

1 SOUTHCENTRAL FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 Anchorage, Alaska
9 March 10, 2010
10 10:25 o'clock a.m.

11
12
13 COUNCIL MEMBERS PRESENT:

- 14
15 Ralph Lohse, Chairman
16 Doug Blossom
17 Judy Caminer
18 Tom Carpenter
19 Greg Encelewski
20 Ricky Gease
21 Robert Henrichs
22 Donald Kompkoff
23 Chuck Lamb
24 James Showalter
25 Gloria Stickwan
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29 Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

(Anchorage, Alaska - 3/10/2010)

(On record)

CHAIRMAN LOHSE: At this point in time I'd like to call the Southcentral Alaska Subsistence Regional Advisory Council meeting for March 10th and 11th or spring meeting, whichever way you want to call it, in session.

We'll start with a roll call and establish a quorum.

Donald, would you like to do that.

MR. MIKE: Thank you, Mr. Chair. Roll call for the Southcentral Subsistence Regional Advisory Council. Mr. Robert Henrichs.

MR. HENRICHS: Here.

MR. MIKE: Mr. Ricky Gease.

MR. GEASE: Here.

MR. MIKE: Mr. Doug Blossom.

(No comments)

MR. MIKE: Mr. Chair, Doug Blossom said he's going to be on a plane this morning from Kenai, so he'd be here later on. If there's a weather delay, I don't know about it. Mr. Greg Encelewski.

(No comments)

MR. MIKE: Mr. Chair, Mr. Encelewski couldn't travel yesterday due to highway conditions being closed and he said he'd be traveling here this morning. Ms. Tricia Waggoner.

(No comments)

MR. MIKE: Mr. Chair, Ms. Waggoner is home sick and she can't attend this meeting. Ms. Judy Caminer.

MS. CAMINER: Here.

1 MR. MIKE: Mr. John Lamb.
2
3 MR. LAMB: Here.
4
5 MR. MIKE: Ms. Gloria Stickwan.
6
7 MS. STICKWAN: Here.
8
9 MR. MIKE: Mr. Donald Kompkoff is here.
10
11 MR. KOMPKOFF: Here.
12
13 MR. MIKE: Mr. James Showalter.
14
15 MR. SHOWALTER: Here.
16
17 MR. MIKE: Mr. Ralph Lohse.
18
19 CHAIRMAN LOHSE: Here.
20
21 MR. MIKE: Mr. Tom Carpenter.
22
23 MR. CARPENTER: Here.
24
25 MR. MIKE: Mr. Fred Elvsaas.
26
27 (No comments)
28
29 MR. MIKE: Mr. Chair, Mr. Fred Elvsaas,
30 I contacted him yesterday. He had some medical
31 appointment he couldn't miss.
32
33 Thank you, Mr. Chair. You have nine
34 members.
35
36 You have a quorum.
37
38 CHAIRMAN LOHSE: Thank you, Donald. If
39 we have a quorum, we'll have a welcome and introduction
40 by everybody here. I'd like to welcome you to this
41 meeting. If you were here a little bit earlier, you'd
42 have been able to see our presentation on orientation,
43 a little bit of overview of the program, which is
44 pretty good.
45
46 With that, what I'm going to do is like
47 we usually do. I'm going to go around the table here,
48 have all the Council members introduce themselves and
49 then we'll just go around the room and have everybody
50 introduce themselves there. When we get ready to

1 start, we'll just start on the front row and go back
2 and forth across and get everybody in the room.
3
4 Judy, again, I'll start with you.
5
6 MS. CAMINER: Thank you, Mr. Chair.
7 I'm Judy Caminer from Anchorage.
8
9 MR. LAMB: Chuck Lamb, Hilina Lake.
10
11 MR. GEASE: Ricky Gease, Kenai.
12
13 MR. HENRICHS: Bob Henrichs. I'm from
14 Cordova and the last RAC meeting we had in October I
15 was 50 miles out in the Gulf fishing halibut, so I
16 didn't make it.
17
18 MS. STICKWAN: Gloria Stickwan from
19 Tazlina.
20
21 CHAIRMAN LOHSE: Ralph Lohse. I guess
22 I better start saying I'm just from the Copper Basin
23 from Cordova to McCarthy.
24
25 MR. CARPENTER: Tom Carpenter, Cordova.
26
27 MR. SHOWALTER: James Showalter,
28 Sterling.
29
30 MR. KOMPKOFF: Don Kompkoff, Chenega.
31 The last meeting I had a teleconference from Seattle or
32 Auburn.
33
34 MR. MIKE: Donald Mike, Regional
35 Council coordinator.
36
37 CHAIRMAN LOHSE: George.
38
39 MR. PAPPAS: George Pappas, Department
40 of Fish and Game.
41
42 MR. ZEMKE: Steve Zemke, Chugach
43 National Forest.
44
45 MR. LAVES: Kevin Laves, Chugach
46 National Forest.
47
48 MR. REARDON: Spencer Reardon, U.S.
49 Fish and Wildlife Service.
50

1 DR. WHEELER: Polly Wheeler, Office of
2 Subsistence Management, Fish and Wildlife.
3
4 MS. WRIGHT: Sherry Ray, Fish and Game
5 Board support, Anchorage.
6
7 MS. CLARK: Maureen Clark, Office of
8 Subsistence Management.
9
10 MS. BROWN: Cole Brown, Office of
11 Subsistence Management.
12
13 MS. PUTERA: Judy Putera, Wrangell-St.
14 Elias National Park.
15
16 MS. CELLARIUS: Barbara Cellarius,
17 Wrangell-St. Elias National Park.
18
19 MR. ESKELIN: Todd Eskelin, Kenai
20 National Wildlife Refuge.
21
22 MR. BURCHAM: Milo Burcham, Cordova
23 District, Chugach National Forest.
24
25 MR. CASIPIT: Cal Casipit, Forest
26 Service, regional office.
27
28 MR. CEBRIAN: Merben Cebrian,
29 Glennallen BLM.
30
31 MR. EASTLAND: Warren Eastland. I'm a
32 wildlife biologist for the BIA.
33
34 MR. BERG: Jerry Berg. I'm the
35 InterAgency Staff Committee member for Fish and
36 Wildlife Service here in Anchorage.
37
38 MR. SHARP: Dan Sharp, InterAgency
39 Staff Committee for Bureau of Land Management.
40
41 MR. MILLS: Dave Mills, regional
42 program for the National Park Service, subsistence
43 program.
44
45 MR. STARK: Sky Stark, non-Federal
46 employee.
47
48 MR. DELFRATE: Gino Delfrate,
49 Department of Fish and Game, Wildlife Conservation.
50

1 CHAIRMAN LOHSE: Also a non-Federal
2 employee. Thank you. With that, we all seem to know
3 each other and we'll get on with the meeting. The
4 first thing we have is the election of officers, which
5 we take care of at this meeting. The first officer we
6 have to elect is the Chair and as the Chair I have to
7 step down and let somebody else do it, so I am turning
8 this part of the meeting over to Tom.
9
10 MR. CARPENTER: Okay, Ralph. Thank you
11 very much. We'd open the nominations up for Chair to
12 the Council at this time. James.
13
14 MR. SHOWALTER: Nominate Ralph Lohse.
15
16 MR. CARPENTER: It's been nominated
17 Ralph Lohse. Any more nominations.
18
19 (No comments)
20
21 MR. CARPENTER: Is there a second.
22
23 MR. GEASE: Second.
24
25 MR. CARPENTER: Second by Ricky Gease.
26 The question has been called. All those in favor of
27 Ralph Lohse as Chair for another term signify by saying
28 aye.
29
30 IN UNISON: Aye.
31
32 MR. CARPENTER: Opposed.
33
34 (No opposing votes)
35
36 MR. CARPENTER: Motion carries. I will
37 turn the Chair back over to you, Mr. Chair.
38
39 CHAIRMAN LOHSE: Thank you, Tom. Thank
40 you all for your vote of confidence. It's been quite a
41 while since I.....
42
43 MR. CARPENTER: How many years has it
44 been?
45
46 CHAIRMAN LOHSE: I don't know and I
47 don't even want to think about it. It has been a long
48 time and hopefully one of these days it will pass to
49 somebody else one way or the other. But, in the
50 meantime, I thank you guys again for your vote of

1 confidence. With that, I'm going to open up the
2 nominations for vice Chair.
3
4 Do I hear any nominations.
5
6 MR. KOMPKOFF: I nominate Tom
7 Carpenter.
8
9 MR. GEASE: Second.
10
11 CHAIRMAN LOHSE: It's been moved and
12 seconded for Tom Carpenter. Do we have any other
13 nominations.
14
15 MR. SHOWALTER: If not, question.
16
17 CHAIRMAN LOHSE: The question has been
18 called. All in favor signify by saying aye.
19
20 IN UNISON: Aye.
21
22 CHAIRMAN LOHSE: All opposed signify by
23 saying nay.
24
25 (No opposing votes)
26
27 CHAIRMAN LOHSE: Motion carries. Tom,
28 you're back, stuck in the same place you were. Okay.
29 Now we're opening it up for nominations for secretary.
30 Gloria is our current secretary.
31
32 MR. CARPENTER: Mr. Chair. I nominate
33 Gloria Stickwan as secretary.
34
35 MR. KOMPKOFF: I'll second.
36
37 CHAIRMAN LOHSE: It's been moved and
38 seconded for Gloria Stickwan. Gloria, you had your
39 hand up.
40
41 MS. STICKWAN: I nominate Judy.
42
43 CHAIRMAN LOHSE: We have a nomination
44 for Judy. Do we have a second.
45
46 MR. GEASE: Second.
47
48 CHAIRMAN LOHSE: Now we have a
49 nomination for Judy and Gloria. Do we have any other
50 nominations.

1 MR. SHOWALTER: Move to close
2 nominations.
3
4 CHAIRMAN LOHSE: There's been a motion
5 to close nominations. Do I hear a second.
6
7 MR. GEASE: Second.
8
9 CHAIRMAN LOHSE: It's been moved and
10 seconded. All in favor signify by saying aye.
11
12 IN UNISON: Aye.
13
14 CHAIRMAN LOHSE: All opposed signify by
15 saying nay.
16
17 (No opposing votes)
18
19 CHAIRMAN LOHSE: Nominations are
20 closed. With that, you all got a little piece of blue
21 paper in front of you. Write your vote down and give
22 it to me. Two easy names, just Gloria and Judy.
23
24 (Pause)
25
26 CHAIRMAN LOHSE: If somebody else would
27 like to confirm it, I would say that Gloria is our
28 secretary.
29
30 MR. CARPENTER: It looks like you are
31 correct.
32
33 CHAIRMAN LOHSE: Gloria, you are the
34 secretary. With that we need to review and adopt our
35 agenda. Has everybody taken a look at the agenda
36 that's in front of us? We have a pretty big agenda.
37 Is anybody requesting changes.
38
39 Mr. Henrichs.
40
41 MR. HENRICHS: Yes. I understand that
42 the Feds want to revamp the subsistence deal from the
43 ground up. In our conversation earlier you said as
44 Chairman you were brought in with the other Chairman
45 and they asked for your personal opinion, but it was
46 not the opinion of this RAC and I think that at some
47 point this Council needs to put forth our concerns so
48 we have input into this. The other thing, which I
49 briefly discussed with you, it looks like they're
50 trying to change the way they enforce some of the

1 customary and traditional use on marine mammals, which
2 I don't know how we fit in there, but the Staff is
3 doing it, National Marine Fisheries. We may want to
4 have some input into that too.

5
6 CHAIRMAN LOHSE: Would you like to put
7 that under other business?

8
9 MR. HENRICHS: Sure.

10
11 CHAIRMAN LOHSE: Do I hear any
12 objections from anyway. Okay, Council input into
13 review and marine mammal subsistence uses. Sound good?

14
15 MR. HENRICHS: Yeah.

16
17 CHAIRMAN LOHSE: Okay, we'll stick that
18 under other business. Ricky.

19
20 MR. GEASE: I'd just like to note under
21 16A, the fall meeting, if we could look at changing the
22 time, please.

