service in Cordova.

22

23 We're talking about Proposal WP14-18,
24 which deals with moose in Unit 6E. Proposal WP14-18
25 submitted by Tom Carpenter of Cordova requests a late
26 season for antlerless moose that were not harvested
27 during the early season in Unit 6E, and closing Federal
28 public lands November 1st through December 1st to the
29 harvest of moose except by Federally-qualified
30 subsistence users holding a Federal subsistence permit
31 for Unit 6E moose.

32

33 The proposal is a response to the new
34 State regulation passed by the Alaska Board of Game,
35 which was Proposal 129, which opens moose harvest in
36 Unit 6E, including antlerless moose, which are intended
37 to be harvested under Federal regulation, to all State
38 residents through a State registration hunt. Some of
39 the harvest would likely go non-Federally-qualified
40 subsistence users, reducing opportunity for Cordova
41 residents.

42

43 Currently demand for moose in Unit 6E
44 exceeds the number of moose that can be harvested.
45 From 600 to 900 Cordovan residents have annually
46 applied for the 5 to -- for the range of 5 to 104
47 Federal subsistence draw permits for moose in Unit 6E.

48

49 The current Federal regulations for
50 moose in Unit 6E generated with great community support

1 have worked well since adopted in its current form by
2 the Federal Subsistence Board in 2002. The intention
3 of the Federal regulation that's in place right now is
4 clear, and that is that all allowable antlerless moose
5 harvest and 75 percent of the allowable bull harvest in
6 Unit 6E will take place by Federally-qualified
7 subsistence units of Unit 6A, B, and C, specifically
8 residents of Cordova.

9
10 At its Southcentral meeting in Kenai
11 March 15th through 19th, 2013, the Alaska Board of Game
12 passed amended Proposal 129 to authorize a State
13 registration hunt for moose in Unit 6E with a bag limit
14 of one moose November 1st through December 31st at the
15 request of Alaska Department of Fish and Game. This
16 amendment to the Proposal 129 was discussed at
17 Cordova's local AC and was unanimously rejected by the
18 Copper River/ Prince William Sound State Advisory
19 Council on February 1st, 2013. The State's proposal
20 was intended to harvest moose allocated to the Federal
21 quota that may not have been taken during the Federal
22 subsistence hunt.

23
24 Proposal WP14-18 would allow a fixed
25 number of Federally-qualified subsistence users an
26 opportunity to harvest antlerless moose that were not
27 harvested during the early season if it was deemed
28 necessary for controlling the moose population.
29 Closing Federal public lands between November 1st and
30 December 31st to those holding a State permit for Unit
31 6E moose would serve to limit the effect of the State's
32 late moose hunt on Cordova residents by restricting
33 those users to State and private lands within Unit 6E
34 while the majority of productive moose habitat in Unit
35 6E occurs on Federal lands.

36
37 The OSM preliminary conclusion was to
38 support WP14-18, and the justification was that
39 Proposal WP14-18 aligns with the intentions of existing
40 Federal regulation which allocates 100 percent of the
41 harvest of quota for antlerless moose in Unit 6E
42 specifically to Federally-qualified subsistence users.
43 As a result of the State's recently adopted Proposal
44 129, Federally-qualified subsistence users could see a
45 reduced -- could see reduced opportunity to harvest
46 antlerless moose in Unit 6E. This proposal would allow
47 additional antlerless moose harvest by Federally-
48 qualified subsistence users should the need exist to
49 harvest additional moose after the regular season ends
50 on October 31st. It would also limit the effect of the

1 State regulation by restricting those without a valid
2 Federal permit for moose in Unit 6E to hunt on private
3 and State lands within Unit 6E.

4
5 Section .815(3) of ANILCA allows for
6 restrictions of taking of fish and wildlife for non-
7 subsistence uses on public lands, only if necessary for
8 conservation of healthy fish and wildlife populations,
9 or to continue subsistence uses of such populations, or
10 pursuant to other applicable law. As directed by the
11 Board's closure policy, use by non-Federally-qualified
12 subsistence users may be reduced or prohibited for the
13 conservation of healthy populations of fish and
14 wildlife, when a fish or wildlife population is not
15 sufficient to provide for both Federally-qualified
16 users and other users.

17
18 Providing the opportunity for
19 additional harvest of antlerless moose and closing
20 Federal public lands to moose hunters without a valid
21 Federal permit for Unit 6E moose from November 1st to
22 December 31st would maintain the Federal subsistence
23 priority and continue subsistence uses on the Federal
24 public land.

25
26 CHAIRMAN LOHSE: Thank you, Milo. Any
27 questions for Milo.

28
29 (No comments)

30
31 CHAIRMAN LOHSE: Alaska Department of
32 Fish and Game.

33
34 ** MR. CRAWFORD: Drew Crawford, Alaska Department
35 of Fish and Game.

36
37 Mr. Chairman. On Wildlife Proposal 14-
38 18, the State opposes this proposal.

39
40 CHAIRMAN LOHSE: Thank you. Is that
41 all.

42
43 MR. CRAWFORD: That's it.1

44
45 CHAIRMAN LOHSE: That's it. Okay.
46 That's a pretty short one.

47
48 Okay. Do we have Federal agencies that
49 wish to talk to this one other than the presenter.

50

1 MR. BURCHAM: Yeah. I can just add a
2 little bit to my previous analysis. And that is we've
3 had a system in Cordova that's worked for a good long
4 time, 10 years, and we seem to have a fairly reasonable
5 allocation between State and Federal. You know,
6 there's still some State harvest allowed for bulls.
7 And the cow harvest was all in Federal regulation.
8 Anyway, this regulation, you know, given the State's
9 new regulation for a possible late winter cow hunt,
10 given that is already in place, this seems like the
11 best way to ensure that cow harvest takes place under
12 Federal regulation. Or takes place by qualified rural
13 residents I should say.

14
15 CHAIRMAN LOHSE: Do you see any
16 conservation concerns with this proposal?

17
18 MR. BURCHAM: No, this doesn't really
19 effect the setting of quotas or the number of moose
20 taken.

21
22 CHAIRMAN LOHSE: Okay. So this only
23 deals with animals that were already set as part of a
24 quota, but were not harvested under the original
25 permit, and it's not necessary that they be harvested,
26 but if sufficient of them are left over that it looks
27 like it's a detriment to the herd, then they could be
28 harvested?

29
30 MR. BURCHAM: Yeah. And I do want to
31 clarify. The State's regulation, if I could speak for
32 them, and I think the local area biologist, Charlotte,
33 would back me up on this, that they see it as a tool to
34 harvest moose, additional cow -- actually their
35 regulation is moose, not just cows. To harvest
36 additional moose if they see basically a population
37 emergency, a need to reduce the population if, you
38 know, the herd is too big for the habitat.

39
40 Likewise, this proposal I see the same
41 way. I don't want to create the thought that if this
42 passes, we'll automatically harvest -- if 47 of 50 cow
43 moose permits are filled and there's three unfilled, I
44 don't want to necessarily think that we'll
45 automatically issue three permits to make sure all 50
46 got taken. But if we saw a habit population emergency,
47 a population over-objective that needed to be reduced,
48 and saw a large percentage of the cows not taken is
49 when we would like to use this regulation.
50

1 CHAIRMAN LOHSE: So this proposal
2 allows the Federal Government to do the same thing that
3 the State Government has already passed a regulation
4 on.

5
6 MR. BURCHAM: Yes, it does.

7
8 CHAIRMAN LOHSE: And to do it on
9 Federal land, which would then limit the State to do
10 theirs on State land.

11
12 MR. BURCHAM: It does. And I think it
13 allows us to do it in a more controlled way as well,
14 because the State proposal, or the State regulation is
15 a registration hunt, which is opened to all state
16 residents. And given the popularity of the Copper
17 River Delta for moose hunting and the access with
18 airboats and roads, it would be difficult to control
19 the number of moose taken even in a very short season.

20
21 In the Federal system, with this
22 federal proposal, we have the ability to set a specific
23 number of permits. It's a drawing hunt, and we have
24 already drawn names, and we already have alternates on
25 the table. And if there was a need to harvest
26 additional moose, I have a list I can go to and issue
27 just a specific number of tags, and it would be very
28 easy to control the level of harvest and tailor it to
29 exactly what you need.

30
31 CHAIRMAN LOHSE: Okay. So the big
32 difference between this and the State hunt is this is a
33 permit hunt and the State hunt is a registration hunt?

34
35 MR. BURCHAM: Yes.

36
37 CHAIRMAN LOHSE: And they're taking
38 place on the same -- supposedly the same moose which
39 are moose that were already put in a quota and weren't
40 taken by hunters in that quota.

41
42 MR. BURCHAM: The State.....

43
44 CHAIRMAN LOHSE: You know, what is our
45 normal percentage of -- you know, let's say if we gave
46 100 permits out, which we don't all the time, but if we
47 gave a 100 permits, what would be the normal amount of
48 moose that wouldn't be taken for those 100 permits?

49
50 MR. BURCHAM: I'll just speak to the

1 season going on right now. 74 permits were issued, 50
2 cow permits and 24 bull permits. And the cow season's
3 now finished. I haven't seen all the hunt reports, but
4 I think we're nearing between 40 to 45 of the 50 cows
5 taken in the cow season. And the bull season goes
6 through December, and I think we're between 18 and 20
7 or somewhere in that neighborhood for the number of
8 bulls. We have neared 100 percent success on this hunt
9 in past years. With the population reduction and some
10 over-harvest that took place 2007 and 2008 and 2009,
11 hunter success has declined a little bit, but it's
12 climbing again, and nears 100 percent. I'll say in the
13 90s. It's a very successful hunt, and a permit issued
14 often results in an animal taken.

15

16 CHAIRMAN LOHSE: So we're not talking
17 about a lot of animals here either for the State or for
18 the Federal.

19

20 MR. BURCHAM: Well, I don't think the
21 State regulation limits it to the number of animals not
22 harvested. I think it's a little bit more vague than
23 that and gives them a little bit more opportunity or
24 flexibility in how many animals to take. It doesn't
25 specify how many moose of either sex could be taken.

26

27 CHAIRMAN LOHSE: Oh, so the State is
28 not part of an agreement as to what the quota is?

29

30 MR. BURCHAM: I think it's open, and
31 it's at the discretion of the manager is my
32 interpretation.

33

34 CHAIRMAN LOHSE: So if the quota was
35 set, the State could decide to take more than the
36 quota?

37

38 MR. BURCHAM: It's possible. I guess
39 I'm not sure.

40

41 CHAIRMAN LOHSE: Okay. But basically
42 what we're doing is we're mirroring the State's, only
43 making it a permit thing instead of a registration
44 thing.

45

46 MR. BURCHAM: And trying to ensure that
47 the cow harvest in particular takes place by qualified
48 rural residents as intended by the Board's previous
49 decisions.

50

1 CHAIRMAN LOHSE: Any questions for
2 Milo. Mary.
3
4 MS. MILLS: So basically we're talking
5 about very few animals that would be taken under this
6 new permitting the animals to be taken and the quota
7 that was set.
8
9 MR. BURCHAM: In this proposal?
10
11 MS. MILLS: Yes.
12
13 MR. BURCHAM: Well, it might not be few
14 animals. In fact, I don't think it would be necessary
15 if only a few of a quota were not taken. But if a
16 large percentage of the quota were taken -- let's say
17 this year the quota was 50 cows. And let's say we only
18 took 30 of them. Three-fifths or 60 percent. Ten if
19 we saw that there was a habitat problem, too many moose
20 on the range, and needed to reduce the population, we
21 might consider issuing 20 tags, those 20 that weren't
22 filled, 20 of the 50. And to me that's a relatively
23 large number of moose. I don't think we'd be worrying
24 about it every time we didn't fill the quota. If two
25 or three or four or five out of 50 weren't weren't
26 taken, I don't think we'd be worrying about it. But if
27 a larger percentage of the harvest, cow harvest did not
28 take place, and we saw a population emergency, you
29 know, a population problem or a habitat problem, is
30 when we would hold this hunt.
31
32 MS. MILLS: And so you see that, that's
33 why you're proposing this. You see a problem.
34
35 MR. BURCHAM: Yes. Well, there's the
36 possibility of it. Right now I think myself and the
37 current State manager are in agreement that there is
38 not an emergency right now. We've looked at the
39 habitat with some ongoing research, and it looks like
40 it's in good shape right now and can sustain the number
41 of moose that are out there right now. We're anxious
42 to get current information to continue to monitor the
43 population. We've given the Fish and Game money, as we
44 have on the Kenai, to continue surveys this winter, to
45 conduct a survey this winter. And so we want to keep
46 our fingers on the pulse and see exactly where this
47 population is. But right now I don't think we see an
48 emergency. And the State isn't using this regulation
49 this year. They have a regulation in place and could
50 hold a late cow hunt, but they don't see the need to do

1 it right now.

2

3 MS. MILLS: So it's -- okay.

4 That's.....

5

6 MR. BURCHAM: It's at their discretion,
7 and they're not using it this year.

8

9 MS. MILLS: So there's not a need to
10 use it this year.

11

12 MR. BURCHAM: And there's no need for
13 us -- we can't use the Federal regulation this year.
14 It wouldn't be in place until next year anyway. But
15 there's, anyway, no reason to react right now.

16

17 CHAIRMAN LOHSE: So basically what
18 you're saying, Milo is if -- let's just say this year
19 they came within 10 percent of what their original was.
20 In other words they had five cows left over. That
21 wouldn't be enough to have an additional season on
22 normally. It would be, like you said, if all of a
23 sudden a whole lot of them weren't harvested and there
24 was a habitat problem.

25

26 MR. BURCHAM: And I don't want to
27 commit to a specific figure, but that's my general
28 thoughts on this, yes.

29

30 CHAIRMAN LOHSE: Right. Andy.

31

32 MR. McLAUGHLIN: Yeah. Mr. Chair.

33

34 I'm curious. how common are these
35 habitat problems.

36

37 MR. BURCHAM: We haven't -- we probably
38 have the highest density of moose that have ever
39 occurred on the west Copper River delta right now. And
40 some parts of the range, the core winter range are
41 heavily used, and we're starting -- actually getting
42 close to finishing a browse study, trying to get a
43 handle on a new carrying capacity, or a new management
44 goal for moose on the west Copper River Delta. So
45 there's some information that will be coming in the
46 next year that will help us set a management goal.
47 Right now we've been managing for 400 animals and we're
48 closer to 600 right now. And looking at parts of the
49 habitat, we see some heavy use, but there's a lot of
50 habitat still out there that has moderate or lower

1 levels of use. And like I said, we're not seeing any
2 emergency with the habitat or the numbers of moose
3 right now.

4

5 MR. McLAUGHLIN: So in your time have
6 you seen over-browsing at a certain point or.....

7

8 MR. BURCHAM: No more than exists right
9 now. I think we're seeing, because the population's at
10 its highest right now, I think we're seeing the highest
11 level of use. And in some areas it's well used, and in
12 other areas moderate or light use.

13

14 CHAIRMAN LOHSE: Milo, between the
15 Village of Eyak and the Forest Service, don't you have
16 some habitat improvement projects going on, too?

17

18 MR. BURCHAM: Yeah. Just to make a
19 long story short, with the earthquake in 1964, the
20 earthquake was uplifted five to six feet. And that
21 started draining the delta which was just a wetland
22 with mostly grasses and sedges. And it started a
23 process of plant succession where willows started
24 coming up, and that started creating moose habitat than
25 existed before the earthquake. Willows started coming
26 in. But as plant succession has continued, that is
27 being replaced by alder, which is being replaced by a
28 spruce forest and cottonwood forest. And so over time
29 it's projected that we're going to lose moose habitat
30 on the Copper River delta.

31

32 I think we're sitting in a really good
33 place right now at very optimum habitat levels. A lot
34 of browse on the delta. But we see that that could
35 change in the future, so we've started a program of, we
36 all it hydro-axing. It's mechanical cutting of alder
37 and spruce that has some component of willow in the
38 understory. And I think we've cut probably, oh, three
39 or four -- well, over 400 acres, and this is in a
40 project we're doing in conjunction with the Native
41 Village of Eyak. In fact, Eyak Corporation cut 200
42 acres I think approaching 200 acres this past winter.
43 And what this does, by cutting the spruce and alder
44 with that willow component in the understory, you get
45 -- well, willow's the only species that resprouts, that
46 regrows. And so by knocking down those overstory
47 species, you get more vigorous moose browse. And that
48 can last for years after treatment.

49

50 CHAIRMAN LOHSE: Thank you, Milo.

1 Any other questions for Milo. Judy.

2

3 MS. CAMINER: I guess for consistency
4 in terms of language, and maybe this is more of a Chuck
5 question. On one of the earlier proposals we said that
6 the Board really doesn't want the regulation to say how
7 the quota is going to be announced or how the
8 delegation of authority is going to work so perhaps
9 that language will change once the Board gets hold of
10 it.