23
24 CHAIRMAN LOHSE: Okay. And I think you
25 were explaining to me that that conflicts with the
26 Board of Fish meeting right now. So we'll look at the
27 meeting dates for the fall meeting. Anybody object to
28 putting that on the agenda.

29
30 (No objections)

31
32 CHAIRMAN LOHSE: Hearing no objections,
33 we'll add that right there under 16A. Ricky.

34
35 MR. GEASE: At some point in the
36 meeting maybe one of the Agency reviews maybe OSM could
37 give us a discussion of the timeline of the census and
38 how that incorporates into rural and non-rural
39 determination, what the timeline is for that.

40
41 CHAIRMAN LOHSE: Let's stick that under
42 other business. Census timeline and impact on rural
43 determination. Does that pretty well cover it? Do I
44 have any objections to that? That would be under other
45 business.

46
47 (No objections)

48
49 CHAIRMAN LOHSE: Hearing none we'll put
50 it on the agenda. Judy.

1 MS. CAMINER: This is just a question.
2 Maybe it's been taken care of, but I know for some of
3 the proposals affecting Denali -- Amy wasn't able to
4 drive in, but if we made arrangements for her to
5 teleconference in at the right time that she can
6 participate.

7
8 Thank you.

9
10 CHAIRMAN LOHSE: Donald.

11
12 MR. MIKE: Yeah, Thank you, Mr. Chair.
13 Donald Mike, coordinator. If we can identify a time
14 certain for this afternoon, we can set up the
15 teleconference and provide her with the information to
16 call in.

17
18 Thank you, Mr. Chair.

19
20 CHAIRMAN LOHSE: Okay. So that would
21 be for the proposals that impact Denali then. Can we
22 set that up for -- can we time certain set that up for
23 Thursday afternoon starting right after lunch if that's
24 okay with everybody because that's a teleconference --
25 we need teleconference on that one there. We'll set up
26 her proposals no matter what for time certain right
27 after lunch on Thursday. Let's say 1:00 o'clock on
28 Thursday. That works better. If that's in agreement
29 with the rest of the Council members because it will
30 probably be out of order at that point in time for us
31 to do that, but if everybody is agreed we can do it
32 that way.

33
34 (No objections)

35
36 CHAIRMAN LOHSE: Hearing no objections,
37 we'll put that on the agenda. Any other changes.

38
39 (No comments)

40
41 CHAIRMAN LOHSE: If not, then a motion
42 to accept the agenda is in order.

43
44 MR. CARPENTER: Mr. Chairman. I move
45 we adopt the agenda.

46
47 CHAIRMAN LOHSE: As modified.

48
49 MR. CARPENTER: As modified.

50

1 MR. LAMB: Second.
2
3 CHAIRMAN LOHSE: It's been moved and
4 seconded that we adopt the agenda as modified. Any
5 discussion.
6
7 (No comments)
8
9 MR. KOMPKOFF: Question.
10
11 CHAIRMAN LOHSE: The question has been
12 called. All in favor signify by saying aye.
13
14 IN UNISON: Aye.
15
16 CHAIRMAN LOHSE: All opposed signify by
17 saying nay.
18
19 (No opposing votes)
20
21 CHAIRMAN LOHSE: Motion carries. The
22 next thing is to review and approve the minutes from
23 October 14th, 2009. With this kind of a meeting
24 schedule, we're not going to take the time to read them
25 right now. I hope you've all read them. Does anybody
26 find any objections, any things they'd like to change
27 in the minutes. I'll give you a couple minutes on
28 that. If not, then a motion to accept and approve the
29 minutes is in order.
30
31 MR. CARPENTER: Mr. Chair. I move we
32 approve the minutes from October 14th, 2009
33 Southcentral Regional Advisory Committee.
34
35 MR. SHOWALTER: Second.
36
37 CHAIRMAN LOHSE: Any discussion.
38
39 MR. KOMPKOFF: Question.
40
41 CHAIRMAN LOHSE: The question has been
42 called. All in favor signify by saying aye.
43
44 IN UNISON: Aye.
45
46 CHAIRMAN LOHSE: All opposed signify --
47 Gloria.
48
49 MS. STICKWAN: I abstain since I wasn't
50 here at the last meeting.

1 CHAIRMAN LOHSE: Okay. Gloria
2 abstains. All in favor was aye. All opposed.

3
4 (No opposing votes)

5
6 CHAIRMAN LOHSE: Motion carries. With
7 that we go on to the Chair report. The most
8 interesting thing I have to talk about is the meetings
9 that we had with Pat here in Anchorage. There was a
10 lot of comment. If you take a look at the report that
11 he put out, it pretty well covers the things that --
12 pretty well synthesizes the things that came from all
13 the different Council chairs. There were a lot of
14 interest in Council deference. There was a lot of
15 interest in getting more input from the public.

16
17 There were no major large complaints.

18
19 It was really interesting to me because
20 being with all the Council chairs from all over the
21 state you realize what an impact subsistence does make
22 in the economics and lifestyles in part of the state.
23 I'll say it's much greater in a way than for those of
24 us that live where we have road access to a lot of the
25 amenities that they don't have. For me, it was just
26 really nice to listen to them and let them do most of
27 the talking because they had a lot more concerns.

28
29 I agree with Mr. Henrichs here that it
30 would be nice if we as a Council came up with a little
31 bit. I think we're a little bit on the late side and
32 that's the whole thing about the way this was run.
33 There wasn't time to have Council input, but there is
34 going to be time to have Council review of it. Am I
35 correct on that? And then we can have input in our
36 review.

37
38 DR. WHEELER: My understanding is --
39 actually Pat Pourchot came up to the meeting of the
40 Eastern and Western Interior Regional Advisory
41 Councils, which was several weeks ago in Fairbanks, and
42 he said at that time that they would probably take
43 comments through the end of that week and it was
44 February 23rd to 26th, those meetings were. He was
45 saying they could take comments through the end of that
46 week.

47
48 I'm going to call his office at a break
49 and find out kind of what their -- if they have a
50 revised schedule and, if so, how this Council can

1 provide comments or what would be the best format to do
2 that. Also ask him once they have the recommendations
3 from the Secretary are they going to be final
4 recommendations, are they going to be draft
5 recommendations for further review. I don't know the
6 answer to those questions, but I'll try to get back to
7 you today on that.

8

9 Mr. Chair.

10

11 CHAIRMAN LOHSE: I wasn't able to get
12 the answer to those either at the meeting, so that's
13 why I was wondering what you'd found out on that. In
14 that case, later today you can get back to us and just
15 tell us whether we can still make recommendations or
16 whether we get a chance to review them.

17

18 DR. WHEELER: What I've encouraged
19 other Councils to do that have met since then is to
20 include some of those recommendations in their annual
21 report for 2009 because the review was announced in
22 2009, so that way there's a permanent record of your
23 comments and the annual report is there for people to
24 read, but at least they're captured in one place.

25

26 Mr. Chair.

27

28 CHAIRMAN LOHSE: Thank you. Question,
29 Judy.

30

31 MS. CAMINER: Thanks, Mr. Chair. I
32 would encourage us to put forward comments because, as
33 Pat says in his letter, some proposed changes might be
34 huge, but some might be relatively simple and perhaps
35 within the purview of OSM to make. So I think if we
36 have comments particularly about RACs and support to
37 RACs it would definitely be worth doing it and I think
38 it's also a great idea to put it when we do our annual
39 report.

40

41 CHAIRMAN LOHSE: Do any Council members
42 have -- oh, on the Chair's report you can see the
43 actions that the Board took on the proposals that we
44 had. The Board seems to give us pretty good deference
45 I would say. It doesn't always agree with us. I
46 didn't sit down and go through them and review them for
47 this meeting. I had a bunch of other things going on
48 and just plain forgot about it, but the information is
49 all there for you to look at.

50

1 In the interest of making time, I'm
2 going to let you look at them instead of give it to you
3 verbally. Does any Council members have anything they
4 would like to report at this point in time?

5
6 Mr. Henrichs.

7
8 MR. HENRICHS: Yeah, I'll make a quick
9 report on a meeting I attended back in D.C. that may
10 have an impact up here. President Obama invited all
11 the leaders of the tribes to come back and meet with
12 him, so I went back there and it was pretty
13 interesting. He came and met with us and I got up at
14 4:30 and I showed up at 5:30 and the doors opened at
15 7:00 and the meeting started at 9:00 and I was
16 fortunate enough to get in the fourth row and I was
17 sitting about 30 feet away from him.

18
19 A lot of the tribal leaders in Alaska
20 are women and almost every one of them is a grandmother
21 and he spoke to us for about an hour and then he was
22 going to leave and come back later. Well, when he got
23 ready to leave, these grandmothers rushed that stage
24 and I'll tell you something, that Secret Service was no
25 match for them. They shoved the Secret Service out of
26 the way to shake his hand, and if you got in their way
27 they would have run over you. I saw grandmothers
28 wearing dresses with high heels jumping over rows of
29 chairs to get up there.

30
31 So far he's walking the talk and I was
32 very pleased with the meeting with him. The funniest
33 part about it was, if you're a tribal leader they had a
34 certain deal on your name tag and if you weren't a
35 tribal leader it was different, and they took the
36 corporation leaders and they stuck them back in the
37 40th row. I ran into Al Kookesh and Tim Torr back
38 there 40 rows back and those guys never did get to
39 speak. I thought it was pretty appropriate he met with
40 the tribes instead of the corporations.

41
42 So that's my report.

43
44 CHAIRMAN LOHSE: Thank you, Mr.
45 Henrichs. Anybody else have anything they'd like to
46 share with us.

47
48 (No comments)

49
50 CHAIRMAN LOHSE: Okay. With no other

1 Council member report, we're going to go on to
2 administrative business. Donald.

3

4 MR. MIKE: Thank you, Mr. Chair. First
5 of all, if you haven't done so, please sign in. We
6 have a sign-in sheet in front of the table. For those
7 wishing to testify on a particular proposal, please
8 fill out a green testify form and note which proposal
9 you want to address just for our records. At any time
10 during the meeting Mr. Chair will normally accept any
11 public testimony that relates to subsistence, so if
12 it's called the Chair will recognize those that wish to
13 testify.

14

15 Lastly, Mr. Chair, I handed out a
16 folder this morning and there's some information that
17 were sent to my office this week and they couldn't make
18 the due date for the publication of the books. But
19 anyway if you open your folder we have a letter from
20 the Wrangell-St. Elias Subsistence Resource Commission
21 to the Board of Fisheries submitting their comments on
22 Chitina subdistrict fisheries in the Chitina area.

23

24 Also we have a public comment from the
25 AHTNA, Incorporated. They have a subsistence committee
26 and they developed their comments on each proposal that
27 the Councils will be addressing. The next page, I
28 received public comments through email and I made some
29 copies and we have about seven individual comments we
30 received regarding Proposal WP10-104 regarding the
31 Chisana Caribou Herd. Those are in your folders. And
32 we have a report from the Native Village of Eyak on
33 there also. 2009 summary data for the Copper River
34 Fisheries Resource Monitoring Program for your
35 information.

36

37 The last two handouts in your folder,
38 as Polly stated earlier during our Council orientation,
39 there's a summary from the Office of the Secretary, Pat
40 Pourchot. It's entitled Federal Subsistence Program
41 Review, status report to the Federal Subsistence
42 Regional Advisory Council, dated February/March 2010.
43 So that's for your information. Lastly, a letter from
44 Governor Sean Parnell from the State of Alaska making
45 these comments to Ken Salazar, the Secretary,
46 Department of Interior, and that's for your
47 information.

48

49 I believe that's the administrative
50 information I have.

1 Mr. Chair.

2

3 Thank you.

4

5 CHAIRMAN LOHSE: Thank you, Donald.

6 Some of these, the first few that you mentioned
7 specifically speak to proposals that we'll be working
8 on and I would suggest that when we get to those
9 proposals that we take a look at those. The last two
10 pages that you were talking about deal with our
11 meetings with Pat Pourchot and before we get to that
12 part of our meeting as far as what we would like to
13 comment on, I think it would be worthwhile if every
14 Council member found time to read those two letters and
15 see what's already been said and what's going on right
16 there.