11

12 MR. BURCHAM: Well, it does say here in
13 the language of this proposal that permits for a
14 portion of the antlerless moose quota not harvested
15 September 1st to October 31st, may. It doesn't say
16 will be available for redistribution in the late
17 season. So I think that gives the manager latitude for
18 deciding if or how many of those permits could be
19 redistributed later in the season.

20

21 Is that what you were asking?

22

23 MS. CAMINER: No.

24

25 MR. BURCHAM: No. I'm sorry.

26

27 MS. CAMINER: That's okay. No, I'm
28 just saying this part about the annual harvest quota
29 will be announced by U.S. Forest Service, if that's
30 something that we could expect maybe comes out of the
31 regulation and into what you already probably have, is
32 a letter of authority.

33

34 MR. ARDIZZONE: Through the Chair.
35 That might happen. The Board may say shift it to a
36 letter just for consistency, but it's the same -- I
37 mean, it's the same delegation, it's just where it is.

38

39 MS. CAMINER: Right.

40

41 MR. BURCHAM: I see what you mean.

42 Thanks.

43

44 CHAIRMAN LOHSE: Okay. Any -- let's go
45 on to our others right now. We had Federal agencies.
46 Native tribal, village, or InterAgency Staff Committee
47 comments. Do we have any.

48

49 Do you have any, Mr. Henrichs.

50

1 MR. HENRICHS: I'll pass right now.
2
3 CHAIRMAN LOHSE: Okay. Advisory group
4 comments, neighboring Regional Council comments, and
5 local Fish and Game Advisory Committee comments.
6
7 And that would have been -- in this
8 case that would have been Tom Carpenter, and he
9 submitted this proposal with the support of the local
10 Advisory Committee. And he's not here to stand up for
11 it. And so all I can do is carry the fact that he
12 submitted the proposal and he submitted it with the
13 support of the local Advisory Committee.
14
15 Mr. Henrichs.
16
17 MR. HENRICHS: Yeah. Our tribe will
18 support this one.
19
20 CHAIRMAN LOHSE: Okay. Then we go on
21 to National Park Service.
22
23 (No comments)
24
25 CHAIRMAN LOHSE: We don't have.
26 Summary of written comments.
27
28 MR. MIKE: Mr. Chair. There were no
29 written comments received on this proposal. Thank you.
30
31 CHAIRMAN LOHSE: Public testimony.
32
33 MR. BURCHAM: If I could, I might speak
34 for Tom. And I hesitate to do this, but I'll mention
35 this and please confirm it with him. I think he's
36 reluctant to have this proposal on the table. He
37 wishes that the State regulation wasn't there. And if
38 that wasn't there, he certainly wouldn't have this.
39 But I think with the State regulation in place, to
40 ensure that rural residents are able to harvest,
41 especially the antlerless component of the population,
42 he does think it's necessary. And this is from
43 conversations I've had with him when he was submitting
44 the proposal.
45
46 CHAIRMAN LOHSE: Okay. With that a
47 motion to put WP14-18 on the table is in order.
48
49 MR. HENRICHS: I'll make the motion.
50

1 CHAIRMAN LOHSE: It's been moved that
2 we put WP14-18 on the table. Do I have a second.
3
4 MR. McLAUGHLIN: Second.
5
6 CHAIRMAN LOHSE: Seconded by Andy.
7 Okay. With that, and that is the proposal as written
8 on Page 170.
9
10 Discussion.
11
12 MS. CAMINER: Mr. Chair. It does
13 appear that there's been a very good analysis done
14 here. As we said in our discussion, we're not
15 increasing any take. We're providing more opportunity
16 for Federal subsistence users. and it also appears
17 that the Section .815(3) analysis was done, and that
18 this is not unnecessarily restricting non-subsistence
19 uses.
20
21 CHAIRMAN LOHSE: Greg.
22
23 MR. ENCELEWSKI: No, I just -- I think
24 we had more than sufficient discussion. I think it's
25 been covered well, so I'm ready to vote on it.
26
27 CHAIRMAN LOHSE: Are you ready to call
28 the question.
29
30 MR. ENCELEWSKI: I'll call the
31 question.
32
33 CHAIRMAN LOHSE: Okay. The question's
34 been called. All in favor signify by saying aye.
35
36 IN UNISON: Aye.
37
38 CHAIRMAN LOHSE: All opposed signify by
39 saying nay.
40
41 (No opposing votes)
42
43 CHAIRMAN LOHSE: Motion carries
44 unanimously.
45
46 We now go to WP14-19. And we take a
47 break after this one. You want to take a break first,
48 Greg?
49
50 MR. ENCELEWSKI: Doesn't matter to me.

1 CHAIRMAN LOHSE: I'm going to look at
2 what time it is right now.
3
4 MR. ENCELEWSKI: James says that we
5 probably should though.
6
7 CHAIRMAN LOHSE: Yeah, we should take a
8 break. We've had more than 55 minutes.
9
10 (Off record)
11
12 (On record)
13
14 MR. HENRICHS: How far are we going to
15 get today?
16
17 CHAIRMAN LOHSE: We're going to get
18 through all the wildlife proposals for sure even if we
19 have to stay until 6:00 o'clock.
20
21 MR. HENRICHS: There's not that many
22 left.
23
24 CHAIRMAN LOHSE: No, there isn't.
25
26 MR. HENRICHS: What about the
27 partnership?
28
29 CHAIRMAN LOHSE: Well, we're going to
30 see how far we get on all that stuff. We might have to
31 do some tomorrow.
32
33 Our invited guest, Bert, asked if he
34 could say a few words to us before he left, but he's
35 not here right now, so I'm going to request from the
36 Council that he maybe is out using -- we'll start on
37 our proposal and if Bert comes back after the proposal,
38 we'll let him say a few words.
39
40 Because one of the things he needs to
41 bring to our attention is we need to form a working
42 committee to work on the agenda for our joint meeting.
43 And I'm going to have you guys think about that, if any
44 of you wish to volunteer for that, the future agenda
45 that we have with Southeastern. If I don't get
46 volunteers, I'm going to have to appoint somebody.
47
48 Bert, would you sit down right there
49 and give us a few words, and then you're excused.
50

1 MR. ADAMS: Okay. Thank you, Mr.
2 Chairman. I appreciate this opportunity to say a few
3 words to you before I leave. There's not a chance that
4 I will be here tomorrow for the meeting, because I've
5 got some things to do. I kind of fell behind this
6 afternoon in getting a lot of stuff done, so I'll have
7 to finish that up, and then I have to turn the car in
8 at noon. Boy, time goes by fast, you know.

9
10 Anyhow, one of the things that I always
11 like to do normally before a meeting, and normally
12 before a new group of people like this, is to share a
13 little bit of culture out of my Tlingit heritage.

14
15 And Raven in our legends and stories is
16 the creator. And I'm sure that in some other Native
17 groups that's the case as well. And the story that I
18 like to -- it's a long story, but the story that I'm
19 going to share with you is a portion of it. When he
20 was one day flying between Mt. St. Elias and Mt.
21 Fairweather, admiring his creations, because that area
22 he created for the purpose of the Tlingits to migrate
23 over there, and to establish, you know, their
24 settlements. And so there he was, you know, flying,
25 and he was admiring his creations.

26
27 And in between the river called the
28 Akwe and the Alsek, he sees this thing bobbing up and
29 down on the ocean. And, you know, he's a very curious
30 person, so he flies out closer to that object, and as
31 he gets closer, he realizes that it's a very large
32 canoe that has a house on top of it. And when he
33 realizes what's inside of it, it answered his question
34 about how he was going to provide the food for the
35 Tlingit people when they migrate to that area, because
36 in that large canoe there was these animals, and the
37 birds, and the fishes, and all of the wildlife.

38
39 And so he flew to the mainland, and he
40 has a large staff carved out for him. It was fashioned
41 after the arms of an octopus, and it even had those
42 little suckers on it. And he stretches that long arm
43 out and he snaps onto that large canoe, and he begins
44 to pull that large canoe with the house on top of it to
45 shore. And as he gets it up onto the mainland, up onto
46 the dry land, he lets out all of the animals and the
47 birds and the fishes, and all of the wildlife. And so
48 now the place is ready for the Tlingits to start
49 migrating to.

50

1 He took that house off of that large
2 canoe and he places it about halfway up the Akwe River
3 and sets it along the banks of the river. And it was
4 called (In Native language). (In Native language)
5 means far out house, because he pulled it in from far
6 out on the ocean. Okay.

7
8 Then as the people began to migrate
9 into the area, he gave this house to them. And he
10 says, this is for you to start your settlements here.
11 And when this house gets too small for you, build
12 another one. You have all of the sources here. You
13 have the animals and birds and the fishes and the
14 rivers, and everything that you need to feed yourself.
15 But you also have the trees and the vegetation and all
16 of the stuff that you need to sustain your life. And
17 he said that when that house gets too small for you,
18 build another one.

19
20 And those houses, you know, were able
21 to handle about, you know, 60 people. 50 or 60 people.
22 And around those tribal houses were other little, you
23 know, smaller dwellings that people were able to live,
24 but that was the main one.

25
26 So eventually then there came after (In
27 Native language), (In Native language) which is whale
28 house. Then that one got too small, and then Frog
29 House was built, and then Boulder House, and Sleepy
30 House, and then Mountain House, and Tawn House or whale
31 house. I'm sorry, Sea Lion House. There were seven of
32 them in that original settlement that was eventually,
33 you know, the largest what we call (In Native
34 language), a village in that Dry Bay area.

35
36 And so the next thing that he did after
37 the people began to migrate there is he began to tell
38 them about those resources that are out there for their
39 benefit. Okay. And he says, you're going to be
40 stewards over these resources. And you need to take
41 good care of them.

42
43 And then some of the values that he
44 gave to our people was, number 1, have respect for the
45 creator at all times. And that's self-explanatory,
46 isn't it. Have respect for the creator.

47
48 Number 2 is to respect everything.
49 Respect one another. Respect the environment, the
50 habitat, the fishes, the birds, the trees. Tlingit

1 people believe that there is life in everything.
2 There's life in that glass there. There's life in
3 this. There's life in the floor. There's life in the
4 trees. And they are intelligent. And he says that
5 when we show respect toward those resources, those
6 resources will give themselves to you, and you will
7 never be without. He also said that when you begin to
8 show disrespect for those resources, they are going to
9 start to disappear. Okay.

10

11 Number 1, show reference to the creator
12 at all times. Show respect for everything.

13

14 And number 3 was don't waste. Don't
15 take more than what you need. Don't waste and don't
16 take more than what you need.

17

18 There were others, but these kind of
19 stick out. But the last one that he shared with them is
20 that you should share. You share one with another. We
21 have a protocol in our area, and I'm sure that might be
22 so in other Native communities, where when a clan comes
23 into another area, into your area, for instance, the
24 clan leaders always met. And they were asked, you
25 know, what are you here? What do you want to do here?
26 Well, we want to fish. We want to gather berries. We
27 want to hunt the seals and animals in your area,
28 because we had plenty. Okay. And so, okay. You can
29 come in and you need to tell us how many fish you're
30 going to take, how many seal you're going to hunt,
31 among the other pieces of game or whatever, you know,
32 how many berries you want to gather. And then when
33 you're filled, then you can go. But here's one thing
34 that we're going to do. We're going to send with you a
35 guide to be sure that you get all that you need to take
36 care of your needs. Okay.

37

38 So that's, you know, Tlingit values.
39 You know, to be able to share. Share your resources.

40

41 And when you start giving, there's a
42 natural inclination that it's going to come back to you
43 sevenfold.

44

45 So I just wanted to share that with
46 you, you know, I call you my brothers and sisters, that
47 these are values that I teach my children. It was
48 taught to me by my parents and grandparents. And I've
49 started teaching these kind of late in life to my
50 children, but now they have grasped onto attaching onto

1 their history and culture a lot better than most people
2 do. And I'm very grateful for that.

3
4 So that's what I wanted to share with
5 you before I leave.

6
7 But I also want to, if I might, Mr.
8 Chairman, make some observations of your meetings here,
9 and I hope I don't offend any of you for what I have to
10 say, because I'm just going to share with you some of
11 the protocols that we in our Southeast Regional
12 Advisory Council practices.

13
14 When we're doing a proposal, for
15 instance, you know, you hear the analysis. And for me,
16 I always try to read it ahead of time. But as they go
17 through the analysis, I always try to figure out four
18 criteria that will help me make a decision on whether
19 this is a good proposal or not. And, Donald, you might
20 want to write this down.

21
22 Number 1. Is there substantial data to
23 support that proposal. Is there enough data in that
24 analysis that will help you make a decision one way or
25 another.

26
27 And after you say, you know, in your
28 deliberations, you know, today about conservation. Is
29 there a conservation concern. Okay. And is there a
30 conservation concern.

31
32 Number 3. How does it affect
33 subsistence users, either, you know, positively or
34 negatively. That always makes me make a better
35 decision, you know, if I can evaluate that.

36
37 And then another thing that we do, the
38 fourth one, is we add non-subsistence users as well.
39 How does it affect them.

40
41 And if you can come out with positive
42 evaluations of those yourself when you go into
43 deliberation, you know, it helps you make your decision
44 a lot more based on good information.

45
46 Now, the person who makes the motion,
47 and then there's a second, then you go into discussion.
48 Normally it's the person who makes the motion will say,
49 well, I am going to support this proposal, because
50 there is substantial data to support the proposal.

1 There is no conservation concern. It does not affect a
2 subsistence user. In fact, it might benefit a
3 subsistence user. And it won't have any adverse affect
4 on the non-subsistence users.

5
6 Or it could go the other way, okay. If
7 there is not enough substantial evidence, you know, to
8 support this proposal. There is a conservation
9 concern. It will affect subsistence users and non-
10 subsistence users.

11
12 So I would encourage you to try to
13 practice that. It helps us, you know, to really put
14 some teeth into our proposals. And so I hope that this
15 will help you. I wanted to share you that with you,
16 because I listened here, and I heard, you know, there's
17 not conservation concern.

18
19 And I think Judy said something, you
20 know, she used at least three of them during her
21 deliberations.

22
23 But I just want to encourage you to,
24 you know, make use of that procedure, because it does
25 help us, and I'm sure it will help you as well.

26
27 I've got some things to do this
28 afternoon, then I'm going to go see some grandchildren
29 this evening. Maybe we'll take in a movie or
30 something; I don't know. And tomorrow I'm going to
31 wind up some of the things that I hadn't been able to
32 take care of today.

33
34 But it's been a pleasure being with
35 your folks, and I think you are doing a great job and
36 great service to the people whom you serve.

37
38 Yesterday when I introduced myself, I
39 said to you (In Native language), self-respecting and
40 honorable people. That's who I think that you guys
41 are. And the people that have put you where you are
42 think what you are honorable and self-respecting people
43 as well.

44
45 So I say my good-byes to you today. I
46 look forward to the joint meeting next spring. I think
47 it's going to be a great time to get together and not
48 only just, you know, talk about the issues before us,
49 but also to get to know one another a lot better.

50

1 And good luck to you and gunalcheesh.
2 Have a good day.

3
4 CHAIRMAN LOHSE: Thank you, Bert. And
5 we will be forming a working committee to get together
6 with your working committee on setting up an agenda for
7 our joint meeting. And would Cathy be a good one for
8 our working committee to contact?

9
10 MR. ADAMS: Yeah, Cathy would be, I'm
11 sure, a member of our committee. We talked about this
12 earlier, folks, about, you know, preparing for the
13 joint meeting. And we are going to have two
14 representatives from out Council, and, of course, you
15 know, Ralph is going to single a couple of you people
16 out to work on that committee. And what you're going to
17 do is, you know, work on an agenda that will really,
18 you know, be meaningful. And then, you know, after
19 we're done with our meeting, I hope that we'll be able
20 to say that we really have accomplished something, and
21 measure ourselves in how successful we are with having
22 this joint meeting, because it is a big thing. And I
23 look forward to that.

24
25 I'll just share with you also, you
26 know, about a year ago, a little over a year ago, the
27 Federal Subsistence Board came down to Southeast,
28 Alaska, and we had a meeting in Juneau. And it was a
29 joint meeting. I don't think any other Regional
30 Advisory Council had the privilege of doing this
31 before, but we had a joint meeting of the Federal
32 Subsistence Board and the Southeast Regional Advisory
33 Council. And it was there in Juneau.