17

18 So, with that, is there anything else
19 that you have for us at this point in time, Donald.

20

21 MR. MIKE: Thank you, Mr. Chair. I
22 forgot to mention what you have in your folders there's
23 information on the back table for the public to take if
24 they wish to do so, but what you have in your folders
25 the public has access to on the back table.

26

27 Thank you.

28

29 CHAIRMAN LOHSE: Thank you, Donald.
30 Again, when it comes to public testimony, if you're
31 going to make public testimony, if you just want to
32 make general testimony, we can take it. That's the
33 next item on the agenda. If you wish to speak to a
34 special proposal, just write on your public testimony
35 card that you're going to apply it to that proposal and
36 we'll wait until that proposal comes up and give you an
37 opportunity to speak at that point in time. It's your
38 choice.

39

40 But we'll definitely make room for you.

41

42 With that, I see we have almost all of
43 our Council members now that are going to make it. All
44 these people from the Kenai that have been fighting
45 snow and bad weather. I don't know why anybody lives
46 down there.

47

48 (Laughter)

49

50 CHAIRMAN LOHSE: Anyhow, with that

1 we're going on to wildlife proposals for Council review
2 and recommendation to the Federal Subsistence Board.
3 If you turn to the second page on your agenda, Page 2,
4 it gives a little bit of an idea of how we do this. We
5 went over that just before when we went over what the
6 Board does. We'll have an introduction to the proposal
7 and analysis, Fish and Game Department comments, other
8 Federal, State and tribal agency comments, InterAgency
9 Staff Committee comments, Subsistence Resource
10 Commission comments, Fish and Game Advisory Committee
11 comments and summary of written public comments, then
12 public testimony and then we'll get around to
13 discussing it. At that point in time I'd like a motion
14 to put it on the table so that we can discuss it and
15 we'll either vote it up or vote it down.

16

17 We have five proposals for statewide.
18 Let's say that we try to see if we can get through
19 these five proposal and then we'll take a break for
20 lunch and come back to the other proposals this
21 afternoon. With that, unless there's any objection,
22 we'll go on to Proposal WP10-01 found on Page 14.

23

24 DR. WHEELER: Thank you, Mr. Chair.
25 Polly Wheeler with the Office of Subsistence
26 Management. Actually I'm going to be presenting the
27 first five, all of the statewide proposals to you
28 today. I'll do my best to keep it short and sweet. By
29 all means, if you have questions or anything, feel free
30 to ask as we go through them.

31

32 The first proposal before you is
33 Proposal 10-01 and begins on Page 14 in your book and
34 goes to Page 17. I will note that this go-round,
35 because we had so many proposals, I told Staff that I
36 was going to give a prize for the shortest analysis and
37 this one is in the running. It's a page and a half.
38 This is a statewide proposal.

39

40 This proposal was submitted by the
41 Office of Subsistence Management and it requests the
42 addition of a definition for drawing permit to the
43 Federal subsistence management regulations. Existing
44 Federal subsistence management regulations do not
45 include a definition of drawing permit. However,
46 because this term is used in the hunting regulations a
47 definition should be provided in regulation.

48

49 The addition of this definition does
50 not affect fish and wildlife populations, subsistence

1 uses or other uses. The Federal Subsistence Management
2 Program has used drawings as one way to distribute
3 permits among residents of a community that are
4 similarly situated relative to customary and
5 traditional uses of those wildlife populations.

6
7 Just to give you a couple examples, we
8 actually do a drawing permit. We have an .804 hunt in
9 Unit 19A. We do a drawing permit. There's five
10 communities that qualify for the .804 or that were
11 found to be most dependant on the resource in 19A for
12 moose and because there's five communities we do a
13 drawing permit of the folks that are similarly situated
14 that we found through the .804. We do drawing permits
15 in a couple other units too. It's pretty rare, but we
16 do have them in regulation. Because we have them in
17 regulation, it's important to have a definition of
18 drawing permit in regulation.

19
20 I will say too, as I spoke earlier and
21 for those of you that weren't here, I'll just reiterate
22 it for the record. We had a bit of a bureaucratic
23 SNAFU with our proposed wildlife rule this time around.
24 We published it and then it got pulled, but in the end
25 we ended up having a really big window for the wildlife
26 proposals. It went from January of 2009 to November of
27 2009. So OSM had submitted these proposals early on.
28 Our original proposal for the definition of a drawing
29 permit you can see the proposed regulation is found on
30 Page 16. It's fairly lengthy and it involves some
31 legal kind of parameters if you will.

32
33 After lengthy review and kind of going
34 through we realized that some of that stuff that was
35 included in the original definition really wasn't
36 needed and we landed on the definition that you can
37 find on Page 17 of your book, which is fairly simple.
38 A drawing permit is a permit issued to a limited number
39 of Federally qualified subsistence users selected by
40 means of a random drawing.

41
42 So the preliminary recommendation, Mr.
43 Chair and Council members, is to support Proposal 10-01
44 with modification. The modification is -- the original
45 proposal on Page 16.

46
47 The modification is on Page 17. That
48 concludes my presentation.

49
50 Mr. Chair.

1 Any questions.
2
3 CHAIRMAN LOHSE: Thank you, Polly. Any
4 questions for Polly.
5
6 MS. STICKWAN: I have a question.
7
8 CHAIRMAN LOHSE: Gloria has a question.
9
10 MS. STICKWAN: It says drawing permits
11 are issued based on priorities, so you go through the
12 three criteria and then you'll do a drawing permit? Is
13 that how it's done?
14
15 DR. WHEELER: I read those comments
16 this morning, Gloria. Thanks for asking that question.
17 Through the Chair. The drawing permit -- we use it in
18 very rare situations, but it's for Federally qualified
19 users that are similarly situated. So, again, in Unit
20 19A, for example, we have done an .804 analysis, but
21 there's still more people eligible for the hunt than
22 the harvestable surplus will support, so we do a
23 drawing permit. Once we've done the .804, then we do a
24 drawing permit.
25
26 We also have a drawing permit this
27 Council knows. We have a drawing permit in Cordova for
28 moose. That is not an .804, but the approach was
29 endorsed by this Council. So, in most situations,
30 probably where we would have a drawing permit it would
31 be an .804 but not always.
32
33 Mr. Chair.
34
35 Did that answer your question, Gloria?
36
37 MS. STICKWAN: Uh-huh.
38
39 CHAIRMAN LOHSE: Thank you, Polly.
40 George.
41
42 MR. PAPPAS: Good morning, Mr. Chair.
43 Members of the Council. Just to give you a heads up,
44 the Department is not making comments on the statewide
45 proposals. We're going to all the RAC meetings and
46 taking public input, RAC input, before we finalize our
47 position. So that would be WP10-01 through 05.
48
49 Additionally, we're not providing
50 finalized comments for the C&T proposals, which include

1 numbers 29, 30, 31, 32, 33, the crossover number 90, I
2 believe. We're also collecting information, what the
3 RAC has to say, the public testimony, before we
4 finalize the State's position.

5
6 So it will help you move right along.
7 We have no comments on these first five, sir.

8
9 CHAIRMAN LOHSE: If I understand right,
10 George, then your final comments will be presented to
11 the Board proper, not to the Councils, right?

12
13 MR. PAPPAS: That's correct, Mr. Chair.

14
15 CHAIRMAN LOHSE: Okay. Other Federal,
16 State, tribal agencies that wish to make a comment on
17 this.

18
19 (No comments)

20
21 CHAIRMAN LOHSE: Okay. Let's go on to
22 InterAgency Staff Committee comments.

23
24 DR. WHEELER: Thank you, Mr. Chairman.
25 I'm chair of the InterAgency Staff Committee and
26 actually the InterAgency Staff Committee won't be
27 having comments on any proposals at this point, so you
28 can draw a line through that category and that will
29 move things along a little bit.

30
31 CHAIRMAN LOHSE: Okay. How about
32 Subsistence Resource Commission comments.

33
34 MS. CELLARIUS: Thank you, Mr. Chair.
35 For the record, my name is Barbara Cellarius and I'm
36 the subsistence coordinator for Wrangell-St. Elias
37 National Park and Preserve. Today and tomorrow I'll be
38 presenting to you comments from the Wrangell-St. Elias
39 National Park Subsistence Resource Commission. I think
40 you've got a couple new people here today. The
41 commission is a group of volunteers that advise Park
42 management on subsistence issues. You appoint one of
43 the members to the commission. So they had a comment
44 on Proposal No. 01.

45
46 The Wrangell-St. Elias SRC unanimously
47 supports the proposal as modified in the OSM
48 preliminary conclusion with additional modification by
49 the SRC. The SRC amended the proposal to make use of a
50 drawing permit hunt contingent on the approval by the

1 affected region. Drawing permit hunts are a tool that
2 can be used to distribute permits among Federally-
3 qualified subsistence users. However, SRC members felt
4 that the individual regions should be able to decide
5 whether they are appropriate to use in their region.

6

7 CHAIRMAN LOHSE: Thank you. Any
8 questions for Barbara.

9

10 (No comments)

11

12 CHAIRMAN LOHSE: Fish and Game Advisory
13 Committee comments.

14

15 MR. GEASE: Just one question on that
16 modification. If you didn't use a drawing permit, then
17 what other tools are available if you're in the
18 condition that you have more users than animals to
19 provide? What other tools are on the table if we can
20 compare to a drawing permit?

21

22 DR. WHEELER: That's an excellent
23 question. Through the Chair. That is how -- the
24 comment by the SRC is right on and I would say that
25 that occurs. I mean the proposals go before the
26 Regional Advisory Councils. If there's an .804, the
27 Council is presented with the .804 analysis unless it's
28 a special action, but even then we try to do a public
29 hearing. You're right. I mean we'll do an .804 and we
30 narrow the pool of qualified users, but if the
31 harvestable surplus is five and you've got five
32 communities, then you have to figure out some way of
33 distributing those animals. But the Regional Advisory
34 Councils are brought into the process because this is a
35 regulatory change. If we do an .804, then the affected
36 region will weight in through the Council process. So
37 the suggested modification is actually part of our
38 process anyway.

39

40 As far as what other options are there,
41 I'm sure if the Regional Advisory Councils thought of
42 something they could figure it out. I know in
43 Unalakleet, for example, we have a -- we did an .804.
44 The community of Unalakleet, this is in Game Management
45 Unit 22, was the only community that was found to be
46 most dependant on the resource in this particular
47 subunit of Unit 22 and there's three permits and
48 they're given to the tribal council and they distribute
49 those permits. So that's one way it's done. And that
50 was worked out with the Regional Advisory Council in

1 the affected community.

2

3 CHAIRMAN LOHSE: Thank you, Polly. Can
4 I ask George a question. To a certain extent, isn't
5 what Polly said how the caribou and moose Tier II and
6 Unit 13 was handled this last year too or didn't we
7 give permits to -- I mean we didn't have a drawing
8 permit, but I think AHTNA handled the permits, didn't
9 they, and then distributed them?

10

11 MR. PAPPAS: I'll wait for Gino
12 Delfrate, the regional wildlife biologist.

13

14 CHAIRMAN LOHSE: Thank you, George.

15

16 MR. DELFRATE: I'll see if I can answer
17 this question quick. For the record, my name is Gino
18 Delfrate. I'm the acting regional supervisor for
19 Region 2. This past year the Nelchina caribou hunt
20 made a substantial change in that there was a Tier I
21 community harvest program where the AHTNA folks
22 administered permits to members of the eight villages
23 plus some additional permits. In addition to that
24 there was a second Tier I caribou hunt, which was --
25 it's a drawing type hunt, which allows for everybody
26 that applies the possibility of hunting caribou within
27 the Nelchina about once every four years. So it looks
28 like a drawing hunt, but it is kind of set up so that
29 there is some sort of continuity with regards to the
30 permittees.

31

32 CHAIRMAN LOHSE: So that is an
33 alternative that has been used other than just straight
34 drawings, but you'd have to have a fairly definitive
35 hunt, definitive body of users to do that. Gloria, did
36 you have a question.