34
35 And we were talking about -- the issues
36 was Angoon, the territorial jurisdiction issue. Angoon
37 has been experiencing, you know, what they think, you
38 know, is the interception of salmon into their streams
39 by seiners. And so they wanted -- because they weren't
40 getting very satisfactory results from the State to
41 take care of the issue, they wanted the Federal system
42 to take over.

43
44 I'm not in favor of anything like that,
45 as I said yesterday, you know, unless it's really
46 necessary. I think we can all solve things on a local
47 basis. And so that's what they're trying to do.

48
49 And so we had this meeting, and
50 hundreds and hundreds of people attended the meeting,

1 as well as, you know, the Board and the Regional
2 Advisory Council sat up together. And it was a great
3 opportunity to see what power, you know, comes out of
4 Regional Advisory Councils, because we had -- our
5 Council had to come forth with kind of talking points
6 or a proposal, you know, to give to the Board. And
7 that was a challenge. We worked until midnight, almost
8 midnight, you know, trying to get that taken care of,
9 but I think that we did a fantastic job there.

10

11 And I think when we meet, we are going
12 to be just as fantastic. And I look forward to that.

13

14 CHAIRMAN LOHSE: Thank you, Bert. And
15 again thanks for coming and being a guest at our
16 Council meeting, and we look forward to our joint
17 meeting.

18

19 MR. ADAMS: Thanks for inviting us. I
20 still think we need to go to Yakutat.

21

22 (Laughter)

23

24 CHAIRMAN LOHSE: Let's do it while the
25 winter kings are biting, though.

26

27 (Laughter)

28

29 MR. ADAMS: March is a good time then.

30

31 CHAIRMAN LOHSE: March is a good time,
32 too?

33

34 Okay. With that, we had -- Donald,
35 there was one other thing that we talked about doing
36 right after we deal with this proposal. Do you
37 remember what it was? I forgot.

38

39 MR. MIKE: A presentation by Ken Lord
40 on the Katie John Case II.

41

42 CHAIRMAN LOHSE: Okay. So we'll do
43 this Proposal and then we'll have a presentation on the
44 Katie John case. Sorry. And then we will go onto our
45 last proposal.

46

47 So with that in mind, let's have this
48 Proposal WP14-19 on the table.

49

50 MR. EVANS: Thank you, Mr. Chairman. I

1 will present this proposal as well. This is Tom Evans
2 with the U.S. Fish and Wildlife Service.

3

4 I wanted to -- one clarification. I
5 think we have two more proposals after this, because we
6 combined 15/45 along with 49 [sic], so we're going have
7 two more that follow this one.

8

9 CHAIRMAN LOHSE: Right.

10

11 MR. EVANS: Okay. Proposal 14-49
12 [sic], submitted by Greg, President of the Ninilchik
13 Traditional Council, requests a cow harvest be
14 established in Unit 15B and 15C from October 20th to
15 November 10th. The proponent suggest a quota of 15 be
16 established, and the hunt be conducted under the
17 Federal registration permit.

18

19 The proponent would like to establish a
20 cow hunt in Units 15B and 15C, because many subsistence
21 users have not been able to harvest a moose due to the
22 restrictions associated with the current bull moose
23 hunting regulations. In addition, the proponent states
24 that the lack of availability of moose meet has had an
25 adverse impact on the conditional, social, spiritual
26 well-being of the community.

27

28 A little regulatory history. In 1995
29 the Federal Subsistence Board adopted a positive
30 customary and traditional use determination for
31 Ninilchik, Nanwalek, Port Graham and Seldovia for Units
32 15B and 15C. At the same time the Board authorized an
33 August 10th to September 20th season with a spike fork,
34 50-inch or three or more brow tines on at least one
35 antler restriction. This provided a 10-day opportunity
36 for Federally-qualified subsistence users prior to the
37 State season opening. So this was 1995.

38

39 Currently rural residents in Cooper
40 Landing, Nanwalek, Ninilchik, Port Graham, Seldovia
41 have C&T for moose in Units 15A and 15B. Rural
42 residents in Nanwalek, Ninilchik, Port Graham, and
43 Seldovia have C&T for Unit 15C, so they're slightly
44 different between 15B and 15C.

45

46 In Unit -- in 2011 the Alaska Board of
47 Game closed non-resident hunting for the general bull
48 moose hunts in Units 15A and 15C for regulatory year
49 2011 and 2012. In addition the Board of Game changed
50 the antler restrictions from three to four brow tines,

1 and removed the spike fork option to harvest a moose in
2 Unit 15.

3

4 In 2011 the Board adopted regulatory
5 changes from a special action, WSA11-02, to change the
6 antler restrictions from a 50-inch bull with three brow
7 tines to four brow tines, and to remove the spike fork
8 option in Units 7 and 15, which were in effect through
9 September 20th, 2012. This was done primarily to
10 address the low bull/cow ratio.

11

12 The Board rejected a similar emergency
13 special action, WSA11-03 for the winter moose seasons
14 in Unit 15B and 15C from October 20th to November 10th.

15

16 In March 2013, the Alaska Board of Game
17 adopted amended Proposal 143b which I spoke about
18 earlier which retained the requirement of a bull with
19 50 inches or larger with four brow tines, but added the
20 spike to the 2013 moose hunts in Units 7 and 15. The
21 addition of the spike to the State regulations during
22 the 2013 fall moose hunt in Units 7 and 15 hopefully
23 provided some -- will provide additional opportunity to
24 take a moose that was not available during 2012.

25

26 Biological background. Moose densities
27 in Unit 15 vary, with the lowest densities occurring in
28 the northern Kenai Peninsula and the greatest densities
29 in the southern.....

30

31 (Radio station coming over
32 teleconference - teleconference turned off)

33

34 MR. EVANS: All right. How do you
35 spell relief. I think we were there.

36

37 Okay. In March 2013 the Alaska Board
38 of Game adopted Proposal 143b which I spoke about
39 earlier which retained the requirement of a bull with
40 50 inches or larger with four brow tines, but added the
41 spike to the 2013 moose hunts in Units 7 and 15. The
42 addition of the spike to the State regulations during
43 the 2013 fall moose hunt in Units 7 and 15 will provide
44 additional subsistence users opportunity to take moose
45 which was not provided in 2012. I repeated that just
46 in case -- just to catch you up.

47

48 Moose densities vary in Unit 15 with
49 the highest densities in the southern part of the Kenai
50 Peninsula; the lowest densities in the northern part of

1 the Peninsula. The distribution and abundance of moose
2 is primarily regulated by habitat quality and quantity,
3 winters with high snowfall, vehicle collisions,
4 hunting, and predation by black bears, brown bears, and
5 wolves.

6
7 I'm now going to speak to the
8 individual units separately, because they have kind of
9 different -- the population stuff is different.

10
11 Unit 15B. The unit's divided up into
12 eastern and western sections. The Kenai National
13 Wildlife Refuge management objectives is 25 to 30 bulls
14 per 100 cows in the west, and 40 to 60 bulls per 100
15 cows in the east. The State management objectives in
16 the west are 15 bulls per 100 cows, and in the east is
17 40 bulls per 100 cows.

18
19 In 2001 Unit 15B had a population of
20 958. And composition counts in -- there were no
21 composition -- there were no composition survey done
22 during this year, because the survey was conducted in
23 February after most of the moose had shed their
24 antlers.

25
26 In 2010 to 2011 the composition counts
27 in Unit 15B were 33 per 100, which was down from the
28 previous year which had 51 to 100. The cow/calf ratio
29 during those same two years, 2010 and 11, was also down
30 to 9 from 11 the previous year.

31
32 The overall assessment in moose
33 population in Unit 15B is it is declining. That's an
34 important point to remember here.

35
36 Unit 15C is the most productive area
37 for moose in the Kenai Peninsula. I stated the
38 objectives for the Kenai National Wildlife Refuge
39 before, but I'll go ahead and state them again. 40 to
40 60 bulls per 100 cows for the Caribou Hills area, and
41 25 bulls per 100 cows for the remainder of Unit 15C.
42 The State's management goals for the same area, for the
43 whole area, is 15 to 20 bulls per 100 cows.

44
45 The population based on the geospatial
46 surveys in 2001 to 2002 was 2,918. In 2013, 2,195. In
47 2013, 3,204. So the population has been increasing.

48
49 The average bull/cow ratio since 2001
50 is 16. And in 2010 it was 9 bulls per 100 cows. 2011,

1 14 bulls per 100 cows. And 2013, 23 bulls per 100
2 cows. So again positive data suggesting that
3 population's doing good.

4
5 The State's assessment of the moose
6 population in 15C is stable.

7
8 An average of 280 moose were taken
9 annually from 2001 to 2012 in Unit 15C, which is about
10 83 percent of the total harvest, and 52 in Unit 15B.
11 Unit 15B west, where the majority of the moose are
12 taken is 42, and Unit 15B east was 10. Five moose a
13 year are taken under the Federal subsistence
14 regulations in Units 15B and C, so most of the moose
15 taken in these areas are taken under the State
16 regulations. From 2002 to 2010 drawing permits for cow
17 moose have been issued for the Homer area and have
18 resulted in an average of 24 cows per year, and it
19 ranged between 18 and 30, between 2004 and 2008, which
20 accounts to approximately 9 percent of the total
21 harvest in 15C.

22
23 Since 2001 the proportion of spike
24 bulls harvested under the State hunting regulations by
25 communities that have C&T use determinations has
26 averaged about 62 percent.

27
28 If proposal WP14-49 -- 19, sorry, is
29 adopted, it will establish a cow season during the late
30 fall hunt with a quota not to exceed 15 in Units 15B
31 and 15C. This would provide increased opportunity for
32 Federally-qualified subsistence users to harvest a
33 moose.

34
35 An increase in the cow harvest may
36 impact the reproductive potential of the herd, causing
37 a conservation concern for the declining moose
38 population in Unit 15B. The recent population estimate
39 suggests that the moose population in 15C is stable and
40 increasing and it could sustain a limited cow hunt of
41 up to 10 cows. And the 10 cows was a number that was
42 provided by Andy Loranger, who's the refuge manager for
43 the Kenai National Wildlife Refuge.

44
45 The impact of the additional hunters in
46 the late season cow hunt, in addition to the hunters
47 hunting bulls during the late season bull hunt on
48 Federal public lands is likely to increase some of the
49 stress on the moose population, which has just
50 undergone the rut.

1 OSM's preliminary conclusion is to
2 support Proposal WP14-49 [sic] with a modification to
3 allow a limited cow harvest only in Unit 15C from
4 August 10th to September 20th, and to delegate
5 authority to open and close the season and determine
6 the annual quotas via the existing delegation of
7 authority letter for the Kenai National Wildlife
8 Refuge.

9
10 The justification is based on declining
11 trends in the moose population in Unit 15B, the
12 bull/cow ratios are below both State and Federal
13 management objectives. There's low calf survival, and
14 the relatively high impact of vehicle collisions on
15 cows and calves suggests that Unit 15B cannot sustain
16 additional cow harvest at this time. However, the
17 moose population in Unit 15C could sustain a small, but
18 limited cow hunt with a season and quota to be
19 determined by the Kenai Refuge manager.

20
21 Due to the likelihood of an increased
22 disturbance from additional hunters to the moose during
23 the stressful period following the rut, a limited cow
24 hunt should occur only during the early fall hunting
25 season from August 10th September 20th.

26
27 Removing the language suggested by the
28 proponent about the delegation of authority from
29 regulatory language and attaching a current delegation
30 of authority letter which Chuck alluded to earlier in
31 one of the earlier proposals will allow to clarify
32 regulations and allow for more management flexibility
33 through in-season adjustment of hunt parameters.

34
35 So that's it. Mr. Chairman.

36
37 CHAIRMAN LOHSE: Thank you. Questions.
38 Greg.

39
40 MR. ENCELEWSKI: I've got no questions,
41 but I think you did a great job presenting that, and it
42 pretty clearly shows, you know, that 15C is doing okay
43 and fairly stable.

44
45 CHAIRMAN LOHSE: Alaska Department of
46 Fish and Game.

47
48 MR. EVANS: Just one clarification
49 before Drew gets on here. Chuck just mentioned that
50 the appendix which had the delegation of authority

1 letter for the Kenai National Wildlife Refuge did not
2 make it into the book. So we can provide that later,
3 or just to let you know.

4

5 ** MR. CRAWFORD: Okay. Drew Crawford, Alaska
6 Department of Fish and Game.

7

8 As Tom indicated, at the Board of Game
9 meeting in March 2013, the Department suggested that
10 additional antlerless opportunity may exist in areas
11 along the Game Management 15C road system. The area
12 management biologist told me that the most recent
13 population estimate for this area was 3200 moose with a
14 95 percent confidence interval of 2,554 to 3,455.

15

16 In the winter, the moose move off
17 Federal lands into Unit 15C and congregate along the
18 road system. Area Staff support harvesting these moose
19 on Federal public lands early in the season rather than
20 killing them on the highway during the winter. They
21 believe that biologically Unit 15C can support a
22 limited subsistence harvest of 5 to 10 antlerless moose
23 on Federal public lands.

24

25 However, they also added that the moose
26 population in Game Management 15B is below population
27 objectives, and the harvest of cows in this area would
28 be detrimental to that population.

29

30 So we would support this effort in Game
31 Management Unit 15C.

32

33 CHAIRMAN LOHSE: Thank you. Just on
34 question. I noticed that both the Federal OSM and
35 yourself suggested that that cow hunt take place in
36 August to September. And I think your reasoning was
37 that at that time they have -- at a late season they've
38 moved down off of Federal land onto basically the road
39 system.

40

41 MR. CRAWFORD: Correct.

42

43 CHAIRMAN LOHSE: So that they would be
44 actually more accessible to Federal hunters on Federal
45 land in the August season because they'd be more on
46 Federal land?

47

48 MR. CRAWFORD: Yes.

49

50 CHAIRMAN LOHSE: Thank you. Any

1 questions for Fish and Game.

2

3 (No comments)

4

5 CHAIRMAN LOHSE: Okay. Are there any
6 other Federal agencies that wish to speak to this,
7 refuge managers or anything like that.

8

9 (No comments)

10

11 CHAIRMAN LOHSE: Native villages.

12 Chuck.

13

14 MR. ARDIZZONE: Mr. Chair. I just
15 wanted to mention we do have some Refuge Staff here if
16 there was some questions for him, but otherwise I don't
17 think he had planned to come up.

18

19 CHAIRMAN LOHSE: Okay. Mr. Henrichs.

20

21 MR. HENRICHS: Eyak will support this.

22

23 CHAIRMAN LOHSE: Mary.

24

25 MS. MILLS: Kenaitze Indian Tribe will
26 support this.

27

28 CHAIRMAN LOHSE: Thank you. Greg.

29

30 MR. ENCELEWSKI: I think you got a card
31 from me to testify being on the tribe, when we get to
32 that point.

33

34 CHAIRMAN LOHSE: As the tribe.

35

36 MR. ENCELEWSKI: I would support it.

37

38 CHAIRMAN LOHSE: Okay. Do you want to
39 do this as a tribe, not as public testimony?

40

41 MR. ENCELEWSKI: I want to do public
42 testimony as a tribe.

43

44 CHAIRMAN LOHSE: Okay. Okay. We'll
45 let it go at that then. We'll do it after we get to
46 public testimony.

47

48 MS. CAMINER: Mr. Chair.

49

50 CHAIRMAN LOHSE: Yes.

1 MS. CAMINER: So just to clarify,
2 because I'm getting confused as to what this is,
3 whether we mean OMS preliminary conclusion or what was
4 submitted as the proposed regulation. The proposal.

5
6 CHAIRMAN LOHSE: On Page 190. Is that
7 the OSM preliminary conclusion to support with
8 modification, and this is the modification, so this is
9 your proposal.

10
11 MR. EVANS: That's correct.

12
13 CHAIRMAN LOHSE: Okay.

14
15 MS. CAMINER: And that's what people
16 are supporting.

17
18 CHAIRMAN LOHSE: At this point, yeah,
19 that's what people are supporting.

20
21 MS. CAMINER: Okay. Because the dates
22 are different from what was submitted.

23
24 MR. ENCELEWSKI: Right. That's why
25 they're doing the OSM (Indiscernible - microphone not
26 on).

27
28 CHAIRMAN LOHSE: Okay. With that then
29 we go on to InterAgency Staff Committee, advisory
30 groups, neighboring Regional Councils, the local Fish
31 and Game Advisory Committees. Do we have any.

32
33 (No comments)

34
35 CHAIRMAN LOHSE: How about written
36 public comments.

37
38 MR. MIKE: Mr. Chair. We did not
39 receive any written public comments on this proposal.
40 Thank you.

41
42 CHAIRMAN LOHSE: Okay. Public
43 testimony. I have one from Greg for public testimony
44 as the Native Village of Ninilchik.