37

38 MS. STICKWAN: I guess just a comment.
39 It will continue next year and this court takes action,
40 right?

41

42 MR. DELFRATE: Yes, it's at least the
43 Department's interest that both Tier I hunts will
44 continue and we're still waiting for a final -- this
45 hunt program is in litigation now and we're currently
46 waiting for the judge's final decision on this hunt.
47 We were expecting it last week while we were at the
48 Board of Game meeting and it did not happen, so it's
49 unclear as to when this decision will come down. If
50 the decision comes down that we need to substantially

1 change it, then we'll probably have to have an
2 emergency Board meeting to go forward. Without that --
3 sometimes judge's decisions don't happen for two, three
4 years and without a judge's final decision our plans
5 are to continue with the same program that we had in
6 2009.

7

8 CHAIRMAN LOHSE: Thank you. Any
9 questions from anybody.

10

(No comments)

12

13 CHAIRMAN LOHSE: Thank you. Polly.

14

15 DR. WHEELER: Mr. Chair. I may not
16 have been clear earlier. The only reason why this
17 proposal was put in is because we currently have
18 several drawing permit hunts in several regions of the
19 state, so we actually have drawing permits, but we
20 don't have a definition of drawing permit. From a
21 regulatory standpoint, if you have something in
22 regulation, you need to have a definition for it. All
23 this is, it's not imposing a drawing permit hunt on
24 anybody. It's just recognizing that we have several
25 drawing permits in regulation already and we need to
26 have a definition of a drawing permit to go along with
27 it. So this is in the general regulations, not in the
28 region specific regulations.

29

Mr. Chair.

31

32 CHAIRMAN LOHSE: From my looking at it,
33 basically what this is, it's a definition that says
34 that a drawing permit hunt is a random drawing of
35 qualified users, but the idea is that it's random.

36

DR. WHEELER: Correct.

38

39 CHAIRMAN LOHSE: Do we have summary of
40 written public comments, Donald.

41

42 MR. MIKE: Thank you, Mr. Chair. Since
43 the book was published we've received public comments
44 from the AHTNA Subsistence Committee, Statewide
45 Proposal WP10-01. They opposed WP10-01 to add drawing
46 permit to the Federal definition in the regulation
47 booklet. It says drawing permits is possibly only
48 within two reasons. It isn't necessary to have a
49 statewide definition of a state concept in terminology.
50 The analysis of ANILCA Section .804 should be

1 considered first before consideration of a drawing
2 permit. Each region and communities are different and
3 it may be necessary to do a drawing permit. However,
4 in most cases, an analysis of Section .804 should be
5 done first and foremost before adopting the State
6 system of doing a drawing permit. Thank you, Mr.
7 Chair.

8
9 CHAIRMAN LOHSE: Thank you, Donald.
10 Polly, can I ask you a question. For most drawing
11 permits would an analysis of .804 be done first
12 automatically because of the situation but not
13 necessarily? Like Cordova is not an .804, it's a
14 community one.

15
16 DR. WHEELER: Exactly. We have
17 examples of where -- that's the one example of where we
18 have a drawing permit, but it's not -- an .804 wasn't
19 done for that hunt, but that's because the Regional
20 Advisory Council came up with a system that seemed to
21 work for the community of Cordova. As a general rule,
22 I would say yes. If we're going to a drawing permit,
23 it would be subsequent to an .804 analysis. As soon as
24 I said that, I'm sure there's going to be exceptions
25 out there, but as a general rule that's where a drawing
26 permit would be used. Mr. Chair.

27
28 CHAIRMAN LOHSE: Especially if it was
29 between communities, more than one community involved.

30
31 DR. WHEELER: Absolutely. Mr. Chair.
32 I didn't mention earlier, but just as a piece of
33 information the six Councils that have met or the seven
34 Councils that have met and taken action on this
35 proposal, they've all supported the proposal with the
36 modification consistent with the Office of Subsistence
37 Management preliminary conclusion. Mr. Chair.

38
39 CHAIRMAN LOHSE: Thank you, Polly.
40 Tom.

41
42 MR. CARPENTER: I wanted to just -- the
43 only reason that there wasn't an .804 done in Cordova
44 was because they're the only community with a C&T for
45 that particular hunt. Am I correct? I mean residents
46 of Unit 6C are the only ones with a C&T for that
47 particular hunt, so there wouldn't really need to be an
48 .804 determination. I understand where maybe AHTNA is
49 coming from. They just don't want 25 proposals coming
50 in next time to say we want all these hunts to be

1 drawing hunts. Now I totally understand that. Unless
2 there were multiple communities or multiple C&T
3 findings, then there really would be no reason for a
4 drawing hunt. Am I correct?

5
6 DR. WHEELER: Generally, yes. I mean
7 you're right. And if we got 25 proposals to make all
8 these hunts drawing permits, no, that's where ANILCA
9 gives us very clear direction of how to -- if there is
10 a resource problem, we have clear direction on how we
11 deal with it. It's just one of these weird situations.
12 We don't have a lot of drawing permits in Federal
13 subsistence regulations. We have a few and because we
14 have a few absent the definition, we need to have a
15 definition for them.

16
17 MR. GEASE: Just theoretical if it
18 comes up. You've got five communities. There's 50
19 animals. Does this definition make you have every
20 member in those five communities go in or is it within
21 the power of the RAC and the Board to say that each
22 community would be allocated 10 and then you could do a
23 drawing within the community the way that the
24 definition is written.

25
26 DR. WHEELER: That's where the
27 recommendation of the Regional Advisory Council is
28 absolutely critical. Again, with the Unit 22 moose
29 hunt, for example, it was worked out with the Seward
30 Peninsula RAC and the community. With the Unit 19A
31 hunt, .804, it was a combined .804/Tier II hunt in Unit
32 19A. It was worked out with the Yukon-Kuskokwim Delta
33 Regional Advisory Council and the Yukon-Kuskokwim Delta
34 National Wildlife Refuge for distribution of those
35 permits. This is when we do these types of hunts this
36 is where the Regional Advisory Council plays a critical
37 role in making a recommendation and that recommendation
38 is considered and typically supported by the Federal
39 Subsistence Board.

40
41 MR. GEASE: Excuse me. Just for
42 clarifying then, this definition as it is right now to
43 a limited number, it could mean within a community or
44 it could mean a group of communities. It allows the
45 RAC to have flexibility to deal with the situation in
46 both manners.

47
48 DR. WHEELER: Absolutely, yes.

49
50 CHAIRMAN LOHSE: Judy.

1 MS. CAMINER: Mr. Chair. Just going
2 back to Tom's question. I think even if you had one
3 community, if there was a shortage you would then apply
4 the .804 criteria, which would get at customary and
5 traditional use and local residency aspects. So it
6 could all be in combination if it were one community.

7
8 CHAIRMAN LOHSE: I think one thing we
9 need to remember this does not set up drawing permits,
10 this does not mandate drawing permits, this just says
11 that if a RAC or if the Federal Board finds for a
12 drawing permit, the drawing permit will be a random
13 drawing permit of qualified users. I think that's the
14 one thing we have to remember. This doesn't propose
15 drawing permits. This does not set up drawing permits.
16 Does not mandate drawing permits. It just says if we
17 have a drawing permit, it will be random. It's not --
18 of qualified users. Not of everybody, but of qualified
19 users. But it will be random. It won't be -- nobody
20 can select who they'll be ahead of time.

21
22 MR. EASTLAND: Mr. Chair. I'm Warren
23 Eastland, wildlife biologist with the Bureau of Indian
24 Affairs. In response to Mr. Gease's question about the
25 tools in the toolbox, there are many. It is the RAC's
26 duty and joy to pick amongst the tools and amongst the
27 tools you would have are household permits. Some
28 things are being tried in other areas, in other
29 jurisdictions such as alternate year hunting. If you
30 were born on an odd number day, you hunt in an odd
31 number year and so forth. There are 49 other states,
32 all of which have at least one species for which they
33 need to restrict the number of hunters and there are a
34 plethora of examples out there and it would strictly be
35 up to the RAC to choose which one that they wish to
36 employ does not mandate a drawing permit.

37
38 Thank you.

39
40 CHAIRMAN LOHSE: Okay. Any other
41 public testimony.

42
43 MS. STICKWAN: I had a question.

44
45 CHAIRMAN LOHSE: Gloria.

46
47 MS. STICKWAN: What did he say the
48 first one was?

49
50 MR. EASTLAND: My first example was a

1 household permit. Rather than having a drawing for
2 every person within the affected area to put in for it,
3 it would just be one person from each household would
4 be eligible and right there you knock down the number
5 of applicants and perhaps there's enough animals to go
6 around.

7

8 CHAIRMAN LOHSE: Any other questions.

9

10 (No comments)

11

12 CHAIRMAN LOHSE: Thank you for showing
13 some of the tools that are available. Do we have any
14 other public testimony.

15

16 (No comments)

17

18 CHAIRMAN LOHSE: Hearing none.

19 Regional Council deliberations, recommendation,
20 justification. Do I hear a motion to put WP10-01 on
21 the table.

22

23 MR. CARPENTER: Mr. Chair. I move we
24 adopt WP10-01 as modified.

25

26 MR. HENRICHS: Second.

27

28 CHAIRMAN LOHSE: It's been moved and
29 seconded. Robert, did you second it?

30

31 MR. HENRICHS: Yes.

32

33 CHAIRMAN LOHSE: It's been moved and
34 seconded that we put WP10-01 on the table. That we
35 support WP10-01. Discussion. Judy.

36

37 MS. CAMINER: The suggestion by the
38 Wrangell-St. Elias SRC was to add the language a
39 drawing permit hunt will be contingent upon approval of
40 the affected region. I'm not sure if that's
41 appropriate for a definition or whether that is
42 something we'd want to consider perhaps as an amendment
43 or an addition here.

44

45 CHAIRMAN LOHSE: Other Council members.

46

47 MS. STICKWAN: Is that appropriate to
48 add that as an addition?

49

50 DR. WHEELER: If the Council feels that

1 it would add -- it's an important clarification to
2 make, then the Council can certainly make that
3 modification. The Council can also express its intent
4 when and if -- because this is in general regulations,
5 when and if a drawing permit comes before this Council,
6 this Council can act specific to its region as all
7 Councils do. So it's certainly within the purview of
8 the Council. I would say again it's in the general
9 regulations. All this unit specific regulations go
10 before the Regional Advisory Councils anyway, so they
11 would have to support it. It's kind of redundant
12 really because the Councils will have to support --
13 because this is a taking regulation, the Council would
14 have to support it anyway, so it's implicit in -- if
15 there's a drawing permit in a particular region, the
16 Council would have to support it anyway. So the Council
17 can do what the Council wants to do, but in my view
18 it's not necessary.

19

20 CHAIRMAN LOHSE: Any other discussion.
21 Does anybody wish to make an amended motion. Gloria.

22

23 MS. STICKWAN: Is that a motion from
24 you or what?

25

26 MS. CAMINER: No, I really just wanted
27 a discussion, whether the group thought it did add
28 clarity, but I would tend to agree that the specific
29 definition as shown in the book here is helpful and I
30 think we pretty much have assurance that each Council,
31 if their area is affected, would have an opportunity to
32 have input on it. So I'm okay without it.

33

34 CHAIRMAN LOHSE: Polly, can I ask you a
35 question. If there was a drawing hunt set up, it would
36 be set up by the Councils, wouldn't it, or at least the
37 proposal for a drawing hunt would come before the
38 Council and the Council would have to recommend the
39 drawing hunt or not recommend the drawing hunt.

40

41 DR. WHEELER: Yes, Mr. Chair. And that
42 would be the opportunity for the Council to also say,
43 okay, we support a drawing permit but only one per
44 household or only one every other year. What Mr.
45 Eastland had said the options, that's where -- I mean
46 you have a toolbox, but, yeah, it goes before the
47 Council and that's where the Council weighs in and
48 provides its additional parameters. This is just a
49 straight definition.

50

1 CHAIRMAN LOHSE: Would we be out of
2 line if we had like five communities that had C&T on a
3 hunt, would we be out of line to say it's going to be a
4 drawing permit but one permit would go to each
5 community? Would we be out of line to do something
6 like that? Would that take the randomness out of it?
7

8 DR. WHEELER: This Council can make the
9 recommendations that this Council wants to make with
10 regard to -- if there were five animals available, five
11 communities and an .804 analysis was done and all five
12 were found to be dependant on that resource, this
13 Council could say we support a drawing permit but one
14 per community, two for that community, one for that
15 community, as long as there was logic put on the record
16 for why you supported that approach. Mr. Chair.
17

18 CHAIRMAN LOHSE: Thank you, Polly. Any
19 more discussion. Judy.
20

21 MS. CAMINER: I guess just being the
22 new person I'll try to go through the three criteria
23 pretty quickly. I think the evidence here on the
24 analysis is adequate for us to make a decision on.
25 There's no violation of recognized principals of fish
26 and wildlife conservation and this would not be
27 detrimental to subsistence users to have a definition.
28 In fact, I think it would be helpful.
29

30 CHAIRMAN LOHSE: Thank you, Judy.
31

32 MR. CARPENTER: Question.
33

34 CHAIRMAN LOHSE: The question has been
35 called. All in favor of WP10-01 signify by saying aye.
36

37 IN UNISON: Aye.
38

39 CHAIRMAN LOHSE: All opposed signify by
40 saying nay.
41

42 (No opposing votes)
43

44 CHAIRMAN LOHSE: Motion carries
45 unanimously. With that we go to WP10-02. This is a
46 deferred proposal if I understand right, Polly.
47

48 DR. WHEELER: Yes, Mr. Chair. This
49 actually is not an action item, but rather it's a
50 briefing on the bear handicraft issue. This issue has

1 been before you on a number of occasions, but I just
2 want to keep you up to date on how we're approaching
3 this issue. Again, a more detailed briefing can be
4 found in your books on Page 18.

5
6 If you can remember back to May of
7 2008, actually prior to that, Proposal 08-05 was
8 submitted by the Alaska Department of Fish and Game
9 during the last wildlife cycle. It received a new
10 number during this regulatory cycle WP10-02, but it's
11 the same proposal. Just for the record, I'm going to
12 change that. The next time around when we have a
13 deferred proposal we're not going to give it a new
14 number because it gets too confusing. It's the same
15 proposal from several years ago. When you give it a
16 new number, you sort of think it's a new proposal, but
17 it's deferred from two years ago.

18
19 The proposal, originally submitted by
20 the Department of Fish and Game requested clarification
21 of the existing Federal Subsistence management
22 regulation governing the use of brown bear claws in
23 handicrafts for sale. At its May 2008 meeting, the
24 Federal Subsistence Board deferred the proposal and
25 voted to form a workgroup to address the issue of
26 developing a method of tracking brown bear claws made
27 into handicrafts for sale. The Board directed that the
28 working group would include representatives from all
29 interested Subsistence Regional Advisory Councils as
30 well as State and Federal staff.

31
32 An initial scoping meeting between
33 Federal and State staff was held in January 2009 and a
34 draft charge was developed. That draft charge is on
35 the bottom of your Page 18. A briefing on the status
36 of the workgroup was provided to all Regional Advisory
37 Councils during the winter of 2009 meeting. At that
38 time, representatives from interested Regional Advisory
39 Councils were selected to participate in the workgroup.

40
41
42 At the workgroups only meeting in June
43 2009, participants from the Councils posed a number of
44 questions directed at whether or not bear claw tracking
45 is a problem for subsistence users, and if regulations
46 needed to be changed. These questions prompted Federal
47 and State staff to conduct further research, and to
48 meet as agency staff to compare notes and to follow up
49 on research questions, which occurred twice during
50 summer 2009. The workgroup attempted to meet again

1 during the summer of 2009, but couldn't for various
2 reasons. Namely availability. Another briefing on the
3 status of the workgroup was provided during the fall
4 2009 Regional Advisory Council meeting cycle.

5
6 Our planned approach at this point, Mr.
7 Chair and Council members, is for the workgroup to meet
8 during the spring and summer of 2010 to address the
9 questions first raised at its first meeting and to
10 begin working towards resolution of the issues. The
11 workgroups findings will be presented to each Council
12 for their recommendations during the fall 2010 meeting
13 cycle and for a full report to be provided to the
14 Federal Subsistence Board for action at its January
15 2011 meeting. A report will also be provided to the
16 Alaska Board of Game at an appropriate meeting, so the
17 proposal is going to be deferred until that time.
18 Mr. Chair and Council members.

19
20 CHAIRMAN LOHSE: At this point then,
21 Polly, what as a Council is our responsibilities?

22
23 DR. WHEELER: Mr. Chair. Council
24 members. This is not an action item. This was mostly
25 intended as an update. Again, because the proposal got
26 a new number, we felt that rather than present the old
27 analysis to you since no further action had been really
28 taken by the workgroup, we just wanted to give you an
29 update. We're going to keep plugging away at this and
30 hopefully have something for you regulatory-wise at
31 your fall 2010 meeting.

32
33 CHAIRMAN LOHSE: Judy.

34
35 MS. CAMINER: I'm just wondering who
36 from this RAC is on the working group.

37
38 CHAIRMAN LOHSE: That's what I was
39 wondering too.

40
41 DR. WHEELER: Trish Waggoner.

42
43 CHAIRMAN LOHSE: Any questions for
44 Polly on this, WP10-02.

45
46 (No comments)

47
48 CHAIRMAN LOHSE: With that then we'll
49 go on to WP10-03.

50

1 DR. WHEELER: Thank you, Mr. Chair.
2 The analysis for Proposal WP10-03 can be found in your
3 books beginning on Pages 19 and going to Page 24.

4
5 This proposal was also submitted by the
6 Office of Subsistence Management and it requests the
7 addition of a general provision in Federal subsistence
8 management regulations to allow the harvest of fish and
9 wildlife by participants in a cultural or educational
10 program.

11
12 This proposal is a housekeeping measure
13 to clarify how these permits are currently issued, but
14 adoption of this proposal will not change how the
15 Office of Subsistence Management currently issues these
16 permits.

17
18 Most requests for these permits come
19 from culture camps sponsored by Native nonprofit
20 organizations. The permits are typically requested
21 both to teach cultural and educational activities
22 associated with harvest and to provide food for
23 participants in the program. Once a program has been
24 approved for a permit follow-up requests may be made
25 annually for up to five years by the same cultural or
26 educational program to harvest the same animal species
27 and amount.

28
29 The proposal puts into regulation the
30 guidelines the Federal program currently follows when
31 issuing these permits. The modified regulation has
32 four parts. First, it defines a qualifying program.
33 Second, it alerts the public that the Office of
34 Subsistence Management needs time to process the
35 application, while at the same time it allows the
36 Office of Subsistence Management to accept a request
37 for a permit at any time, which is the current policy.
38 Third, the modified regulation gives direction to the
39 local field manager in the area where the harvest will
40 occur. Fourth, it gives direction on how to issue
41 follow-up permits.

42
43 The OSM preliminary recommendation is
44 to support Proposal 10-03 with modification to simplify
45 the proposed regulation. Again, Mr. Chair, as occurred
46 with Proposal 10-01, we submitted the original proposal
47 to ourselves and had kind of a lengthy definition and
48 then after review internally and by the five Federal
49 agencies we came up with a definition that was much
50 more simple but still addressed the needs of the

1 program. So that's why our preliminary conclusion is
2 to support the modified regulation because there was an
3 initial regulation which was modified over time.

4
5 I'll just point out a few key features,
6 Mr. Chair. The language that we're supporting you can
7 find on Page 24 in your books. It's much more simple
8 than the proposed language on Page 21 going over to
9 Page 22. So if you look at Page 24, the cultural and
10 educational program permits, this is in our general
11 regulations.

12
13 It says a qualifying program must have
14 instructors, enrolled students, minimum attendance
15 requirements, and standards for successful completion
16 of the course. Applications must be submitted to the
17 Federal Subsistence Board through the Office of
18 Subsistence Management and should be submitted 60 days
19 prior to the earliest desired date of harvest.

20
21 We softened that to should be,
22 recognizing that it sometimes takes us a while to get
23 these things processes. We have processed applications
24 in a much shorter time period. Ideally we get it 60
25 days in advance, but in reality we usually don't, but
26 we still can manage to get it through. Harvests must
27 be reported and any animals harvested will count
28 against any established Federal harvest quota for the
29 area in which it is harvested.

30
31 Requests for follow-up permits must be
32 submitted to the in-season or local manager and should
33 be submitted 60 days prior to the earliest desired date
34 of harvest.

35
36 So, Mr. Chair, that's the preliminary
37 recommendation of the Office of Subsistence Management,
38 to support this modified language. If you have any
39 questions, I'm happy to answer them. Mr. Chair.

40
41 CHAIRMAN LOHSE: Does anybody have any
42 questions for Polly. Mr. Henrichs.

43
44 MR. HENRICHS: Our tribe gets a permit
45 for a memorial potlatch moose at our sobriety
46 celebration. How would this proposed change affect
47 that?

48
49 DR. WHEELER: Mr. Chair. It wouldn't
50 affect that because if it's a memorial potlatch, that's

1 different than a cultural and educational camp, so it
2 wouldn't affect that. Mr. Chair. Again, this is not
3 going to affect anything on the ground. What it does
4 is formalizes a process that we're already using, so
5 that's why it's a housekeeping measure. We have this
6 process in place, but when we received a request for
7 sheep in the Anaktuvuk area last winter for a cultural
8 and educational permit, we realized that we didn't have
9 the regulation describing the process. So being good
10 government bureaucrats we realized that we needed a
11 regulation to describe the process and that's what this
12 is. It's not going to affect how things have operated
13 on the ground because we've done it, but now we have a
14 process that people can go to and see explicitly what
15 it is. Mr. Chair.

16

17 CHAIRMAN LOHSE: Thank you, Polly.
18 Gloria.

19

20 MS. STICKWAN: So this wouldn't affect
21 the existing ones?

22

23 DR. WHEELER: No. I know there's a
24 culture camp out in AHTNA and we've issued several
25 permits to that. I suspect that would be probably a
26 follow-up permit. But, no, it's not going to affect
27 things on the ground. It's just describing really for
28 the managers what the process is. So just formalizes
29 it. You won't see an effect on the ground.

30

31 CHAIRMAN LOHSE: Ricky.

32

33 MR. GEASE: The question is about who
34 qualifies for doing the education programs and do all
35 the students have to be qualified rural residents in
36 order to participate in the taking of fish or wildlife
37 in an educational permit?

38

39 DR. WHEELER: That's an excellent
40 question. That's not in the definition and I don't
41 believe that all of the students have to be qualified
42 rural residents. Typically these camps happen in rural
43 areas so that participants are, but we wouldn't exclude
44 if some of the participants weren't qualified rural
45 residents. I don't believe that the program would be
46 kicked out. The intent clearly is for one animal.
47 It's for cultural and educational reasons as well as we
48 said, for food, but I could be wrong and I may need to
49 check on that if that's a stop point for this Council,
50 but I don't believe that the participants in the camp

1 would all need to be qualified rural residents. Mr.
2 Chair.

3

4 CHAIRMAN LOHSE: Tom.

5

6 MR. CARPENTER: I would just say my
7 opinion is I don't think we should -- as long as the
8 tribe or the community or whoever is having this
9 educational camp is in a rural community, I don't think
10 that we as a Council or myself should not allow
11 students, kids especially from anywhere from
12 participating in such a program. That just doesn't
13 seem like it's what the whole idea behind the program
14 is to begin with. There are tribal organizations all
15 over the state and a lot of the students may live in
16 Anchorage, for example, but they may go in the summer
17 to one of these rural areas and just because they live
18 in Anchorage I don't think that should keep them from
19 participating. I think that's totally against the
20 whole principal of what the permit is for. That's my
21 opinion.

22

23 CHAIRMAN LOHSE: Gloria.

24

25 MS. STICKWAN: We have culture camps
26 and we let anybody come. People from Anchorage come.
27 People that live temporarily in Glennallen are invited
28 to come too. Missionaries. They're interested in
29 coming and we let them come. It's just teaching them
30 our culture because they're interested. It doesn't
31 have anything to do with our subsistence needs and
32 teach them our culture.