45
46 MR. ENCELEWSKI: Do you want me to move
47 there or here, Mr. Chairman.

48
49 CHAIRMAN LOHSE: Up there. Unless you
50 don't want to.

1 (Laughter)

2

3 MR. ENCELEWSKI: Mr. Chairman. Through
4 the Chair. I'm testifying on behalf of Ninilchik
5 Traditional Council. I am Richard Greg Encelewski.
6 For the record I'm a qualified Federal subsistence
7 user. I am currently the president and chairman of the
8 tribe. I'm also president of the Native association in
9 the area. So I kind of wear several hats down there.

10

11 The reason I want to make just a couple
12 points, generally when we do our proposals, we have a
13 lot of people from our village come to support and
14 testify. But if we brought Darrell, you guys would
15 need another day of deliberation, so he's actually tied
16 up on a project, and Ivan's in Fairbanks this week. So
17 they knew it might be a little controversy, so they put
18 my name on it and sent me. So anyway here I am.

19

20 What I wanted to talk about is the way
21 this came about actually, and not to put anything on
22 there, but, you know, the late Mr. Blossom actually
23 pushed me to put this proposal in. And it was through
24 some consultation with Andy Loranger, the Federal
25 ranger, wildlife manager. And we truly felt that we
26 could provide a more meaningful way to get some meat
27 for the community with taking out some of the older
28 cows, taking out a few of the cows. They do have a
29 hunt in Homer that they take out about like 24 average
30 a year or 29 cows. So we know there's plenty of cows
31 up in there. We don't want to take -- we'd prefer to
32 take some of the barren cows.

33

34 And as far as the proposal put in to go
35 in the early season, that would be much better than
36 even the later season, so I certainly would support
37 that.

38

39 But I just want to -- from testifying
40 beyond the tribe, we have 700 plus members, real close
41 to 800 members in the Ninilchik Tribe. And as you
42 know, how tribes grow, people move into the area, have
43 been displaced out of other villages and other areas.
44 A lot of them have moved into our place because of
45 resources, the road systems, et cetera. And we've had
46 a hard time providing any meat.

47

48 And I'm not going to try and go into a
49 bunch of eloquent speeches of what the meat means to
50 us, but we utilize that moose totally and it's very

1 spiritually. I have people from my lineage that come
2 from the Kenai area, too, that I even take them bones
3 and soup. And the tongue of my moose even ended up in
4 Kodiak, but that's a whole another story. But we use
5 everything. And then I thought I was good at it, and
6 we've got people in the community, Father Trefon, that
7 he -- when he went with me, I felt bad for the birds,
8 because there's nothing left.

9

10 But what I'm -- my point is that we
11 utilize it, and it has been a burden for the community
12 not to have the meat. So we feel that this resource is
13 available. We would like to harvest it, and that's why
14 we support it and back it up. And we don't think it's
15 a conservation issue.

16

17 Thank you.

18

19 CHAIRMAN LOHSE: Thank you. Any
20 questions for Greg.

21

22 (No comments)

23

24 CHAIRMAN LOHSE: Greg, I think it's not
25 only you that don't think it's a conservation issue.
26 From what I've heard from both the State and the
27 Federal, if I understood it correctly, is that in Unit
28 15C this is not a conservation issue to take 15 moose.
29 Am I correct on that.

30

31 MR. EVANS: That is correct

32

33 CHAIRMAN LOHSE: Thank you. Any other
34 questions for Greg.

35

36 (No comments)

37

38 CHAIRMAN LOHSE: Greg, thank you for
39 presenting that.

40

41 MR. ENCELEWSKI: Thank you.

42

43 CHAIRMAN LOHSE: Okay. With that, as
44 I've been informed, we need to have a motion to put
45 WP14-19 on the -- not on the table. We need to have a
46 motion to support WP14-19.

47

48 MR. HENRICHS: I'll make the motion.

49

50 MS. MILLS: Second.

1 CHAIRMAN LOHSE: And Mr. Hanson -- Mr.
2 Henrichs makes the motion and Mary.....
3
4 MR. HENRICHS: Your brain cells are
5 starting to slip.
6
7 CHAIRMAN LOHSE: Boy, they are. You
8 can tell that today.
9
10 And Mary seconds it. Mr. Henrichs,
11 would you like to speak to the motion since you made it
12 -- oops. Chuck
13
14 MR. ARDIZZONE: Mr. Chair. Before we
15 get down the road, that's as it appears on Page 190.
16
17 CHAIRMAN LOHSE: Page 190. The motion
18 as it appears on Page 190.
19
20 MR. ARDIZZONE: I just want to make
21 sure before you get.....
22
23 MR. ENCELEWSKI: That's correct.
24
25 CHAIRMAN LOHSE: That's the one that
26 Greg has been supporting up there.
27
28 Am I correct, Mr. Henrichs.
29
30 MR. HENRICHS: Yes.
31
32 CHAIRMAN LOHSE: Mary, does that meet
33 your approval.
34
35 MS. MILLS: Yes.
36
37 CHAIRMAN LOHSE: Do you have anything
38 you wish to say to it?
39
40 MR. HENRICHS: No. Only that we're
41 happy to support this, and I just want Greg to know
42 that not only will we support this, our tribe is ready
43 to offer technical assistance with your fishwheel.
44
45 (Laughter)
46
47 MR. ENCELEWSKI: I'll accept the
48 technical assistance.
49
50 MS. CAMINER: Mr. Chair.

1 CHAIRMAN LOHSE: Yes, Judy.
2
3 MS. CAMINER: Well, I do believe we
4 have been presented with substantial evidence to
5 support this modified proposal. And it certainly would
6 not be detrimental to subsistence users, so I can
7 absolutely support it.
8
9 CHAIRMAN LOHSE: Thank you, Judy. I,
10 too, feel like we have been demonstrated there's no
11 conservation concern, that it's in the benefit of
12 subsistence users, and that it has no detrimental
13 effect on non-subsistence users.
14
15 So with that, if there's no further
16 discussion, the question's in order.
17
18 MR. HENRICHS: Question.
19
20 CHAIRMAN LOHSE: The question's been
21 called. You can't do that, you made the motion.
22
23 MS. STICKWAN: Question.
24
25 CHAIRMAN LOHSE: The question's been
26 called by Gloria.
27
28 MR. HENRICHS: Hey, it's Robert's Rules
29 of Order, and my name is Robert.
30
31 (Laughter)
32
33 CHAIRMAN LOHSE: Okay. All in favor
34 signify by saying aye.
35
36 IN UNISON: Aye.
37
38 CHAIRMAN LOHSE: All opposed signify by
39 saying nay.
40
41 (No opposing votes)
42
43 CHAIRMAN LOHSE: Motion carries. I'm
44 not going to say it. I'm sure that works in your
45 meetings.
46
47 MR. HENRICHS: It does.
48
49 CHAIRMAN LOHSE: Okay. With that we
50 have a cross over wildlife proposal that's combined

1 with a Proposal Number 11 and I would -- and we're
2 going to have Mr. Lorrington speak first. Lord. Ken.
3 I've got to take my -- it's getting late. I'm getting
4 hot, I can't even see anything through these glasses
5 any more.

6

7 MR. LORD: That's perfect. That's my
8 strategy. I was hoping to get you guys when you were
9 late and tired so I don't get any of those hard
10 questions that Bert's always talking about.

11

12 I didn't know that you were
13 anticipating a presentation. I thought you had some
14 questions about Katie John. I'm not sure what you're
15 looking for. You just want to know what happened?

16

17 CHAIRMAN LOHSE: Can you give us a
18 review of what happened.

19

20 MR. LORD: What happened Monday when
21 the State -- and what that means for the State to have
22 filed. Okay.

23

24 CHAIRMAN LOHSE: Right. How does that
25 affect us.

26

27 MR. LORD: At the moment it doesn't
28 affect anything. What the State is asking for is
29 review by the U.S. Supreme Court. Now, the Court gets
30 between 9 and 10,000 of these requests every year.
31 They only accept between 80 and 150 on average. So in
32 that regard the odds are very much against the State in
33 this review -- in seeking this review.

34

35 On the other hand, this is the kind of
36 thing that the Justices like to take up. It's got some
37 very interesting issues involving State and Federal
38 jurisdiction. And so, you know, there might -- we
39 might actually see them accept it. I just don't know.

40

41

42 But for the moment it means nothing.
43 We don't change the way we do business. And it could
44 be two years before we actually have arguments in front
45 of the Supreme Court if they ever even accept it. So
46 it doesn't change anything in that regard.

47

48

49

50

Is that what you needed to know.

CHAIRMAN LOHSE: That and what is the

1 State requesting that the Supreme Court take up.

2

3 MR. LORD: They are asking that the
4 Supreme Court review the Katie John II decision, and
5 then sort of by inference the Katie John I decision,
6 that is, the decision that said that this program has
7 management authority over certain navigable waters
8 within the State that are adjacent to or within Federal
9 public lands.

10

11 I can go into more detail on that if
12 you want, but it will put you to sleep more. Yeah.
13 Okay.

14

15 And so what could come out of this is
16 the court could go with the Katie John plaintiffs,
17 which have argued that the Federal program should have
18 responsibility for all navigable waters in the State,
19 the entire lengths of the rivers, the navigable rivers,
20 the Yukon, Kuskokwim, Copper River, you know, whatever.
21 Or they could go the other way and rule in favor of the
22 State, in which case this program's responsibility for
23 fisheries would diminish significantly. Or they could
24 land in the middle where the Federal Government has
25 been, which is that we have management authority over
26 -- for subsistence purposes over just certain fisheries
27 and certain areas of rivers.

28

29 CHAIRMAN LOHSE: But has no effect on
30 game?

31

32 MR. LORD: It has no affect on game
33 except for those occasional hypothetical questions I
34 get about what happens if a moose is swimming in the
35 river and its feet are touching the bottom, and, you
36 know.

37

38 (Laughter)

39

40 MR. LORD: Yeah.

41

42 CHAIRMAN LOHSE: But it's basically
43 involving the waters that currently are within Federal
44 management areas, navigable waters that are in Federal
45 management areas and the Federal Government has taken
46 jurisdiction on, and it can go in either direction?

47

48 MR. LORD: Yes. And not just within
49 though. We also manage some waters that are adjacent
50 to those areas because of the Federal Reserve Water

1 Right.

2

3 CHAIRMAN LOHSE: Any other -- Mary.

4

5 MS. MILLS: Well, I would just like to
6 remind people here that we are the canaries, meaning
7 the indigenous people. We know what it's like to have
8 resources taken away.

9

10 And with that being said, I would be
11 very concerned with what the State is doing, because it
12 will affect the rural determinations on your fisheries.
13 So I would be extremely, extremely concerned, and I
14 would not take this issue lightly.

15

16 Thank you.

17

18 CHAIRMAN LOHSE: Judy.

19

20 MS. CAMINER: Mr. Chair.

21

22 Well, Ken, you made me think of
23 something when you said that the Federal Government has
24 taken the position somewhere in the middle, that we're
25 just managing those rivers adjacent or within, those
26 portions, for example, the Yukon is as used to be said,
27 a patchwork.

28

29 But did Judge Holland uphold that
30 approach, or does the court want the Federal Government
31 to do the whole rivers?

32

33 MR. LORD: Well, both the district
34 court judge, Judge Holland, and the Ninth Circuit
35 upheld that approach, although the Ninth Circuit did
36 say, you know, we're not really sure this is what
37 Congress meant when they -- this whole argument stems
38 from the fact that public lands in ANILCA is defined to
39 mean lands, waters and interests therein. And that
40 last word, interest therein, what does that mean from
41 the Federal perspective. And you can argue a couple
42 different Federal interests might exist in these waters
43 or not. So what the courts -- the court kind of hemmed
44 and hawed, and said, you know, we're not crazy about
45 this approach, but we can't think of a better way of
46 doing it. I'm paraphrasing, of course, but -- so we'll
47 see.

48

49 So for the moment they affirmed what we
50 had decided back in 1992.

1 CHAIRMAN LOHSE: So if the Supreme
2 Court doesn't take this issue up, then it's moot and
3 it's at the point it is right now.....

4
5 MR. LORD: That's right.

6
7 CHAIRMAN LOHSE:under the
8 decisions that have been at this point in time.

9
10 MR. LORD: That is correct. The status
11 quo stays in place.

12
13 CHAIRMAN LOHSE: Mary.

14
15 MS. MILLS: Title VIII of ANILCA was
16 primarily Indian law. And the intent of Congress was
17 to protect the Native people's right to our fish. And
18 we can see under the State's jurisdiction that this has
19 not happened. This is why the Feds took it over. And
20 it's still an issue that's going to be addressed not
21 only by Alaska Federation of Natives, but other tribes
22 as well in ANILCA and in ANCSA. Because if you look at
23 Indian law, Indian law, it is the responsibility of the
24 Secretary of Interior to protect our hunting and
25 fishing rights. And so even though there has been
26 years of lapse, it's still being pursued today.
27 Because you cannot have different Federal laws for
28 these Indians here and not the say for the Alaska
29 Natives. Otherwise we are put in a position of being
30 third class citizens. So these are issues very near
31 and dear.

32
33 And again I would like to caution those
34 people who are subsistence users in the rural area,
35 whether you are Native or non-Native, to be extremely,
36 extremely cautious with what is happening and why the
37 State is doing this.

38
39 Thank you.

40
41 CHAIRMAN LOHSE: Mr. Hanson -- I mean,
42 Mr. Henrichs.

43
44 MR. HENRICHS: That's all right, You
45 sit back and relax.

46
47 (Laughter)

48
49 MR. HENRICHS: So, you know, there's
50 tribes in Alaska right now that are so disgusted with

1 the way the State has managed the fish and game up
2 here, that they're ready to ask the U.S. Department of
3 Justice and the United States Department of Interior to
4 step in and manage all fish and game in Alaska, because
5 we're being discriminated against as rural Alaskans by
6 the Fish and Game.

7

8 And Parnell may have succeeded in doing
9 what nobody else could do. He may have united all the
10 Natives in Alaska with that little deal.

11

12 CHAIRMAN LOHSE: Gloria.

13

14 MS. STICKWAN: Have you heard, or do
15 you know when they'll make a decision to review?

16

17 MR. LORD: No, what happens. It's a
18 long process. The petition gets filed, but then at
19 some point, weeks away, the court puts it on their
20 docket, and that's when all the clocks start running
21 for, for example, AFN to file an opposition to that
22 petition for review. So it's not a fast process,
23 particularly when they're reviewing, you know, 10,000
24 of them every year to see which ones they want to take.
25 It takes a while. And I wouldn't even want to venture
26 a guess as to how long that might take.

27

28 MS. MILLS: You know, I'd also like
29 bring to the attention of those here that the State is
30 also going after all water rights, which is a huge
31 issue, particularly for the tribes. If the State were
32 interested, truly interested in my opinion, strictly my
33 opinion, in the environment and in protecting the fish,
34 then they should be weighing in on the wanton waste of
35 the factory trawlers, the impact of climate change, the
36 amount of fish boxes that every summer go out to the
37 South 48, the amount of fish found in dumpsters going
38 out through the Alcan Highway. And so these are things
39 that I think are very important and just to remember
40 that for those who live in the rural areas. You know,
41 the indigenous people are the canaries. And so what
42 happens to us will happen across the board. And again
43 I'd like to say that's my personal opinion, but we've
44 seen this with many rights that have been not only
45 taken from the Native Americans but now you can see a
46 lot of this being done across the board in America.

47

48 Thank you.

49

50 CHAIRMAN LOHSE: Mr. Henrichs.

1 MR. HENRICHS: One other thing to keep
2 in mind also is the Magnuson-Stevens Act is up for
3 reauthorization. And the United States has completely
4 totally failed to consult with tribes as they were
5 required to do in that act, and they have just shoved
6 stuff down our throats.

7
8 And that North Pacific Council, that's
9 a joke. They're bought and paid for by the processors.
10 And we need to change that. And Begich is in office
11 and he knows he's going to need the Native vote to make
12 it back, and now is the time to start putting the
13 pressure on him.

14
15 CHAIRMAN LOHSE: Judy.

16
17 MS. CAMINER: One more question, Ken.
18 And I can't remember, and maybe you can. At what point
19 in the -- it must have been the Katie John I case, did
20 Governor Knowles withdraw the State's part of the suit?
21 Was it a similar step?

22
23 MR. LORD: It wasn't a withdrawal. It
24 was a decision not to seek petition by the U.S. Supreme
25 Court.

26
27 MS. CAMINER: Okay. So it was -- okay.
28 So it was really the same decision point, but different
29 decision made.

30
31 MR. LORD: That's right. And there's
32 some pretty interesting comments by Governor Knowles in
33 the ADN article about this in today's paper, if you
34 haven't read them.

35
36 MS. CAMINER: Thank you.

37
38 MR. LORD: So there are two other cases
39 that could be impacted by this. The Sturgeon case that
40 you may have heard about last week or a couple of days
41 ago. That was the Park Service case where Judge
42 Holland ruled that the Park Service has jurisdiction
43 over navigable waters within the parks for enforcement
44 purposes. And I suppose in theory if that were to get
45 appealed, there could be a stay on that case if this
46 one goes to the U.S. Supreme Court, because the outcome
47 of Katie John II could affect Judge Holland's decision
48 on that one.

49
50 And the other is the Peratrovich case

1 which had to do with reserved -- or Federal reserved
2 areas in South -- marine areas in Southeast, and that
3 case was a long case that did get stayed during Katie
4 John I, and only got finalized here I guess it's been
5 two years now. And so we're in the process of trying
6 to identify little enclaves of Federal waters in
7 Southeast as a consequence of that case. And that's
8 going to be a long administrative process.

9

10 It's hard to say how this could affect
11 that or not. I suspect it would not end up affecting
12 the Peratrovich decision, but I'd have to think about
13 that a little bit.

14

15 CHAIRMAN LOHSE: James.

16

17 MR. SHOWALTER: Yes. My question
18 pertains to navigable waters. And my understanding is
19 the United States Government, Coast Guard, is the one
20 that does this. The reason why I'm asking this is I
21 think the State of Alaska is like cancer. They're
22 eating out into the Cook Inlet and claiming navigable
23 rights out in the waters, and got law enforcement out
24 there on the Cook Inlet.

25

26 MR. LORD: Well, you're right. The
27 State and the Federal Governments often have differing
28 views of what constitutes a navigable waterway. And
29 often those disputes between the states and the
30 government nationwide are -- they go before a specific
31 board, you know, for a specific waterway, and that
32 board figures it out and made a decision. We've not
33 done any of that kind of adjudication in the State that
34 I'm aware of.

35

36 Right now the only thing we're relying
37 on are our -- for subsistence purposes are our 1999
38 regulations where we following the Katie John decision
39 sat down with a bunch of maps and kind of drew out
40 where we thought those reserve water rights would go,
41 and published those maps as, okay, this is the extent
42 of Federal jurisdiction for subsistence purposes.

43

44 As far as what the State is doing in
45 Cook Inlet, I don't have any involvement with that. I
46 can't tell you any more about it.

47

48 CHAIRMAN LOHSE: Ken, I'm wondering if
49 what James is talking about is State law enforcement
50 going out in Cook Inlet, Prince William Sound and

1 places like that, into navigable waters and enforce
2 State fish and game regulations. Is that what you were
3 thinking of.

4
5 MR. SHOWALTER: Yes. But I don't know
6 if it's -- I was out beyond the five-mile area from
7 land when this occurred, and it was the state troopers
8 that were I guess getting down to harassing me, because
9 I was harassing them.

10
11 CHAIRMAN LOHSE: Now what were you
12 harassing them for. I'm not going to ask that.

13
14 (Laughter)

15
16 MS. CAMINER: Off the record.

17
18 CHAIRMAN LOHSE: But I do know that
19 they do have juris -- and you can correct me if I'm
20 wrong on this, but I'm pretty sure that if you are
21 engaged in an activity that's licensed by the State of
22 Alaska, like commercial fishing, where you have your --
23 you're operating under their license, their permit,
24 they have the ability to come on board and enforce
25 their regulations. I don't know if they have the
26 ability to come out there and enforce Coast Guard
27 regulations as to whether you've got the right lights,
28 life preservers, and thins like that.

29
30 But I'm pretty sure -- I was just
31 reading something on that. When it comes to hunting
32 and fishing regulations, the government of the United
33 States has had a very broad -- game wardens and people
34 enforcing fish and game checks and violations see to be
35 above the law when it comes to things like search
36 warrants and things like this. And there's been lots
37 of decisions in their favor that way. I would be
38 pretty sure that if you were involved in, you know, an
39 activity involving a State license or permit -- we ran
40 into it, that's on the Yakutat, with them stopping and
41 checking people on the road to see if they had a
42 hunting license while they were out moose hunting. And
43 some of the people weren't even moose hunting. So
44 that, you know, where does their authority stop. But
45 they have a pretty broad authority. Or at least they
46 have taken a pretty broad authority, and been supported
47 by the courts.

48
49 Anyhow, thanks for the information.

50

1 Oh, Gloria has a question.

2

3 MS. STICKWAN: I have a question. I
4 don't know if either one of you could answer. So if
5 the court -- so if the Supreme Court does review this
6 case and there's a Katie John III I guess. It will be
7 Katie John III, maybe. I don't know. I don't know
8 what it would be called.

9

10 But my question is, this court case
11 could affect the enforcement, could affect the pockets
12 of waters in Southeast. So does that mean that
13 enforcement -- if they decide on the enforcement part
14 of it, that's statewide. This will affect the
15 statewide if it's -- if it's include in the Supreme
16 Court rules that they do have enforcement, this will be
17 -- that's my question, but I'm not sure how to ask it.

18

19 MR. LORD: Okay. So there are two
20 different authorities for enforcement purposes. What
21 we're talking about mainly here are subsistence, is the
22 subsistence management authority, which is a little
23 different than enforcement authority. Enforcement
24 authority in, for example, State parks, like the
25 Sturgeon case, is not based on ANILCA Title VIII. It's
26 based on the Park Service Organic Act, the act that
27 created the parks and gives those park rangers
28 authority.

29

30 And so this Katie John decision, if it
31 were to go completely reversed and the Supreme Court
32 said we did not have management authority in navigable
33 water, which I don't think is a likely outcome, but it
34 could happen, then that would not preclude the Park
35 Service from enforcing Park Service regulations on
36 those waters within the Park. That's kind of a
37 separate question. So we would not have subsistence
38 management authority on those waters, but the Park
39 would still be able to, say, for example, prevent
40 people from using motorboats where they're not allowed
41 or things like that.

42

43 MS. MILLS: Maybe the more appropriate
44 question is how many waterways then is the State -- if
45 they do win this Katie John III, it would be the
46 majority of the waterways, navigable waters. And so it
47 would have wide far-reaching authority on most -- on
48 all of the navigable waters, wouldn't it?

49

50 MR. LORD: Right. It would revert back

1 to how things were prior to 1990 or so when the State
2 had complete management authority over all of the
3 rivers and all of the fisheries in the State except for
4 small non-navigable bodies of water within parks and
5 refuges and within Federal public lands. So small
6 ponds in a park would not fall under that jurisdiction,
7 but everything else -- all the salmon fisheries would
8 basically be managed by the State at that point.

9

10 MS. MILLS: Yes. And the key word
11 there is small pools is what would not be affected
12 versus large area of waterways.

13

14 CHAIRMAN LOHSE: With that, Ken, thank
15 you muchly for catching us up on that.

16

17 Whoops, I don't have the time. What
18 time does anybody have?

19

20 MS. CAMINER: 4:20.

21

22 CHAIRMAN LOHSE: 4:20. Let's go on to
23 Proposal WP14-15/45. That's a fairly simple one. And
24 then we'll get on to the next one. Proposal WP14-
25 15/45. Basically the two are essentially the same
26 proposals. Page 131. My fault. Excuse me. Page 131.
27 Are we ready. Any time.

28

29 MS. KENNER: Thank you, Mr. Chair.
30 Members of the Council. For the record my name is
31 Pippa Kenner, and I'm an anthropologist for the Office
32 of Subsistence Management here in Anchorage.

33

34 And this Proposal, WP14-15/45 has to
35 do with what we call an ANILCA Section .804 analysis
36 and determination. And before I go on, I just want to
37 talk very briefly about what that means. In ANILCA and
38 imported into our Federal Regulations, is an area
39 discussing when you have to make -- when managers have
40 to make a prioritization of subsistence uses to
41 maintain a population or to continue subsistence uses.

42

43 And we're in that situation here. So
44 what that means in practical terms is that many
45 caribou, many populations of caribou are taken with a
46 harvest or a registration permit in the State system.
47 The Federal system also has registration permits. And
48 what that means, by definition is that anybody can get
49 one of those permits. Anybody who's qualified. In the
50 Federal system you have to be Federally-qualified. In

1 the State you can -- let's say you have to be a State
2 resident.

3

4 And so -- and those populations -- when
5 that occurs, populations are managed by individual
6 harvest limits generally and quotas. So each person
7 can harvest one or each person can harvest until a
8 quota is taken, or both. Each person can harvest one,
9 and as many people as can harvest until the quota is
10 taken.

11

12 When you get in to a situation where
13 the number of people who want to take one of those
14 animals increases, or the population of that animal
15 decreases to the point that you can't have an unlimited
16 permit distribution, what we call that is having to
17 limit the distribution of permits in order to maintain
18 the health of the population.

19

20 And so in our system, the section of
21 ANILCA that refers to that is called Section .804. And
22 basically what it says is that in order to limit the
23 distribution of permits, that means now I'm only going
24 to give out five permits. That's it. I can't give out
25 any more than five permits, or 14 or 40. When I have
26 to limit the number that go out either through draw or
27 some other allocation.

28

29 A Section .804 analysis is necessary to
30 determine who would be able to receive a permit based
31 on three criteria. And those criteria are: (1)
32 customary and direct dependence upon the populations as
33 a mainstay of livelihood; (2) local residency; and (3)
34 the availability of alternative resources.

35

36 So in 2012 the Federal Subsistence
37 Board opened the Chisana Caribou Herd hunting season
38 for the first time since 1995. And the management plan
39 indicated that there was a surplus of only 14 bulls, 7
40 of which could be taken on the U.S. side of the border.
41 And so the Office of Subsistence Management conducted a
42 Section .804 determination at the request of I believe
43 both the Eastern Interior and the Southcentral
44 Councils. And OSM concluded that residents of only
45 Chisana, Chistochina, Mentasta Lake, Northway, Tetlin,
46 and Tok should be eligible to receive a Chisana permit.
47 So the other communities that were in the customary and
48 traditional use determination now were not eligible,
49 only residents of these communities.

50

1 The Southcentral Council recommended
2 adopting the OSM conclusion. And the Eastern Interior
3 Council also recommended including residents of Nebesna
4 and Tanacross to the list of eligible rural residents
5 to receive a Chisana hunting permit. Concerning
6 Nebesna, at the time information was not available to
7 describe the caribou use patterns of Nebesna, and the
8 Board indicated it would consider further research and
9 analysis when and if it became available.

10
11 Today you will be considering two
12 related proposals, WP14-15 and 45. Both proposals seek
13 to add (1) the residents of Nebesna, and (2) residents
14 of the Chisana Caribou Herd hunt area to the list of
15 who is eligible to receive a Chisana permit. And this
16 is in Unit 12 we're talking about. The two proposals
17 are essentially the same, and the proponents are the
18 Wrangell-St. Elias National Park Subsistence Resource
19 Commission and the Eastern Interior Council.

20
21 Now an associated proposal is going to
22 be presented to you by my co-worker Tom here and it
23 will discuss adjusting hunting season and harvest
24 limits.

25
26 So this proposal doesn't have anything
27 to do directly with conservation. This is about
28 eligibility. Who's eligible based on those three
29 criteria I read you.

30
31 Concerning the request to include the
32 people living in the hunt area not affiliated with the
33 community of Chisana, okay, Chisana is in the hunt
34 area, but we're talking about people other than living
35 in Chisana. They number probably less than five people
36 residing at Horsfeld and at Ptarmigan Lake, for
37 example. However, an enumeration has not been done.

38
39 It should be noted that Daniel Hennick
40 (ph) and Jessica Braga are residents of the hunt area
41 who co-wrote a proposal requesting that the residents
42 of the hunt area be eligible to receive a Chisana
43 permit. And the proposal was written before the
44 deadline and it was shared with Staff, but it didn't
45 make it into the electronic database before the
46 proposal deadline.

47
48 Since the initial Section .804 analysis
49 was written, Staff have accessed additional information
50 describing the uses of the Chisana Caribou Herd by

1 residents of Nabesna. And the National Park Service
2 and the Department of Fish and Game conducted a
3 community harvest survey that included the Nabesna
4 Road, but for many of the conclusions that they might
5 reach on a community-based research, Nabesna Road was
6 combined with Slana.

7

8 So what I did was I talked to the
9 researchers and tried to get information that just
10 talked about that Unit 12 section of the Nabesna Road.
11 And they discovered there were nine households making
12 their permanent residence in Unit 12 on the Nabesna
13 Road, and estimated that approximately 18 people lived
14 in the area. Some of those families first moved to the
15 area in the 50s, and they relied on caribou primarily
16 from the Nelchina herd which migrated through the area,
17 and also on the Chisana herd when it migrated down to
18 the river right across from the end of the Nabesna
19 Road, across the Nabesna River.

20

21 Some Nelchina residents were guides or
22 transporters who used the Chisana Caribou Herd as well
23 as other populations of wildlife in the State as guides
24 and transporters.

25

26 So the OSM preliminary conclusion is to
27 take no action on Proposal 45, because it's identical,
28 and to support Proposal 15. Now the recommendation is
29 to support Proposal WP14-15 with modification, to
30 include the residents of Nabesna. At this time no
31 information is available describing residents of the
32 hunt area other than the residents of Chisana.

33

34 I should add that a resident of the
35 hunt area has been appointed to the Eastern Interior
36 Council and is likely to provide information regarding
37 this proposal at the Eastern Interior Council meeting
38 in two weeks in Fairbanks.

39

40 Also I'd like to add that the residents
41 of the hunt area live in a remote area. Some have
42 satellite phones. Some have part-time access to email,
43 but there's no direct access to the road system.

44

45 Also, it appears that in 2012 -- oh.
46 And to conclude I just would like to add that in 2012
47 the number of permits was limited to 14, and the
48 reporting period requirement was set at within 3 days.
49 Nine permits were issued and two animals were
50 harvested.

1 That's the end of my presentation and
2 I'd welcome any questions. Thank you.
3
4 CHAIRMAN LOHSE: Excuse me. Thank you.
5
6 Does anybody have any questions.
7
8 (No comments)
9
10 CHAIRMAN LOHSE: Am I understanding
11 right that the proposal that OSM is -- proposed
12 regulation would exclude the residents of the hunt area
13 until further discussion.
14
15 MS. KENNER: Yes, that is the present
16 modification. Thank you, Mr. Chair.
17
18 CHAIRMAN LOHSE: I would just like to
19 know how you can be residents of the hunt area and
20 where the hunt is taking place, and there's less than a
21 dozen of you, and you're not qualified because you're
22 not -- it doesn't make sense to me.
23
24 Gloria.
25
26 MS. STICKWAN: It's because they have
27 no written documentation of C&T use. That's why I
28 believe. Is that right?
29
30 CHAIRMAN LOHSE: Okay. Okay. Any
31 other questions. Gloria.
32
33 MS. STICKWAN: I was told by the Alaska
34 Department of Fish and Game biologist when we talked
35 about this, I met with her, and she said that a lot of
36 those people in those areas are hunting guides, and
37 they didn't see a reason to have C&T done in their
38 area. They do get meat from the area though.
39
40 CHAIRMAN LOHSE: My question is, when
41 they talk about residence, are they talking about year-
42 round residents or are they talking about somebody
43 who's got a hunting camp and comes there for a few
44 months? I was under the impression there was at least
45 two families, or two people that were year-round
46 residents up there, but I'm not sure.
47
48 MS. KENNER: Thank you, Mr. Chair.
49 According to some of the employees at the Park Service,
50 they are aware of people living in the area, but there

1 has not been a formal enumeration that they have access
2 to.

3
4 Generally local proximity, particularly
5 living in the hunt area, is substantial in making an
6 argument to be eligible. There are to other criteria
7 though. And in the initial Section .804 determination,
8 those criteria and eligibility were defined. And one
9 was a dependence on the herd and one was the
10 availability of alternative resources.

11
12 So if people in the hunt area have not
13 lived in the hunt area -- did not move there before
14 1995. You know, it's very difficult to prove previous
15 dependency. And as far as alternative resources, the
16 conclusion of the earlier .804 determination was that
17 obviously everybody had found alternatives, because
18 this area had been closed.

19
20 So without knowing who these people are
21 and whether they participated in sport hunting and were
22 transporting, it's hard to really stick them into my
23 analysis. But I know that information is forthcoming.

24
25 The fact that this is a cross-over
26 proposal to the Southcentral Council was something that
27 was not on the mind of people who had written this
28 analysis, and I was part of that writing. So the fact
29 that it's coming to you before we hear from the Eastern
30 Interior Council is different.