33

34 CHAIRMAN LOHSE: Ricky.

35

36 MR. GEASE: Second question. Does the
37 educational or the group or whether it's a tribal
38 association or some other educational group, do they
39 have to be located in a rural community, have their
40 headquarters in a rural community in order to qualify
41 as an education for this permit to happen on Federal
42 land? For example, if you're headquartered in a non-
43 rural community in Anchorage, you're a tribal non-
44 profit or regional non-profit and across your territory
45 you have both non-rural and rural areas under your
46 jurisdiction but your headquarters are in a non-rural
47 area, such as Anchorage, would you qualify to put in
48 for this permit to do an education program on Federal
49 property.

50

1 DR. WHEELER: As a general comment, I
2 would say yes and then the parameters of the program
3 would be examined through the analysis. Typically when
4 we get these requests we do an analysis and that goes
5 through our process. I'm trying to think of an
6 example. I mean Tanana Chiefs, for example, is
7 headquartered and its main administrative offices are
8 in Fairbanks, but if they were to run a culture camp
9 out in Nulato or something where there's Federal lands,
10 then that request would be considered through the
11 program.

12
13 CHAIRMAN LOHSE: Judy.

14
15 MS. CAMINER: To me maybe the key issue
16 is who's going to be taking the animal and that, of
17 course, would have to be a rural resident on Federal
18 lands open to subsistence. The questions about the
19 education program itself could be broader, but the
20 bottom line is who's doing the take.

21
22 DR. WHEELER: That's true. And then
23 also that take counts against the established quota for
24 that particular species and that particular area. So
25 the harvest has to occur on Federal public lands.

26
27 CHAIRMAN LOHSE: That was my question,
28 Polly. Again, we're dealing with Federal subsistence
29 regulations and Federal subsistence take on Federal
30 land, so the takers would have to be Federally-
31 qualified subsistence users. But, again, one of the
32 things that we're overlooking here is that there's
33 nothing in here that says that these have to be Native
34 or tribal cultural camps.

35
36 They could be -- I'll just say the
37 Alaska Trappers Association could have a cultural camp
38 for lack of a better way of putting it. They have
39 their trappers fling, they could have a cultural camp
40 to teach trapping. Under these regulations they would
41 be qualified to take what was needed to do that if they
42 set up a program and had instructors and enrolled
43 students, but there's nothing in here that says the
44 culture has to be Native culture in this program.

45
46 The one thing that I saw is that you
47 dropped the limits in this last modified regulation.
48 You dropped the one large mammal or 25 fish per
49 cultural camp and I was wondering what the reasons for
50 deleting that was.

1 DR. WHEELER: The reasons for deleting
2 that were that last year when we had that request for a
3 cultural and educational permit for the community of
4 Anaktuvuk, they wanted to take two sheep but the
5 existing regs were for one. In the handy-dandy, it
6 says that it must be no more than one large mammal per
7 culture education permit. So the number of animals
8 would be addressed in the request, but as a general
9 rule I would say we're looking at one or two, not five
10 or ten. Obviously that has to be measured against the
11 harvestable surplus in the particular area. Mr. Chair.

12
13 CHAIRMAN LOHSE: So each one of these
14 camps would come before a Regional Council or just
15 before the regional land managers?

16
17 DR. WHEELER: It goes before the -- if
18 a request comes into the Office of Subsistence
19 Management and it gets processed through the Staff
20 Committee and I believe that it goes to the -- the
21 Federal Subsistence Board gets polled.

22
23 CHAIRMAN LOHSE: They get polled.
24 Okay. Gloria.

25
26 MS. STICKWAN: If there's a shortage of
27 large animals, would it be OSM who decides to say no?

28
29 DR. WHEELER: These permits are under
30 the same guidelines as the general regulations. If
31 there's a conservation concern, then that has to be
32 recognized and the permit may be denied.

33
34 CHAIRMAN LOHSE: In that order, would
35 these permits have priority over the general
36 subsistence users in the area or would they be
37 considered -- I mean if there's insufficient for all of
38 the qualified subsistence users in the area, would an
39 educational permit like this have priority over them?

40
41 DR. WHEELER: Mr. Chair. I don't
42 believe we've had a situation before us where that has
43 occurred, but my gut instinct would say that, no, it
44 wouldn't, that subsistence uses would have the -- not
45 that this isn't a subsistence use but it's a different
46 kind and I would say that if there's a conservation
47 concern, then the use would go to the subsistence hunt,
48 not for the cultural and educational permit. Again, we
49 haven't had a situation where that's occurred. Mr.
50 Chair.

1 CHAIRMAN LOHSE: Mr. Gease.

2

3 MR. GEASE: Can I ask on the same thing
4 parallel on the fishing side, there was in current
5 regulation no more than 25 fish per culture education
6 camp, yet in the new proposed OSM regulations that is
7 removed. Can you explain why that was removed?

8

9 DR. WHEELER: Yes. Because it was felt
10 that in some cases the limit of 25 fish seemed kind of
11 stingy. So, again, it will be taken up on a request-
12 by-request basis. I will say if these requests come
13 in, they're not automatically approved. I mean they
14 are analyzed and we look at conservation concerns. We
15 look at what the harvestable surplus is. We go to the
16 in-season manager and see what their take is on it. So
17 it was taken out because in some cases 25 fish seemed a
18 little bit on the lean side when there was a larger
19 amount of fish available. So it seemed unnecessarily
20 petty.

21

22 CHAIRMAN LOHSE: Tom.

23

24 MR. CARPENTER: Two questions. I'm a
25 little interested, as Ricky is, and I don't necessarily
26 know that I'm in favor of OSM InterAgency Staff -- the
27 whole RAC process is kind of lost with you guys just
28 determining on a case-by-case basis how many large
29 mammals this group will get, how many large mammals
30 that group will get, how many fish. I kind of like to
31 tend to see it more in black and white. There are some
32 well-established, long-term educational camps around
33 the state. I don't see why some of those groups can't
34 put in a proposal to make it a permanent situation in
35 regulation. Like the Native Village of Eyak has a
36 permanent ability every year to have a subsistence
37 moose for their sobriety celebration. Why is the
38 regulation so different there versus this? I mean
39 that's very specific. This is very non-specific and I
40 don't really know that I like that.

41

42 DR. WHEELER: Through the Chair. I
43 think because some of these programs may start up and
44 then they don't go anywhere. There are some
45 established cultural and educational programs out
46 there, but they're not all established. Some of them
47 get started with the best of intentions and then they
48 peter out for whatever reasons. So I think this allows
49 for that. Yes, people could submit a regulation, but
50 this provides another avenue for people to do that.

1 But if the Council feels like that's something you want
2 to oppose this, saying there ought to be specific
3 regulations, then that is certainly within your
4 purview.

5
6 MR. CARPENTER: Basically my comment
7 would be to that is that if you leave it at one large
8 mammal and 25 fish, it's very descriptive and very easy
9 for OSM to administer. If an application continues to
10 come in on a year-by-year and it's obvious this group
11 is providing a very good opportunity to the communities
12 that they're serving, then I think that we should give
13 them the ability to bring a proposal before the RAC to
14 ask, say we've been doing this for 30 years or 100
15 years or whatever, we'd like to have two moose instead
16 of one moose, we'd like to have 200 fish instead of 25
17 fish, but on a general basis it's one and 25.

18
19 That's kind of where I'm going. And
20 then you wouldn't have to have those groups that
21 continually do these things every year. They wouldn't
22 have to keep asking you. It would be more of a
23 permanent thing. It just seems like it would be less
24 paperwork and less permits to issue and things like
25 that. It would simplify things a little.

26
27 CHAIRMAN LOHSE: Thank you, Tom.
28 Gloria.

29
30 MS. STICKWAN: I have a question. So
31 the existing camps that are in place, I know we have
32 one for Unit 13, those would say one moose, is that
33 right, or would that change?

34
35 DR. WHEELER: If this proposed
36 regulation as modified went through, then it would
37 change. It's not that the existing camp would be
38 grandfathered in under the old limits. If this
39 proposed regulation were to change, then it would
40 change across the board, but if you as a Council feel
41 that you want to keep those limits in, that's certainly
42 within your purview.

43
44 MS. STICKWAN: I have something to say.
45 When we hold culture camps, we have people learning how
46 to cut fish and there's like 30 kids there. They don't
47 all cut fish, but they do stand around and watch people
48 cut fish. Plus they use those fish to cook. They cook
49 meals. Like they make a big pot of fish soup. So 25
50 fish isn't enough when you think about it because

1 sometimes there can be like 60 people at these camps.
2 Even more than that sometimes and 25 fish is not
3 enough. I would rather not have a limit of what the
4 take is just for those reasons. If there's a
5 conservation concern, I'm sure U.S. Fish and Wildlife
6 will take action on that based on the conservation
7 concern and they'll say no. I'd rather not see a limit
8 on fish or any other game.

9

10 CHAIRMAN LOHSE: Ricky.

11

12 MR. GEASE: So if you can, walk me
13 through this. Since I have affiliation with the
14 Kenaitze Indian Tribe it's in a non-rural community in
15 Kenai. It operates K'beq Cultural Site on Forest
16 Service land in Cooper Landing, which is a rural area.
17 We have a dipnet fishery at the Russian River falls. I
18 put in a permit to OSM. It doesn't come through the
19 RAC process. It goes to OSM. We have Camp Susten and
20 probably have anywhere from 10 to 20 kids per week. I
21 put in a request for 50 fish. Would you want me to go
22 to the dipnet area with methods and means that have
23 been established by this RAC or would you at OSM allow
24 us to go to let's say Quartz Creek with our dipnets
25 because that's a convenient area and I've got a bunch
26 of 8, 9, 10 year old kids that I don't want to go
27 tramping two miles through the woods where there might
28 be some bears and I don't want to carry a gun around.
29 I've seen that it's better to go to Quartz Creek. How
30 would OSM process that request?

31

32 DR. WHEELER: Of course this is all
33 theoretical because we haven't had the request yet, but
34 the request would come in and we'd look at the request,
35 talk to the in-season manager, we'd look at the Federal
36 lands in question, we'd look at the structure of the
37 cultural and educational camp, do you have instructors,
38 what are the qualifications, blah, blah, blah, and then
39 make a determination and then it would go through our
40 process and the Board would end up getting polled.

41

42 I would say, just to clarify something,
43 it's not that we don't intentionally go through the RAC
44 process. It's just that these requests come in and if
45 a RAC meeting is six months down the road, it's not
46 going to address the concern. Time doesn't afford us
47 the opportunity to go before the RAC. That's an aside,
48 but does that help you, Mr. Gease?

49

50 MR. GEASE: Some ways, but it doesn't

1 really get to the issue of this Council has looked at
2 methods and means. Let's say right at the K'beq site
3 we'd like to put some dipnets out right on the Forest
4 Service property on the Kenai River, we can harvest 50
5 fish, how would you approach methods and means in terms
6 of this education cultural permit system? Is it my
7 recommendation as the permittee or do I have to use
8 methods and means that have already been approved by
9 the Council?

10

11 DR. WHEELER: These cultural and
12 educational permits are not -- we don't see them as a
13 vehicle to get around existing regulations. They're
14 affording an opportunity for these cultural and
15 educational programs. So can people use a method and
16 mean that isn't allowed under current regulations? No.
17 It has to be within existing regulations as far as
18 what's allowed and where it's allowed. So these are
19 viewed as consistent with existing regulation, not as a
20 way to get around existing regulation, if I understood
21 your question correctly. Mr. Chair.

22

23 CHAIRMAN LOHSE: Doug.

24

25 MR. BLOSSOM: Yeah, Mr. Chair. Mr.
26 Gease. So you're using a State educational permit and
27 then you're harvesting on Federal lands, is that
28 correct?