31
32 And also basically the initial .804
33 determination in 2012 concluded that there were
34 situations where people involved in the sport industry
35 may have seen these particular caribou as special, and
36 therefore there were -- there was no alternative to
37 them. And there were cases, for instance the people
38 involved in the guiding and transporting industry that
39 might live in Tok and in communities, particularly in
40 communities around the area who were included in the
41 customary and traditional use determination, that they
42 would be included and be eligible, and that if they
43 requested a permit, they could get one if there were
44 any left.

45
46 CHAIRMAN LOHSE: Thank you. Because
47 this not give them a permit, this just gives them the
48 ability to apply for the drawing permit.

49
50 MS. KENNER: That is true if there were

1 a drawing. There are other ways of distributing the
2 permits.

3

4 CHAIRMAN LOHSE: Right. But I mean it
5 does not automatically grant them a permit.

6

7 The other thing is that I noticed, like
8 you said, that these are cross over proposals. They
9 come from Eastern Interior, and we have had a tendency
10 in the past to take those kind of ones that we know
11 that they have more information and deal with them to
12 allow them to make the thing, the -- you know, in order
13 words, to -- how do we say it?

14

15 MR. ARDIZZONE: Defer to the home
16 region.

17

18 CHAIRMAN LOHSE: We defer to the home
19 region.

20

21 MS. KENNER: Thank you, Mr. Chair.
22 Yeah, that would be called deferring to the home
23 region.

24

25 CHAIRMAN LOHSE: And in this case here
26 though, we're dealing with some communities that are
27 part of our area, so I think that we'll have to take a
28 look at this one.

29

30 Gloria.

31

32 MS. STICKWAN: I would rather not
33 defer, that we take action today.

34

35 MS. CAMINER: Mr. Chair.

36

37 CHAIRMAN LOHSE: Yes.

38

39 MS. CAMINER: One more question I guess
40 on the wording or the geography. So specifically
41 because it's in Unit 12, it's just Milepost 25 to 46.
42 I mean, in general it said that, you know, want to
43 grant Nabesna -- what to grant this to Nabesna, but
44 then specifically it says -- just describes the road.
45 And is that because Nabesna could also be other
46 residents out of this unit?

47

48 MS. KENNER: For the purposes of the
49 Federal program, the community of Nabesna is defined as
50 the road.

1 CHAIRMAN LOHSE: Mileposts.
2
3 MS. KENNER: The Nabesna Road from
4 Milepost 25 to 46. And that is the part of the road
5 that is in Unit 11.
6
7 MS. CAMINER: Well, I would just say
8 that the language is just a little loose in terms of
9 describing -- you know, it says support with
10 modification to add the residents of Nabesna, but then
11 in the reg itself, you are more specific, which is
12 fine, but confusing.
13
14 MS. KENNER: I misspoke. I meant
15 that's the portion of the road in Unit 12. And I'm
16 sorry, I didn't hear the rest of what you said.
17
18 MS. CAMINER: And that's -- I
19 understand that. I'm just -- some of the justification
20 uses just the word, you know, add Nabesna, but really
21 you mean, just that portion of the road that's in this
22 unit, if I'm understanding right
23
24 MS. KENNER: That is correct. I used
25 the word -- I explained the use of the word in the
26 beginning of the analysis, but then to make the writing
27 more clear, I have used the word Nabesna when I'm
28 talking about that part of the road. However, in the
29 regulation, in the proposed regulations and in the
30 modified regulation, it actually says, the residents of
31 the Nabesna Road between Milepost 25 and 46. And that
32 is in the language for other Federal regulations.
33
34 CHAIRMAN LOHSE: Thank you. Any
35 questions.
36
37 (No comments)
38
39 CHAIRMAN LOHSE: Alaska Department of
40 Fish and Game.
41
42 ** MR. CRAWFORD: Okay. Drew Crawford with the
43 Alaska Department of Fish and Game.
44
45 Regarding Wildlife Proposal 14-15/45,
46 the Department supports this proposal. Since 2005 the
47 herd has been relatively stable at about 700 caribou.
48 Based on a management plan, recommendations crafted by
49 the Chisana Caribou Herd Working Group, the Chisana
50 herd can likely sustain a limited bulls-only harvest of

1 2 percent split 50/50 between the Yukon Territory and
2 Alaska with little affect on the overall population.

3

4 CHAIRMAN LOHSE: Thank you. So you see
5 no conservation concern in this proposal.

6

7 MR. CRAWFORD: Correct.

8

9 CHAIRMAN LOHSE: Thank you.

10

11 Any questions for Fish and Game.

12

13 (No comments)

14

15 CHAIRMAN LOHSE: Okay. Having no
16 questions for the Fish and Game, we'll go on to other
17 Federal agencies, the Wrangell-St. Elias Subsistence
18 Resource Committee.

19

20 MS. CELLARIUS: Thank you, Mr. Chair.
21 Barbara Cellarius, subsistence coordinator for
22 Wrangell-St. Elias National Park and Preserve. And I'm
23 here as a Federal employee, so that's the hat I'm
24 wearing.

25

26 Once upon a time Chisana was spelled
27 very differently. It was S-H-O, And there's a bunch of
28 other letters. And simply they changed it to this
29 spelling that we have now. It's very confusing, but
30 it's Chisana.

31

32 And then there was a question about
33 what's Nabesna. Keep in mind that the Community of
34 Nabesna is not the same thing as the Nabesna Road. I
35 don't recall whether it was a RAC meeting or an SRC
36 meeting, but I once heard a quite eloquent discussion
37 about, well, what's the definition of Nabesna? Where
38 is Nabesna? So when the SRC crafted their proposal, I
39 suggested that they might consider defining what they
40 meant. And so the SRC proposal is basically, and this
41 is me as Staff to them, it's residence of Unit 12 have
42 C&T for caribou in Unit 12. And we're along the road,
43 so if somebody who lives at Mile 35 came in to get a
44 permit versus somebody who lived at Mile 42, listing
45 the mile -- basically the section of the road, which is
46 consistent within a number of C&T determinations,
47 seemed like a consistent way to define the pool of
48 users who were being considered.

49

50 And I just wanted to clarify those two

1 things, unless there's other questions.

2

3 CHAIRMAN LOHSE: Barbara, correct me if
4 I'm wrong, but the quote/unquote, Community of Nabesna
5 has no store, no bar, no church.

6

7 MS. CELLARIUS: You know, I don't know
8 if they have a church. There is a lodge, there is
9 another lodge that has a bar. At Twin Lakes Jud (ph)
10 Fredericks has got a lodge. But it's a very, very
11 remote place. It's really a few people who live strung
12 out along the road.

13

14 I have copies of our community, the
15 whole report for our community harvest survey that was
16 done, and it has some discussion of what that community
17 it like if anyone's interested.

18

19 But, yeah, it's very remote. It's
20 people who live along the road. There's a high
21 dependence on subsistence resources. Even when you put
22 it together with Slana, it's got the highest per capita
23 harvest of subsistence resources that we found pretty
24 much. If it's not the highest, it like ties with one
25 of the other areas.

26

27 CHAIRMAN LOHSE: Okay. But it does
28 have some things that are kind of centralized then,
29 that it's around the lodge then or.....

30

31 MS. CELLARIUS: No. It's really people
32 along the road. You know, Mile 25, which I think
33 boundaries the watershed boundary. The water drains
34 into the Yukon River as opposed to the Copper River.
35 The first part of the road drains into the Copper
36 River. But that's also the group of people who -- I
37 mean, people in the Unit 11 portion of the Nabesna Road
38 don't have C&T for caribou in Unit 12 as a group. So
39 it would be -- you couldn't really do an .804 and
40 include people who weren't -- who didn't have C&T.

41

42 But, you know, I think the folks who
43 live at the end of the road, you know, they have things
44 in common, but there's not necessarily a central
45 gathering place. It's people who live along a road.

46

47 The Nabesna mine -- so the road was
48 built in the early part of the 20th century to support
49 the Nabesna Mine. There had been traditionally trails
50 through that area. The Upper Tanana, Upper Ahtna,

1 Athapaskans had a number of trails in the area, but the
2 road itself was built. So for awhile Nabesna meant
3 Nabesna Mine. But then there's Nabesna Bar, and
4 there's a bunch of different places that have the name
5 Nabesna without having it centralized.

6
7 CHAIRMAN LOHSE: Okay. Any questions
8 for Barbara.

9
10 MS. CELLARIUS: I do have SRC comments
11 when you're ready for those.

12
13 CHAIRMAN LOHSE: I figured that. So
14 I'm trying to think if we have anything -- do we have
15 any tribal or village comments.

16
17 (No comments)

18
19 CHAIRMAN LOHSE: InterAgency Staff
20 Committee comments.

21
22 (No comments)

23
24 CHAIRMAN LOHSE: Advisory group
25 comments.

26
27 MS. CELLARIUS: So I can give you
28 Wrangell-St. Elias SRC comments.

29
30 CHAIRMAN LOHSE: We've got two more
31 people to go through.

32
33 MS. CELLARIUS: They're an advisory
34 group, but.....

35
36 CHAIRMAN LOHSE: Neighboring Regional
37 Council.

38
39 (No comments)

40
41 CHAIRMAN LOHSE: And then it comes
42 right down to National Park Service Subsistence
43 Resource Commission.

44
45 MS. CELLARIUS: I wasn't -- I guess I
46 didn't -- we never had gotten that far on the list, so
47 I just thought we were under advisory groups.

48
49 So the Wrangell-St. Elias National Park
50 Subsistence Resource Commission unanimously supports

1 the proposal as written, not as modified. The SRC
2 supported the inclusion of Nabesna during the initial
3 Section .804 analysis, and continues to support its
4 inclusion in the list of communities most dependent on
5 the resource. Adding residents of the hunt area
6 outside of Chisana is common sense. They live in a
7 remote area with limited access to other resources and
8 should be able to harvest resources in their own
9 backyards.

10
11 The Commission took no action on WP14-
12 45. So their recommendation is on 14-15 and took no
13 action on 14-45.

14
15 CHAIRMAN LOHSE: Thank you. Any
16 questions for Barbara.

17
18 (No comments)

19
20 CHAIRMAN LOHSE: Do we have any written
21 comment.

22
23 MR. MIKE: Thank you, Mr. Chair. We
24 received two written comments on Proposal 14-55 [sic]
25 along with 14-45.

26
27 The Ahtna Customary and Traditional Use
28 Committee supports Proposal 14-15 to add residents
29 along Nabesna Road, Milepost 25 to 46, and residents of
30 this hunt area to the list of communities eligible to
31 participate in the Unit 12 caribou hunt that takes
32 place east of the Nabesna River and Glacier, and south
33 of the winter trail.

34
35 Residents of Unit 12 along the Nabesna
36 Road live close to the hunt area and have hunted for
37 and harvested caribou in this area. The residents of
38 the hunt area have harvested caribou in this area and
39 should be eligible to hunt for Unit 12 caribou in this
40 area.

41
42 Mr. Donald Woodruff of Eagle supports
43 Proposal WP14-15. This will give residents of the area
44 a chance to hunt that were overlooked in the past
45 regulation. Often the process of establishing
46 regulation on who can hunt areas are overlooked. This
47 is a housekeeping proposal.

48
49 That concludes the written public
50 comments, Mr. Chair. Thank you.

1 CHAIRMAN LOHSE: Thank you, Donald.

2

3 Do we have any public testimony.

4

5 (No comments)

6

7 MR. MIKE: I was just informed we
8 received one more public comment from Mr. Adam
9 Smitholum (ph), a full-time resident of Chisana. And
10 he states he agrees with the proposed changed to the
11 Unit 12 caribou hunt to include the rural residents of
12 the hunt area. He disagrees with the inclusion of
13 residents of Nabesna Road to the communities eligible
14 for this hunt. I feel that the Chisana herd caribou
15 should only be for rural residents in the hunt area,
16 including Chisana as we do not have access to roads,
17 and therefore grocery stores or other subsistence
18 hunting areas. If a resident of Tok or one of the
19 other approved communities has to charter a plane and
20 then rent horses to hunt a caribou in this area, it is
21 no a subsistence hunt in my opinion, but is now a
22 trophy hunt. In addition, rural residents of the hunt
23 area and more communities become eligible to receive a
24 permit for this hunt, but no communities are removed
25 from eligibility and the harvest quota does change, it
26 will make it less likely for Chisana residents and
27 residents of the hunt area that completely rely on this
28 hunt to receive a permit.

29

30 As a Chisana resident, I do not have
31 ready access to the road system and therefore cannot
32 easily hunt other areas of Alaska.

33

34 Thank you for your time. Sincerely,
35 Adam Smitholum.

36

37 Thank you, Mr. Chair.

38

39 CHAIRMAN LOHSE: Thank you. Okay.
40 With that, a motion to approve WP14-15 is in order. Do
41 I hear? Gloria.

42

43 MS. STICKWAN: I make a motion to
44 support WP14-15.

45

46 CHAIRMAN LOHSE: As written.

47

48 MS. STICKWAN: As written.

49

50 MR. HENRICHS: Second.

1 MS. CAMINER: As written on which page.
2
3 CHAIRMAN LOHSE: It's been moved and
4 seconded to support WP14-15 as written, as submitted.
5
6 MS. CAMINER: As submitted?
7
8 CHAIRMAN LOHSE: As submitted. Gloria.
9
10 MS. STICKWAN: I think this hunt was
11 closed and that kind of factored into as to why they
12 didn't harvest it as well. And they live in the area.
13 It seems like they would -- they should be able to hunt
14 for Chisana. It makes sense to me.
15
16 CHAIRMAN LOHSE: I think you're right.
17 Thank you, Gloria.
18
19 Any other comments. Discussion.
20
21 (No comments)
22
23 CHAIRMAN LOHSE: Mary.
24
25 MS. MILLS: Call for the question.
26
27 CHAIRMAN LOHSE: You're calling for the
28 question. You feel there's no conservation concern,
29 and this is in the benefit of subsistence users.
30
31 MS. MILLS: Yes, I do.
32
33 MS. CAMINER: Mr. Chair. I just had
34 one clarifying question. Did we want to go with the
35 milepost discussion of where the residents are or leave
36 that out.
37
38 MS. STICKWAN: As written. I believe
39 it has the mileposts in there.
40
41 CHAIRMAN LOHSE: That's a pretty good
42 definition right there.
43
44 Okay. With that, the question's been
45 called. All in favor signify by saying aye.
46
47 IN UNISON: Aye.
48
49 CHAIRMAN LOHSE: All opposed signify by
50 saying nay.

1 (No opposing votes)
2
3 CHAIRMAN LOHSE: Motion carries.
4
5 Now we can have a motion to either --
6 we can't adopt WP14-45. We could just have a motion to
7 not take action on it. Yeah. So let's take -- let's
8 have a motion to take no action on WP14-45. That's the
9 one that's just like it.
10
11 MR. SHOWALTER: I'll make the motion.
12
13 CHAIRMAN LOHSE: It's been moved that
14 we take no action on WP14-45. Do I have a second.
15
16 MR. OPHEIM: Second.
17
18 CHAIRMAN LOHSE: Second. It's been
19 moved and seconded.
20
21 Is there any discussion.
22
23 (No comments)
24
25 CHAIRMAN LOHSE: Question. All in
26 favor signify by saying aye.
27
28 IN UNISON: Aye.
29
30 CHAIRMAN LOHSE: All opposed signify by
31 saying nay.
32
33 (No opposing votes)
34
35 CHAIRMAN LOHSE: Okay. So now we go to
36 WP14-49. It's on Page 95. 94/95.
37
38 MR. EVANS: Okay. Mr. Chairman. I
39 will present the analysis for that proposal. As I said
40 many times before, my name's Tom Evans and I work for
41 the U.S. Fish and Wildlife Service, Office of
42 Subsistence Management.
43
44 Proposal WP14-49 was submitted by
45 Gilliam Joe and requests a modification of the fall
46 season dates for Unit 12 caribou hunt that takes place
47 east of the Nabesna River and Nabesna Glacier, and
48 south of the winter trail. And it also request the
49 establishment of a winter hunt and a meat on the bone
50 requirement. The proposal requests that the fall

1 season be changed from September 1 to September 30th to
2 August 10th to September 20th, and a winter season
3 February 1st to March 31st.

4

5 The proponent states that the fall
6 season dates should be adjusted to provide Federally-
7 qualified subsistence users an opportunity to harvest
8 caribou before the rut. As the rut approaches in late
9 September, meat quality declines significantly.

10

11 Additionally the proponent states that
12 establishing a winter hunt would give subsistence users
13 more opportunity and an easier access to hunt the
14 Chisana Caribou Herd since the affected area is remote
15 and difficult to access without the aid of a
16 snowmachine. The proponent states that the area is
17 remote and the meat on the bone requirement would
18 ensure that all edible meat is removed from the field.

19

20 Note. Proposal 14-45 has been
21 submitted that would add the community of Nebesna and
22 the residents of the community hunt to the customary
23 and traditional use determination for the caribou in
24 the area of interest. So we just discussed that, so 15
25 and 45.

26

27 The five-year management plan for the
28 Chisana Caribou Herd has been developed through a
29 cooperative effort between the Government of the Yukon,
30 the Alaska Department of Fish and Game, the White River
31 First Nation, Kluane First Nation, National Park
32 Service, and the U.S. Fish and Wildlife Service. The
33 plan was finalized in October of 2012 and provides a
34 framework for monitoring the Chisana Caribou Herd
35 population, and criteria for implementing the hunt
36 through 2015.

37

38 In addition to a stable and increasing
39 population trend, the plan also requires that the
40 observed bull/cow ratio be no less than 35 bulls per
41 100 cows with a three-year cow calf ratio above 15
42 calves per 100 cows. If the Chisana Caribou Herd
43 population falls below these guidelines, no harvest is
44 allowed. If the population goals indicate a harvest is
45 sustainable, the plan calls for an annual bulls-only
46 harvest not exceeding two percent of the estimated
47 population with the harvest being equally distributed
48 between Yukon and Alaska.

49

50 The Chisana Caribou Herd is a small,

1 non-migratory herd happening in the eastcentral and
2 southwestern Yukon -- eastcentral Alaska and
3 southwestern Yukon, Canada on the Klutlan Plateau and
4 near the headwaters of the White River. The herd was
5 first surveyed in 1977, and has been continuously
6 tracked on a yearly basis since 1988.

7
8 The Chisana Caribou Herd increased
9 through the 1980s and reached a peak of 1900 caribou in
10 1988. Beginning in 1990, the Chisana Caribou Herd
11 experienced a decline in population size. Past
12 declines were attributed to poor calf recruitment and
13 high adult mortality associated with adverse winter
14 conditions, poor habitat and predation.

15
16 Results from the 2010 census show the
17 Chisana Caribou Herd population with a -- as stable
18 with an estimated herd size of 682 caribou. The three-
19 year average bull/cow ratio is 48 over 100, which is
20 above the minimum of 35 over 100 ratio stated in the
21 management plan. However, no surveys or composition
22 counts were conducted in 2011 and 2012 due to adverse
23 weather conditions so the data is three years old to
24 make the management decisions.

25
26 The Board delegated authority to the
27 Wrangell-St. Elias National Park and Preserve
28 superintendent to open the season, announce the harvest
29 quota, the number of permits to be issued, and the
30 reporting period, and to close the season. Based on
31 the estimated population size and the guidance in the
32 management plan, the harvest quota in 2012 was set at
33 seven animals. That was the same information presented
34 by Pippa. The number of permits was limited to 14, and
35 the reporting period requirement was set within three
36 days of the harvest. Nine permits were issued and two
37 animals were harvested.

38
39 OSM's preliminary conclusion is to
40 support Proposal 14-49 with modification to change the
41 fall season dates requested in the proposal, but not to
42 establish a winter season, and revise the current
43 delegation of authority to include the opening and
44 closing of the winter season.

45
46 MR. ARDIZZONE: You just contradicted
47 yourself.

48
49 CHAIRMAN LOHSE: Thank you.

50

1 MR. EVANS: Hang on. Okay. Pardon me.
2 I was reading off the thing here, and there was a
3 little bit of confusion. It's to change the fall
4 season dates requested in the proposal and not have a
5 winter season.

6
7 The justification. The current data on
8 the Chisana Caribou Herd indicate that the population
9 is stable. The bull/cow and cow/calf ratios were above
10 the minimum thresholds established in the management
11 plan for the herd, although the recent survey data is
12 over three years old. So decisions on management
13 issues should be conservative in nature. Moving the
14 fall season dates to earlier in the season should
15 satisfy the proponent's concern about the quality of
16 the meat so close to the rut and having the meat on the
17 bone requirement should help ensure that all edible
18 meat is removed from the field.

19
20 A winter hunt would provide easier
21 access to hunters and thus increase hunting success;
22 however, the establishment of the winter season is not
23 advisable at this time due to the lack of recent
24 population data.

25
26 Thank you.

27
28 CHAIRMAN LOHSE: Thank you. Chuck.

29
30 MR. ARDIZZONE: Mr. Chair. I was just
31 discussing this with Donald. I was just going to point
32 out on Page 200, under the OSM preliminary conclusion,
33 if people are looking at it, where he read support with
34 modification to change the fall season to the dates
35 requested in the proposal, but not establish a winter
36 season. There should be a period there and the rest of
37 the sentence should be stricken, because as it reads it
38 would say there is a winter season, but there's not.

39
40 CHAIRMAN LOHSE: Right.

41
42 MR. ARDIZZONE: So we missed that in
43 our editing process.

44
45 CHAIRMAN LOHSE: Can I ask a question.
46 If we're dealing with a herd that we're taking for
47 subsistence purpose, and we're going to put a
48 regulation in that says you must leave all edible meat
49 on the bones in the front quarter, hind quarters, and
50 ribs of the caribou, which means that you've got big

1 chunks of meat, what are we doing opening the season on
2 August 10th while it's still warm, and closing it on
3 September 20th when it's just starting to get nice and
4 cool? I can understand closing it on September 20th,
5 that's what we do on the Nabesna herd. But we have
6 access to the Nabesna -- the people have access to the
7 Nabesna herd. They're not living out in a remote area.
8 They have a place -- most people that hunt the Nabesna
9 herd will end up putting their meat in a freezer. And
10 here we're dealing with what we say is an off-road
11 hunt, hard to get at, and everything else, and a
12 subsistence hunt. So much so that we require them to
13 harvest all edible meat, but we take out the time of
14 the year when they can really keep meat. And we put
15 the season earlier and just like we had in discussions
16 on moose on the Kenai Peninsula, that makes it pretty
17 hard to take care of meat. It's not so back if you've
18 got electricity and a shed that you can put it in and a
19 fan that you can put it on, and freezers that you can
20 stick it in. But if you're out in the middle of --
21 I'll say out in the middle of nowhere -- I've got to be
22 careful what I say, but if you're out in the middle of
23 nowhere and you take a caribou and you have to have it
24 in big chunks on August 10th, you're going to have an
25 awful hard time keeping that caribou from spoiling I
26 would think, unless you would quickly go make dry meat
27 out of it. And I know that I can make dry meat out of
28 moose, but I don't think too many people make dry meat
29 out of caribou, but I may be wrong on that.

30

31 Chuck.

32

33 MR. ARDIZZONE: Mr. Chair. I don't
34 want to speak for the proponent, but I think the SRC
35 comments will address some of your issues when we get
36 to that point. And I think.....

37

38 CHAIRMAN LOHSE: Okay. Well, the
39 proponent asked for a winter season, which from my
40 standpoint as a subsistence user who lived where you
41 had no freezer, where you had no electricity, where you
42 had nothing like that for quite a while, it makes sense
43 to me. If you're going to say this is -- you know, the
44 idea, I'm going to salvage all the edible meat, I'd
45 like to salvage all the edible meat when I can keep it
46 cold, you know, not keep it warm. But anyhow, I just
47 wondered why.

48

49 Is there a conservation concern to take
50 that hunt out of the winter? Is it because we have a

1 mixing of other caribou herds into that herd, or what
2 would be the conservation concern.

3

4 MR. ARDIZZONE: Mr. Chair. This is a
5 permitted hunt, so we have a limited number of permits.
6 But I could say I'd like the Park Service to speak to
7 this issue if that's okay.

8

9 CHAIRMAN LOHSE: Okay. What do you
10 think.

11

12 MR. HENRICHS: Keeping the meat cool
13 would be.....

14

15 CHAIRMAN LOHSE: Barbara.

16

17 MS. CELLARIUS: To Mr. Chair again,
18 Barbara Cellarius, subsistence coordinator for
19 Wrangell-St. Elias. And with me here is Judy Putera,
20 our wildlife biologist.

21

22 And we do have some significant
23 conservation concerns with the winter hunt. The herd
24 is just barely at the population level that would allow
25 a hunt under the management plan.

26

27 The proposed winter hunt is in the late
28 spring. The bulls will have lost their antlers, and so
29 in order to get a bull, you're going to have to get up
30 pretty close to the animals. And the cows are going to
31 be pregnant at that time of year. And we just think in
32 how sort of close to the margin it is, we'd really
33 prefer not to have a winter hunt at this time.

34

35 And I don't know if Judy wants to add
36 anything else.

37

38 MS. PUTERA: Yeah. Sorry, Barbara, I
39 thought you were going to talk about the SRC. But
40 anyway, thanks for getting me started.

41

42 Yeah, we would have concerns about
43 inadvertently harvesting a cow. Also, Ralph, you're
44 correct. We would have concerns that the
45 Mentasta/Nelchina Caribou Herd maybe within the hunt
46 area at that time of year. And we do have conservation
47 concern still for the Mentasta herd. The herd is still
48 fairly low level, and, you know, we have Unit 11 closed
49 to caribou for that reason, for the Mentasta herd, and
50 that is still a conservation concern.

1 And I guess I just wanted to say also,
2 Wrangell-St. Elias is part of the caribou herd working
3 group along with the Alaska Department of Fish and
4 Game, Tetlin National Wildlife Refuge, and Yukon
5 Department of Environment. And we just -- given the
6 newness of this -- you know, this is just the second
7 year of the hunt, the potential to add another
8 community into the pool of eligible users -- you know,
9 we just feel like it's -- we just don't recommend a
10 winter hunt at this time.

11
12 CHAIRMAN LOHSE: But can I ask a
13 question then. When you added another community, you
14 didn't add another permit though. So the pool of users
15 doesn't in some way -- all the pool of users does is
16 complicate our job. It does not -- it has no
17 conservation impact, because the pool of users still
18 comes out to the same number of permit, right? And I
19 correct on that? I mean, you're issuing so many
20 permits.

21
22 MS. PUTERA: Yeah, I guess I was just
23 thinking that that quota would -- you know, with more
24 closer eligible users, that that quota might.....

25
26 CHAIRMAN LOHSE: May be met?

27
28 MS. PUTERA: Might be, yeah.

29
30 CHAIRMAN LOHSE: Might be met.

31
32 MS. PUTERA: Might be met in the fall.

33
34 MS. CAMINER: Mr. Chair.

35
36 CHAIRMAN LOHSE: Judy.

37
38 MS. CAMINER: One more question. So I
39 understand what you're saying about a conservation
40 concern for the winter hunt, but what about the leaving
41 the edible meat on the bones?

42
43 MS. PUTERA: Yeah, I don't really have
44 an opinion on that. I mean, Ralph makes a really good
45 point though.

46
47 CHAIRMAN LOHSE: I think reason behind
48 the one that submitted that was the idea that
49 subsistence hunters take all the meat, and in the past
50 we've all seen hunts where meat is boned out, and

1 there's enough meat left on the ribs my family could
2 eat for a week, you know. And I think that that's what
3 the reason behind that. I mean, I think that's the
4 thinking behind it. I just worry about the fact that
5 it's so early. But nobody has to take it on the 10th.
6 They can take it on September 10th to September 20th if
7 they want to, and they can have, you know -- September
8 10th to September 20th down there, unless it's a freak
9 year like this year, you're going to have cool enough
10 weather to keep meat.

11
12 MR. EVANS: And the proponent also
13 mentioned that I think one of the reasons why they
14 wanted to make the season earlier was because it was so
15 close to the rut, the caribou may not taste as good.
16 So it's an issue of how good the meat is for what they
17 want.

18
19 CHAIRMAN LOHSE: Well, the other thing
20 is we close the Nabesna herd on the 20th, because we
21 don't want to disrupt the rut either. And so we close
22 the Nabesna herd -- the subsistence hunt closes it on
23 the 30th, but the State loses it on the 20th, and then
24 it's reopened on October 20th. But basically the idea
25 is to give them time to go through the rut.

26
27 But you're right when you talk about
28 there is nothing worse to cut into than a big male
29 caribou in the middle of the rut. It makes a bull
30 moose smell beautiful. So from that standpoint, you're
31 right there.

32
33 And this would give the best quality
34 meat. And it's cool enough at that time that they can
35 keep it. Personally, I would like -- if we really talk
36 subsistence seasons in rural Alaska where there isn't
37 freezers and electricity and every thing else, it's
38 sure nice to have them in the wintertime, because you
39 can keep your meat. But I can understand it. Okay.

40
41 Judy.

42
43 MS. PUTERA: Yeah. I did want to
44 mention that we did get a population census completed
45 this fall, so it's just a couple two, three weeks ago,
46 but we don't have the data -- I don't have the data
47 yet. So we don't really know what the population's
48 doing. I mean, we will a soon as the data is analyzed.
49 But like Tom mentioned, we were not able to get our
50 comp count completed last fall. So we'll have those

1 results a little bit later in the year.

2

3 CHAIRMAN LOHSE: Thank you. Any
4 questions, anybody.

5

6 (No comments)

7

8 CHAIRMAN LOHSE: Okay. I've got to
9 figure out where we are on our -- Fish and Game.

10

11 MR. CRAWFORD: Yeah, coming up.

12

13 (Laughter)

14

15 CHAIRMAN LOHSE: Somehow or another I
16 started seeing SRC up there and everything, and I
17 thought we were almost done.

18

19 ** MR. CRAWFORD: Drew Crawford with Fish and
20 Game.

21

22 Regarding Wildlife Proposal 14-49, we
23 agree with two out of the three things the OSM proposed
24 in their analysis. We support the modification to
25 change the fall season dates as requested. But we also
26 do not adopt the winter season or the meat on the bone
27 requirements.

28

29 Expanding the season into the winter
30 will make it more difficult for hunt managers to
31 monitor the hunt. This change will increase the risk
32 of over-harvest to this small herd. Additionally it
33 will increase the risk of harvesting cows after bulls
34 have lost their antlers.

35

36 The distribution of the Nelchina and
37 Mentasta caribou during a winter season is different
38 from September. Caribou from both of these herds may
39 be vulnerable to harvest East of Nabesna River and
40 Nabesna Glacier in February and March. The potential
41 for harvest of Nabesna and Mentasta caribou close to
42 the Nabesna River is high. Any hunting during this
43 period has the potential to further impact the
44 seriously depressed Mentasta Caribou Herd.

45

46 The proposal to change -- the proposal
47 change to require meat to be left on the bone our
48 manager feels is an unnecessary restriction on the
49 hunters in an area where access is already extremely
50 difficult. And so far they have not documented any

1 instances of meat spoilage in the field.

2

3 CHAIRMAN LOHSE: Thank you. Any
4 questions.

5

6 (No comments)

7

8 CHAIRMAN LOHSE: Okay. Do we have any
9 other Federal agencies with a different hat on that's
10 going to speak at this point in time.

11

12 (No comments)

13

14 CHAIRMAN LOHSE: Native, tribal,
15 village, any of them.

16

17 (No comments)

18

19 CHAIRMAN LOHSE: InterAgency Staff
20 Committee comments.

21

22 (No comments)

23

24 CHAIRMAN LOHSE: Advisory group
25 comments.

26

27 (No comments)

28

29 CHAIRMAN LOHSE: Neighboring Regional
30 Council comments.

31

32 (No comments)

33

34 CHAIRMAN LOHSE: Local Fish and Game
35 Advisory comments.

36

37 (No comments)

38

39 CHAIRMAN LOHSE: National Park Service
40 Subsistence Resource Commission comments.

41

42 MS. CELLARIUS: Thank you, Mr. Chair.
43 I'm going to be presenting the comments from the
44 Wrangell-St. Elias Subsistence Resource Commission.

45

46 And just to clarify something somebody
47 said, the SRC was not the proponent of the proposal.
48 The proponent was Gilliam Joe; however, Gilliam did
49 come to our SRC meeting that we held in Chistochina
50 last week and had a discussion with the SRC about his

1 proposal. And so some of his comments, you know, the
2 discussion -- I think they had a good discussion in
3 developing their recommendation for a modification.

4
5 So their modification is different than
6 those that you've heard so far today. And you should
7 have a written copy of this as well.

8
9 The Wrangell-St. Elias SRC unanimously
10 supports the proposal with the following modifications:
11 (A) The fall season would open on August 10th as
12 proposed and it would close on September 30th. And
13 I'll explain the reasons after I explain the
14 modification. (B) The winter season would not be
15 adopted. And (C) the meat on the bone requirement
16 would not be adopted.

17
18 So expanding the fall hunt would
19 provide additional subsistence opportunity. Hunters
20 who prefer to hunt during August, well before the rut,
21 would be able to do so. And hunters for whom meat
22 storage is easier later in the season when the weather
23 is cooler could hunt in late September.