29

30 MR. GEASE: No, this is a Federal
31 permit that I'm getting -- that we're talking about.
32 It's an education, cultural, Federal permit that allows
33 any group, whether rural or nonrural, to engage in
34 education or cultural activities with nonrural or rural
35 residents. I'm just going through some scenarios here
36 where you have a nonrural entity coming to a rural
37 area, which it has business, which the tribe does, and
38 it has kids who are both rural and nonrural kids
39 participating in their education programs, they have an
40 existing State permit, but it would be easier for them
41 to do this activity in Cooper Landing and I would just
42 like to understand how that would be processed by OSM
43 if such a request from the tribe came to OSM. As it's
44 written right now, it's going to bypass the RAC and
45 we're not going to talk about it.

46

47 DR. WHEELER: Just to clarify, again,
48 the person doing the harvesting has to be Federally
49 qualified. Whatever the harvest is will count against
50 their harvest quota, so there are provisions in --

1 again, it's not intended to go around any existing
2 parameters of the Federal Subsistence Management
3 Program. It's intended to be consistent with ANILCA
4 protecting and continuing subsistence uses, which we
5 view cultural and educational camps as a way to protect
6 and continue subsistence uses.

7
8 I'm sure we could all think of
9 scenarios where somebody could do kind of subterfuge,
10 get around something and maybe if a request came in and
11 hopefully we'd catch that, but our intent is to have
12 these regulations or have these cultural and
13 educational permits be consistent with existing
14 regulations. It's Federally qualified, existing Federal
15 methods and means, that sort of thing. Mr. Chair.

16
17 CHAIRMAN LOHSE: Thank you, Polly.
18 Judy.

19
20 MS. CAMINER: Mr. Chair. Well, I think
21 having a regulation is important. We do have one for
22 funerals and potlatches and this is kind of a parallel
23 one for culture camps, education camps, so I think it's
24 important that we pass something here. Maybe what
25 we're also hearing is that the RAC would like to be
26 involved. Now I know timing is usually short on these,
27 so doesn't necessarily have to be a RAC meeting, but
28 perhaps a minimum of a phone call to the Chair or to
29 some of the local members. That may make the RAC feel
30 more involved in this.

31
32 DR. WHEELER: And we do do that.
33 Typically we consult with the in-season manager, the
34 RAC Chair, let them know what's going on. We typically
35 get the permit back and sometimes a report and if we do
36 that will be shared with the RAC as it comes in.

37
38 CHAIRMAN LOHSE: Gloria.

39
40 MS. STICKWAN: I'd rather not see the
41 permit be delayed because the RAC wants to have input
42 in it. I think OSM has done a good job of allowing
43 this. In our region, they've allowed BLM and Michael
44 St. Elias to give out these permits and they work with
45 them. If we're going to have RAC involvement, which is
46 good, I guess, but I just think it's going to delay the
47 process if we make it so restrictive. Just letting the
48 Chair know what we're doing I think is fine. I mean we
49 all have jobs in the summer, we're busy. To wait for
50 everybody to respond would take too long. I think just

1 letting the Chair know and just because OSM will make
2 sure there's no problem with the population,
3 conservation concerns. It's been working well for our
4 region and I don't see why it should change. I don't
5 really care for that 60 day should either. I
6 understand it's not going to affect our region. It's
7 already in regulation, so it's not going to be
8 affected.

9

10 That's one question I had, was the 60
11 day should be permitted because you have some Councils
12 that you have a turnover in Staff, so when they submit
13 a permit it's like a week before they want to do a
14 culture. It's like sometimes three days they'll say
15 we're going to have a culture camp because they didn't
16 know from previous Staff members who are no longer
17 there that, you know, they should have been planning
18 for this. So the 60 days is kind of long.

19

20 DR. WHEELER: Through the Chair. We
21 say should, not must. If it was must, it would have to
22 be 60 days. This is sort of a prod, I guess, so that
23 people can get it in as early as possible. Having said
24 that, like I said last year, we processed one of these
25 applications, which we'd done in years past, but we
26 processed it fairly quickly. If all the pieces of the
27 puzzle are in place as far as the qualifying program
28 and that sort of thing, then we can process it in well
29 under 60 days. Recognizing that sometimes it takes a
30 little bit longer, but we do the best we can in working
31 with the organization to get these things through. But
32 it's a should, not must.

33

34 CHAIRMAN LOHSE: Doug.

35

36 MR. BLOSSOM: Mr. Chair. Polly. Tell
37 me if I'm wrong. What I see happening here is a
38 nonrural entity like everybody in Anchorage could get
39 educational and cultural permits and go on Federal land
40 and dipnet and do all these things and you would
41 support it. It looks to me like that's what's
42 happening right here. This is a nonrural entity
43 harvesting fish on Federal land. I would think they
44 should use a State permit and go through the State
45 system if they're nonrural. Tell me where I'm wrong.

46

47 CHAIRMAN LOHSE: Doug, I think you're
48 misunderstanding things. I think what Ricky was
49 putting out was a hypothetical situation. That's not
50 something that exists.

1 MR. BLOSSOM: But it could exist.

2

3 CHAIRMAN LOHSE: But it could and
4 that's, I think, the point he was making. Under
5 current regulations, something like that could come in
6 place. It's not like it's happening.

7

8 MR. BLOSSOM: Mr. Chair. If it could
9 exist, then I don't want to see that happen. I want to
10 see it protected. There are State regulations for
11 educational and cultural permits for nonrural people.
12 For the rural section, there's Federal and we need to
13 protect that entity.

14

15 MR. ENCELEWSKI: Mr. Chair.

16

17 CHAIRMAN LOHSE: Greg.

18

19 MR. ENCELEWSKI: Thank you. Polly, I
20 think you answered my questions pretty good there, but
21 I just want to make a couple comments. One comment is
22 that for methods and means and C&T, I mean the people
23 that requested that and fought for that worked very
24 hard to get specific areas, so I can't see them coming
25 up arbitrarily with another area to use without having
26 a C&T, at least that's my understanding, and I hope
27 that's true.

28

29 The other thing that has a little bit
30 of concern of mine is if you -- you know, the Office of
31 Subsistence Management, I'm sure they're going to watch
32 this, but if you have these cultural camps and they get
33 pretty carried away, I know that a lot of people apply
34 for these and when you have a very limited number of
35 fish or game for the subsistence user, pretty soon
36 you're going to have some culture camps and no
37 subsistence use.

38

39 Thank you.

40

41 CHAIRMAN LOHSE: Polly.

42

43 DR. WHEELER: If I could just address a
44 couple issues that you raised. First of all, if
45 there's not a subsistence fishery or hunt in a
46 particular area, then a culture camp wouldn't be
47 allowed to harvest in that particular area. Again,
48 it's aligning with existing regulations. It's methods,
49 means, areas that are currently open to Federal
50 subsistence users, Federally qualified users are doing

1 the harvesting, those harvests count against the
2 harvest quota for that particular area.

3
4 Now if a whole bunch of people from
5 Anchorage decide that this is their vehicle to avail
6 themselves of the opportunity to hunt or fish under
7 Federal subsistence regulations, then I'd like to think
8 that we'd be able to see that and be able to address
9 it. That's not the intent of this particular
10 regulation, which is currently allowed. This is just
11 providing a sort of formal process to align with
12 existing practices. I don't see that issuing cultural
13 and educational permits is going to -- it's not in any
14 way intended to override Federal subsistence for
15 Federally qualified users. It's hand in hand with
16 subsistence for Federally qualified users. Mr. Chair.

17
18 CHAIRMAN LOHSE: Thank you, Polly. Can
19 I ask you a question, Polly. I was thinking of what
20 Gloria was talking about before. If these camps -- if
21 there has to be a Federal subsistence take allowed in
22 the area and the people taking it have to be Federally
23 qualified subsistence users in order to take the
24 product, if you have Federally qualified subsistence
25 users operating on a Federally qualified fishery, and
26 I'll just take the Copper River for example, the fact
27 that they have a cultural camp limit of 25 fish does
28 not limit the subsistence users that are part of that
29 cultural camp from taking their own subsistence
30 qualified fish and donating them to the camp or using
31 them at the camp.

32
33 DR. WHEELER: Not at all.

34
35 CHAIRMAN LOHSE: So in that case if
36 you've got a fishery that's taking place right there,
37 there really is no limit to the amount of fish that
38 could be used at the camp if the people that are taking
39 them are Federally qualified subsistence users taking
40 them under a Federally qualified subsistence permit on
41 a Federally qualified fishery.

42
43 DR. WHEELER: Correct.

44
45 MS. STICKWAN: But nobody would do
46 that.

47
48 CHAIRMAN LOHSE: They won't?

49
50 MS. STICKWAN: No, most people wouldn't

1 do that. They'd get it through the culture.

2

3

MR. GEASE: A question.

4

5

CHAIRMAN LOHSE: Ricky.

6

7

MR. GEASE: So your understanding of
8 the current general regulations it's not spelled out
9 here. It just says a qualifying program must have
10 instructors, harvest must be reported and any animals
11 will count against an established Federal harvest
12 quota. So, for example, if we're up on the Russian
13 River, the quota is -- I think we got 2,000 or 4,000
14 sockeye and we haven't even come near that, but the
15 household quota is 25 per household plus five per
16 individuals.

17

18

If I'm a resident of Cooper Landing,
19 I'm a qualified resident, I'm hired by the Kenaitze
20 Indian Tribe to provide interpretation, there's a
21 cultural camp that comes, per camp then, am I using my
22 household quota to give the 25 fish or whatever is
23 decided to share or does that just -- I retain my 25
24 fish and then the fish that we catch during the camp
25 just goes against the quota? I'm the Federally-
26 qualified subsistence user harvesting the fish for the
27 camp. Does that go against my quota or does that just
28 go against -- am I absolved from writing those fish
29 down from my quota because I'm sharing them with a
30 culture and education camp?

31

32

DR. WHEELER: Well, there's an example
33 of where you have the harvest cap and then individual
34 quotas. It's an interesting question. I would think
35 that it would count against the harvest cap and not the
36 individual quota, but if you had something like moose,
37 that would be different. I think where you have a
38 harvest cap of 2,000, then that could count against the
39 harvest cap and not the individual quota. Mr. Chair.

40

41

MR. GEASE: But to harvest the fish I
42 do have to be a Federally qualified subsistence user to
43 harvest those fish.

44

45

DR. WHEELER: Correct.

46

47

MR. GEASE: That's not clear in here.
48 All it says in here is the program must have
49 instructors, enrolled students, minimum acceptance to
50 qualify. It's not specifically clear in the regulation

1 here that that is a requirement. Now if that's going
2 to be a requirement that OSM has on its own when you
3 evaluate these, I'm fine with that. I just want to be
4 clear that that requirement is clear to OSM and to the
5 people who are submitting the permits for the
6 educational and cultural permits.

7

8 DR. WHEELER: Again, the wording is any
9 established Federal harvest quota for the area in which
10 it is harvested.

11

12 CHAIRMAN LOHSE: Correct me if I'm
13 wrong, Ricky. I think what you're saying is there's
14 nothing in this permitting thing that says that this
15 has to be a qualified program run by qualified Federal
16 subsistence users who are doing the harvesting.

17

18 DR. WHEELER: Oh.

19

20 CHAIRMAN LOHSE: See, there's nothing
21 in there that says that at all. Now it says a
22 qualifying program. It's possible that in the
23 qualifying program it has to be operated by Federally
24 qualified subsistence users and I don't know if that's
25 already there.

26

27 MR. GEASE: That's my point. I just
28 want to make sure that OSM does that.

29

30 DR. WHEELER: But it's implicit in our
31 regulations that you have to be a Federally-qualified
32 user in order to harvest under our regulations.

33

34 CHAIRMAN LOHSE: But does the program
35 have to be run by Federally-qualified users?

36

37 DR. WHEELER: The program does not have
38 to be run by Federally-qualified users, but the
39 harvester has to be a Federally-qualified user.

40

41 CHAIRMAN LOHSE: Doug.

42

43 MR. BLOSSOM: Mr. Chair. Polly. The
44 other thing, by taking out the fish limits one cultural
45 camp could harvest the whole quota, couldn't they?

46

47 DR. WHEELER: Just because an
48 application is submitted doesn't mean it's going to be
49 approved as is. So, again, that's where the
50 conservation issues come in. That's where looking at

1 what the opportunity is for all other Federally-
2 qualified users. So if we got an application for Mr.
3 Gease to take 2,000 fish, then we probably wouldn't
4 approve that.