24
25 Establishing a winter season is not
26 supported at this time due to the small harvest quota
27 and lack of good data about where the animals are
28 during the winter.

29
30 Regarding the meat on the bone
31 requirement, there's no evidence of a meat storage
32 problem. And SRC members agree that individual hunters
33 should be able to decide whether or not to keep the
34 meat on the bone. Hunters who make use of the bones or
35 otherwise prefer to keep the meat on the bone would be
36 able to do so, but hunters who harvest meat in
37 locations that require long-distance packing would have
38 the option of leaving some of the bones behind.

39
40 And that concludes their comment.

41
42 CHAIRMAN LOHSE: Thank you. Any
43 questions for the SRC.

44
45 (No comments)

46
47 CHAIRMAN LOHSE: I really do like your
48 August 10th to September 30th, because that gives the
49 option for both. And that basically takes away the
50 need for a winter season, because by September 30th

1 there you've got pretty cool weather up in that
2 country.

3

4 Any other comments or questions.

5

6 (No comments)

7

8 CHAIRMAN LOHSE: Thank you, SRC.

9

10 Do we have a summary of written
11 comments. Donald.

12

13 MR. MIKE: Thank you, Mr. Chair. In
14 front of you you have written public comments on
15 Proposal WP14-49.

16

17 The Ahtna Customary and Traditional Use
18 Committee supports Proposal 14-49 to modify the season
19 dates for the Unit 12 caribou hunt that takes place
20 east of Nabesna Road and Glacier and south of the
21 winter trail. Changing the Unit 12 caribou season
22 dates in this area will provide for subsistence needs.
23 Federally-qualified subsistence users will be able to
24 access hunting areas to harvest a caribou during the
25 winter months. Snowmachines could be used to hunt with
26 during the winter months to harvest the Unit 12 caribou
27 in this remote, inaccessible area.

28

29 Ms. Jessica Bragga (ph) of Ptarmigan
30 Lake wrote in neutral of Proposal WP14-49. And she
31 states, request that if the proposal submitted by Mr.
32 Gilliam Joe recommending an additional winter hunt
33 period is adopted, that the language similar to WP14-45
34 be added to include all qualified residents of the hunt
35 area in any future hunts.

36

37 And Mr. Jim Hannah, a retired Service
38 employ opposes statewide Proposal 14-49. There should
39 be no -- there should not be a Chisana Caribou Herd
40 harvest for the following concern. And he's got nine
41 bulleted justification based on biological and
42 conservation concerns.

43

44 Thank you, Mr. Chair.

45

46 CHAIRMAN LOHSE: Oops, I think we have
47 one more over there.

48

49 MR. MIKE: Just one more. Mr.
50 Chairman.

1 Mr. Adam Smitholum wrote regarding the
2 proposed changes to Chisana caribou hunt. He lives in
3 Chisana and disagreed with the proposal to change the
4 season dates to August 10th to September 20 for two
5 reasons. First, it would be more difficult for
6 subsistence users like himself to keep the meat, seeing
7 that we do not have a freezer, as well as in August it
8 would not keep the meat shed for any length of time. I
9 can our meat to preserve it and eat as much as we can
10 while it hangs fresh. If anything, later season would
11 allow us to keep the meat in the shed without having to
12 canning it.

13
14 Second, changing the dates to align
15 with sheep season, even if it was not the intent, would
16 encourage more trophy hunters, not subsistence hunters
17 to hunt the herd.

18
19 He also disagreed with the proposed
20 idea to split the season or create a second one from
21 February 1 to March 31. There are so few animals
22 allowed to be taken, he doesn't see how that you could
23 split up the permits. Which season would come first.
24 If all the quota was met, would one season be canceled.
25 If it was not met, would just the difference be allowed
26 in the next season.

27
28 That concludes the written public
29 comments. Mr. Chairman.

30
31 CHAIRMAN LOHSE: Thank you, Donald. If
32 I understood that last one right, it would go along
33 with the SRC's recommendation to have the hunt a little
34 -- extend a little later in September so that he could
35 keep the meat since he's out where there is not
36 freezers and stuff like that.

37
38 I'm kind of interested in -- you know,
39 we've got the Park Service and all of these other
40 organizations have worked real hard on the Chisana
41 caribou hunt management area, and it's kind of
42 interesting to me that Jim's Hannah's got nine bullets
43 as to why there shouldn't be any Chisana caribou hunt.
44 I guess I'd have to go with the ones that have been
45 doing the recent study.

46
47 Okay. With that, do we have any public
48 testimony.

49
50 (No comments)

1 CHAIRMAN LOHSE: Okay. A motion to
2 accept -- a motion to support WP14-45, either as
3 modified by the SRC, or modified by the OSM, or as
4 originally proposed is in order.

5
6 Gloria.

7
8 MS. STICKWAN: I make a motion that we
9 accept the Wrangell-St. Elias modification. We also --
10 like Barbara said, Gilliam Joe was at our meeting when
11 we were talking, and he agreed with these changes after
12 talking to him. We asked him questions, and he agreed
13 to the changes to this proposal. So I would support
14 the Wrangell-St. Elias Subsistence Resource
15 modification.

16
17 CHAIRMAN LOHSE: Okay. So we have a
18 motion on the table to support this proposal as
19 modified by the Wrangell-St. Elias Regional -- no,
20 Wrangell National Park -- oh, come on now. National
21 Park.....

22
23 MS. CAMINER: Subsistence Resource
24 Commission.

25
26 CHAIRMAN LOHSE: Service Subsistence
27 Resource Commission. Okay. We all know what it is
28 basically. I'll reiterate it. It's August 10th
29 through September 30th, no requirement to leave the
30 meat on the bone.

31
32 MS. CAMINER: Tom has a comment and
33 then I'll second the motion.

34
35 MR. EVANS: And no winter season, and
36 also.....

37
38 CHAIRMAN LOHSE: And no winter season.

39
40 MR. EVANS: And also when you first
41 introduced this, you said 45. I think you meant 49, so
42 I just wanted to check.

43
44 CHAIRMAN LOHSE: I meant 49. My fault.
45 WP14-49.

46
47 MR. HOLMES: I'll second it.

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

1 Comments. Discussion. Hit our points.

2

3 MS. CAMINER: Mr. Chair. So from our
4 discussion, by following the modifications of the SRC
5 as compared to the original proposal, this has become
6 much more beneficial to subsistence users. The meat on
7 bone requirement was not necessary. I guess adding the
8 10 days to the fall season is not a conservation
9 concern. And we seemed to be getting quite a bit of
10 information and hope to get more about the herd.

11

12 CHAIRMAN LOHSE: Thank you.

13

14 Any other comments on it. Greg.

15

16 MR. ENCELEWSKI: Yeah. My only comment
17 was by removing the winter portion, I think it took
18 away any conservation concern I had.

19

20 CHAIRMAN LOHSE: I agree with you. And
21 there hasn't been any conservation concern, because of
22 the way this is managed with permits and everything.
23 There should be no conservation concern, because the
24 permits aren't even -- the number of the permits are
25 going to be based on the size of the herd.

26

27 I'm happy to see the September 30th
28 date added for the local residents, because that gives
29 them the chance to get their meat kept when it's a
30 little bit cooler.

31

32 And I know that personally from the
33 Nelchina Caribou Herd, caribou by September 30th are
34 not far enough into the rut where they're bad, you
35 know.

36

37 I think this is a good compromise, and
38 somebody call the question and let's vote on it.

39

40 MR. ENCELEWSKI: Call the question.

41

42 CHAIRMAN LOHSE: The question's been
43 called. All in favor signify by saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN LOHSE: All opposed signify by
48 saying nay.

49

50 (No opposing votes)

1 CHAIRMAN LOHSE: The motion carries.
2
3 Okay. We have a couple other things
4 that we should -- what's our time right now?
5
6 MR. SHOWALTER: 5:23.
7
8 CHAIRMAN LOHSE: 5:23. Let's shoot for
9 getting out of here somewhere around 5:30, if that's
10 okay with everybody.
11
12 We have one other item that I know is
13 an action item, and that's we kind of need to take
14 action on the rural determination to support some of
15 the things that we put on the table as a Council, to
16 say that we support them.
17
18 And maybe Judy could explain this
19 better to me.
20
21 MS. CAMINER: We made a lot of
22 excellent comments this morning, and to kind of round
23 it out and deliver it to the Board, I'd like to make a
24 motion that we adopt all the individual Council member
25 comments on rural determination as comments from our
26 Council as a whole, so long as they're not conflicting.
27 And I think our comments were not conflicting with each
28 other. They were really quite supportive. And we also
29 incorporated some of the testimony that was given last
30 night, too. And we would like to forward our comments,
31 the Council comments, to the Board for their
32 consideration.
33
34 CHAIRMAN LOHSE: Do I hear a second.
35
36 MR. HENRICHS: I'll second.
37
38 CHAIRMAN LOHSE: It's been moved and
39 seconded to forward the comments that we made this
40 morning on rural determination to the Board for their
41 consideration as coming from our Council -- as
42 individual members coming from our Council.
43
44 Discussion. Anybody see a need for it
45 or not a need for it.
46
47 (No comments)
48
49 MS. MILLS: Call for the question.
50

1 CHAIRMAN LOHSE: Question's been called
2 for. All in -- Greg, you were going to say something.

3
4 MR. ENCELEWSKI: I was, but if you call
5 the question, that's okay.

6
7 MS. MILLS: Oh, I'm sorry.

8
9 MR. ENCELEWSKI: No, I was thinking --
10 I mean, I'm fine with that, Judy, incorporating all our
11 comments. Would it be better with the individuals? I
12 mean the numbers of specific individual comments from
13 the Board? That's my only question. But I just -- you
14 know, if that would carry more weight.

15
16 Thank you.

17
18 CHAIRMAN LOHSE: Well, my understanding
19 was that we weren't combining the comments. We were
20 saying these were the comments from individual Council
21 members, so that, you know, basically we're saying that
22 these are Council member comments, but these are
23 individuals, not -- everybody in the Council doesn't
24 necessary agree with everything everybody else said.

25
26 MS. CAMINER: I believe our obligation,
27 but we have people ready to clarify, is that the Board
28 is looking, the Board did ask the Council, what are
29 your comments on the rural determination process, and I
30 think as individuals we gave excellent comments, and we
31 enhanced each other's comments, and so I believe that
32 discussion this morning, the Council's discussion is
33 what we agreed that we are forwarding to the Board as
34 our various recommendations.

35
36 MS. MILLS: Yeah, I heard you say that
37 to adopt all rural determinations by the individual
38 Council members to the Federal Subsistence Board, is
39 that.....

40
41 CHAIRMAN LOHSE: To forward.

42
43 MS. MILLS: To forward, okay.

44
45 MS. CAMINER: I'm sorry, excuse me.
46 Not our rural determinations, our comments on the rural
47 determination process.

48
49 MS. MILLS: Okay. Does that.....
50

1 MR. JOHNSON: Yes. Mr. Chair.
2 Essentially what this would look like is a letter to
3 the Federal Subsistence Board from this Council stating
4 that this Council has the following recommendations on
5 changes to make to the rural determination process.
6 And they would all be -- everything the individual
7 members of this Council have said, but with the one
8 voice of the Council, because that's what the Board is
9 looking for is a recommendation from the single voice
10 of this Council on what changes to make to the rural
11 determination process. They're going to hear plenty of
12 individual voices through the written public comments
13 and through the rural determination hearings, but what
14 they're looking for from this meeting is the voice of
15 the Council. And what we would do is take your
16 individual comments and express them as the single
17 voice of this Council.

18
19 CHAIRMAN LOHSE: Then it seems to me
20 like what we need to do is we need to review them and
21 come to the conclusion which ones we can for sure all
22 support as a Council. And I don't know if we want to
23 do that right now.

24
25 I mean, there were some that constantly
26 came up. The need for not having cyclic review. That
27 constantly came up as a Council.

28
29 Can I just go through some of them, and
30 we just see if we all agree to them, and then somebody
31 else could come up with some other ones.

32
33 MR. ENCELEWSKI: That's fine, Ralph. I
34 would just make a comment. I think we all kind of
35 agreed to them, so I don't have a problem with them. I
36 mean, you might have to sort a few out, I guess, but I
37 didn't hear any objections to what people were saying.

38
39 CHAIRMAN LOHSE: I have no objections
40 to what people said.

41
42 MR. JOHNSON: Yeah. Mr. Chair. I
43 think since everything has been stated on the record,
44 there's nothing that would prevent your Council
45 coordinator from drafting a letter based on the
46 Council's discussion and with the aid of a transcript,
47 and then submit it to the Council for its review and
48 approval. And that could be outside of this meeting.
49 And then it could be then forwarded to the Federal
50 Subsistence Board, because unlike -- the December 2

1 deadline technically it's just for public written
2 comments, and you're not the public. Obviously you
3 want to get it done as close as possible to that
4 deadline as far as organization goes. But your Council
5 coordinator would be able to work outside of this
6 meeting to confirm with the Council that what was being
7 forwarded to the Board was acceptable to the Council
8 members.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN LOHSE: Does that sound good
13 to the rest of the Council.

14

15 MS. MILLS: Yes.

16

17 MR. ENCELEWSKI: It sounds good. It
18 sounds like job security for Donald.

19

20 (Laughter)

21

22 CHAIRMAN LOHSE: I don't think Donald
23 needs job security. I think he's overwhelmed with job
24 security.

25

26 Donald, you held your hand up.

27

28 MR. MIKE: Yes, Mr. Chair. The Bristol
29 Bay when they met, they went ahead and are going
30 forward with a letter of their discussion on rural. So
31 that's going forward and that will be drafted. So I'll
32 do a similar process like I'm going with Bristol Bay.

33

34 Thank you.

35

36 CHAIRMAN LOHSE: Thank you, Donald.

37

38 MS. CAMINER: And, Mr. Chair, I mean,
39 should you notice any conflicts or if Donald sort of
40 uncovers things, I mean, I think that's also reasonable
41 to say some of our members felt this, some of our
42 members felt that. It's going to be just like the
43 general public. There may be some diversion, but I
44 thought we were pretty unified in our comments, so I
45 don't think it's a problem.

46

47 CHAIRMAN LOHSE: I thought we had a lot
48 of major points that there was no discussion on

49

50 MS. CAMINER: Yeah. Exactly.

1 CHAIRMAN LOHSE: And then a few that
2 were minor that weren't quite so uniform.
3
4 Okay. Gloria.
5
6 MS. STICKWAN: The Ahtna's comments,
7 Michelle was going to make a correction to her letter,
8 to the letter, and then get Laura to sign it I guess.
9 So I'm sure that will be done soon. And Dr. Wolfe's
10 report is online as well.
11
12 CHAIRMAN LOHSE: Mary. You've got your
13 light on, did you want to say.....
14
15 MS. MILLS: Oh, I'm sorry.
16
17 CHAIRMAN LOHSE: It's okay. It's okay.
18
19 Donald.
20
21 MR. MIKE: thank you, Mr. Chair. I
22 took a note of that at the Ahtna's testimony last
23 night, and Member Stickwan wanted it to be included as
24 part of this Council's discussion. And it's in my
25 notes to include it. Thank you. And I emailed Ms.
26 Anderson requesting a copy of her document, and she'll
27 emailing a copy and I will share it with everyone.
28
29 Thank you.
30
31 CHAIRMAN LOHSE: Yeah. I requested a
32 copy last night, too, and she said she'd send me a hard
33 copy. Okay. Email wouldn't do any good.
34
35 Okay. With that now we have finished
36 our proposals, we have finished this action on this.
37 We have reports, monitoring plans and things like that
38 for tomorrow.
39
40 My feeling would be like we've put a
41 long enough day in today that we can recess. Is that
42 the feeling of the rest of the Council, or would you
43 like to work into the night, and we can finish this by
44 midnight.
45
46 (Laughter)
47
48 MR. HENRICHS: Well, that would be the
49 next day though.
50

1 CHAIRMAN LOHSE: Yeah. I would like to
2 recess this meeting at 5:30 if we could.

3

4 Does anybody have anything in the last
5 few minutes that they need to bring to the attention of
6 the Council.

7

8 (No comments)

9

10 CHAIRMAN LOHSE: Okay. Then if there's
11 no objection, I will recess this meeting until 8:30
12 tomorrow morning. And I appreciate the patience
13 everybody has shown.

14

15 (Off record)

16

17 (PROCEEDINGS TO BE CONTINUED)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public, State of Alaska and reporter for Computer Matrix Court Reporters, LLC do hereby certify:

THAT the foregoing pages numbered 160 through 373 contain a full, true and correct Transcript of SOUTHCENTRAL FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME II taken electronically by Computer Matrix Court Reporters on the 6th day of November in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 20th day of November 2013.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14