5

6 CHAIRMAN LOHSE: Donald.

7

8 MR. KOMPKOFF: Mr. Chair. These
9 cultural education users that are teaching the class,
10 say like 20 people showed up, okay, and they take 25
11 fish and then the next day 40 people show up. Couldn't
12 you have some kind of a clause in there that you have
13 in writing that the fish needed for the permit apply it
14 to the same amount needed for the class? Say like you
15 need 40 more.

16

17 DR. WHEELER: So could there be an add-
18 on? If they're originally approved for 25, could they
19 get 25 more?

20

21 MR. KOMPKOFF: Yes.

22

23 DR. WHEELER: That could be considered,
24 yes.

25

26 CHAIRMAN LOHSE: Judy.

27

28 MS. CAMINER: I guess maybe as just a
29 follow up, I'd say one thing I really like here is that
30 there is a reporting requirement, so the permit will
31 allocate X number of fish or wildlife and then there is
32 a mandatory reporting requirement so you can assess how
33 these programs worked.

34

35 CHAIRMAN LOHSE: I think you've hit
36 something that I've always said before. We have the
37 ability to respond to a problem and we've used that
38 ability before. We can anticipate all kinds of things
39 that can go wrong, but until they actually do, they're
40 not going to go wrong long enough to be a big
41 detriment. Personally, myself, I think that there
42 should be a baseline in there and then exceptions
43 should be able to be made with consultation. Like some
44 of the rest of us, I don't like the idea that a non-
45 user Staff Committee makes decisions on amounts. I
46 would think that for myself I would prefer that there
47 was a baseline in there and then that additional
48 request would have to be made and those additional
49 requests could be addressed through a process, but
50 that's up to the rest of the Council.

1 We haven't even got through the
2 introduction yet and it's lunch time. Polly, do you
3 have something you'd like to add? I think we're going
4 to take a break and come back after lunch. So if it's
5 okay with everybody else, it's 12:15. We will come
6 back to session at 1:30.

7
8 (Off record)

9
10 (On record)

11
12 CHAIRMAN LOHSE: Call to order. Let's
13 get back to business. We've been talking back and forth
14 with Polly. I would suggest at this point in time we
15 go on with the rest of it and we can call Polly back
16 when we put it on the table for discussion. Is that
17 agreeable to the rest of the Council?

18
19 (Council nods affirmatively)

20
21 CHAIRMAN LOHSE: With that we'll go to
22 Alaska Department of Fish and Game and they have no
23 comments. Other Federal, State and tribal entities.

24
25 (No comments)

26
27 CHAIRMAN LOHSE: Hearing none. We'll
28 go to Subsistence Resource Commission comments.

29
30 MS. CELLARIUS: Thank you, Mr. Chair.
31 Wrangell-St. Elias National Park Subsistence Resource
32 Commission unanimously supports Proposal 03 with
33 modification. The SRC modified the proposal as
34 follows: One, the requirement that applications be
35 submitted 60 days in advance is eliminated. Two, the
36 permit would be issued to the camp organizer or village
37 council and that person would be responsible for
38 designating a legal hunter. Three, the permit is a
39 joint Federal/State permit.

40
41 With regard to the first modification,
42 the SRC felt that the requirement to submit application
43 60 days in advance was not appropriate. Sometimes the
44 event plans do not come together until shortly before
45 the event. The last modification is designed to
46 eliminate the need to obtain two permits when hunting
47 in areas with mixed land ownership.

48
49 CHAIRMAN LOHSE: Okay. Any questions
50 for Barbara.

1 (No comments)

2

3 CHAIRMAN LOHSE: Okay. Fish and Game
4 Advisory Committee comments. Do we have any.

5

6 (No comments)

7

8 CHAIRMAN LOHSE: Summary of written
9 public comments, Donald.

10

11 MR. MIKE: Thank you, Mr. Chair. We
12 received one comment from the AHTNA Subsistence
13 Committee on the wildlife Proposal 10-03. We oppose
14 WP10-03 to revise Section .25(g) to address cultural
15 education program permits. If this revision would be
16 adopted, section 27(e)(2) would be deleted as being
17 extraneous. We oppose WP10-03 as it is written.

18

19 We oppose a 60-day cultural education
20 application process review by the Federal Subsistence
21 Board. It may be necessary for the first time to have
22 a 60-day process, but after five years an established
23 cultural education camp in place it is not necessary to
24 have a 60-day waiting period. We have existing
25 regulations in place in Units 11, 12 and 13 for a
26 cultural education camp. It works well for us. We are
27 not sure how this proposal and regulatory action will
28 affect existing cultural education camp regulations.

29

30 Thank you, Mr. Chair.

31

32 CHAIRMAN LOHSE: Thank you. Do we have
33 anybody signed up for public testimony?

34

35 (No comments)

36

37 CHAIRMAN LOHSE: No. Okay. Then a
38 motion to put WP10-03 on the table either as modified
39 or as originally written is in order.

40

41 MR. CARPENTER: Mr. Chairman. I move
42 we adopt WP10-03 as written.

43

44 CHAIRMAN LOHSE: Do I have a second.

45

46 MR. HENRICHS: I'll second.

47

48 CHAIRMAN LOHSE: It's been moved and
49 seconded that we adopt Proposal WP10-03 as written on
50 Pages 21 and 22. Am I correct on that or am I not?

1 MR. CARPENTER: Yes.

2

3 CHAIRMAN LOHSE: Discussion,
4 modification, amendments, whatever.

5

6 MR. CARPENTER: Mr. Chairman. I'll
7 just speak to the proposal. Like I said earlier, I'm
8 in favor of having some sort of limits both on the game
9 side and the fisheries side. I do feel that there are
10 different educational camps around the state that might
11 be more deserving or might need more than these general
12 bag limits, but I think in those instances there
13 probably aren't a lot of them. I would suggest that
14 those groups bring a formal proposal to the RAC and ask
15 for some sort of permanent status as we've done on the
16 game side on a couple of occasions under ceremonial
17 potlatches. It would be a lot easier for those
18 organizations, those tribes, those groups, and they
19 wouldn't have to worry about this problem year in and
20 year out about getting their application into the OSM
21 Staff 60 days prior. They just have a permit and
22 they'd have a bag limit and they'd just have to submit
23 a harvest report after they completed their process.
24 That's why I made the proposal to support it as it was
25 originally written.

26

27 CHAIRMAN LOHSE: Any other discussion.
28 Gloria.

29

30 MS. STICKWAN: I support it the way
31 it's written. I think OSM is doing a good job and I
32 don't see a conservation problem with it because I'm
33 sure they will. I don't want to see a limit on there.
34 I still don't like that should 60 days because I know
35 that people in the village councils in our area have a
36 high turnover rate and even like two weeks is kind of
37 long for them because some people it takes a long time
38 to do, try and plan for something under short notice I
39 guess is what I'm trying to say.

40

41 CHAIRMAN LOHSE: Gloria, what do you
42 think about Tom's idea of putting the proposal into the
43 RAC for a permanent permit so that it doesn't have to
44 be renewed every year and have the RAC make a proposal
45 to the Board for RAC review for a permanent permit
46 every year?

47

48 MS. STICKWAN: I guess that will work.
49 I just wonder about the existing ones. Would those
50 stay in place because we already have one?

1 CHAIRMAN LOHSE: Polly.

2

3 DR. WHEELER: If the existing
4 regulation is changed, there's still going to have to
5 be a way to bring the existing programs in. So I guess
6 I didn't quite follow you, Member Carpenter, if you
7 were saying support the proposed regulation, but then
8 do an add-on where proposals for ongoing programs need
9 to be submitted to cover ongoing programs. Remember,
10 we're at the end of the wildlife cycle, so that would
11 be in two years.

12

13 CHAIRMAN LOHSE: Tom.

14

15 MR. CARPENTER: You know, if you just
16 take this basic proposal the way it's written just to
17 have some language on the books. I understand what
18 Gloria is saying. The AHTNA people for their fish camp
19 may need more than 25 fish. In an area like the Copper
20 River where the Federal limits are very high and the
21 overall bag limits are very high, there's probably not
22 a problem with giving them 200 fish or whatever they
23 need, but I don't necessarily know that it's important
24 enough -- I shouldn't use the word important enough.

25

26 I don't necessarily know that AHTNA
27 should have to go to the trouble every year since it's
28 been such a long-standing fish camp to teach these kids
29 and people how to do these things that they should have
30 to apply every year. So my suggestion was to adopt
31 this general language and then for people like AHTNA or
32 whoever else that has had these long-standing camps,
33 they would submit a proposal in the next cycle to ask
34 for a permanent status and permanent -- they could come
35 to us with whatever bag limits they feel necessary and
36 we could debate that as a whole then.

37

38 This language they would only have to
39 deal with for one more Board cycle and then they could
40 bring a permanent proposal and then they wouldn't have
41 to deal with it ever again. My understanding is that
42 there are not in Region 2 a lot of these permits that
43 you issue, so really it would be a very simple thing to
44 deal with in the future.

45

46 CHAIRMAN LOHSE: Judy.

47

48 MS. CAMINER: Thank you, Mr. Chair. I
49 guess one comment I would have on the language on Page
50 21 versus the new language is that there's not as

1 clearly a reporting requirement in the first version or
2 in the version that we're discussing right now.

3

4 DR. WHEELER: Mr. Chair.

5

6 CHAIRMAN LOHSE: Yes, Polly.

7

8 DR. WHEELER: The language on Page 21,
9 22 was in the original proposal from OSM to OSM. The
10 language on Page 24 was where we ended up landing and
11 there is a very clear harvest reporting requirement in
12 that language on Page 24. Now if the Council opts to
13 go with the original language and not the modified
14 language, you probably need to go -- because that
15 original language does have the limits in it. It's got
16 some other language, so I wasn't clear where you were
17 going, if you were supporting the original language or
18 the language as modified by OSM following analysis.
19 Mr. Chair.

20

21 CHAIRMAN LOHSE: I think, Polly, I
22 clarified that when I asked Tom whether he was talking
23 about the language on Page 21, 22 or the language on
24 Page 24 and he directly said that his motion dealt with
25 the language on Page 21, 22, the original language.

26

27 Tom.

28

29 MR. CARPENTER: I do see your point
30 though, Judy, and I would be in favor of having that
31 reporting requirement. You know, we could amend the
32 original language to include that there be a reporting
33 requirement, but I like the way the original language
34 is written on 21 and 22 with the addition of that
35 reporting requirement.

36

37 CHAIRMAN LOHSE: Ricky.

38

39 MR. GEASE: So then a friendly
40 amendment motion would be to substitute the last
41 sentence in G(1) on Page 24 for the last sentence of
42 (G)(1) on Page 21.

43

44 CHAIRMAN LOHSE: That's a motion to
45 amend the language on Page 21 with the last.....

46

47 MR. GEASE: The last sentence.

48

49 CHAIRMAN LOHSE:the last sentence
50 on 24.

1 MR. GEASE: Yes.
2
3 CHAIRMAN LOHSE: Do I have a second.
4
5 MR. CARPENTER: Second.
6
7 MR. KOMPKOFF: Question.
8
9 CHAIRMAN LOHSE: Did you say question?
10 Maybe we should have a little discussion on it if
11 anybody wishes to have discussion on that. Gloria.
12
13 MS. STICKWAN: So that means that
14 people that already have existing permits on the books,
15 like Unit 13, then we would have to come back in two
16 more years and submit another permit for a culture
17 camp?
18
19 CHAIRMAN LOHSE: No.
20
21 MS. STICKWAN: With this new
22 regulation?
23
24 CHAIRMAN LOHSE: Polly, can I ask you a
25 question? This isn't a new regulation. This is just
26 codifying what's already in place. So it doesn't
27 change anything that's existing. What Tom was
28 proposing was that somebody puts in a proposal for a
29 permanent one. I'd like to ask Mr. Henrichs something
30 if I may. Do you have a permanent permit for the moose
31 for the sobriety?
32
33 MR. HENRICHS: I believe it is
34 permanent.
35
36 CHAIRMAN LOHSE: It is a permanent one.
37 You don't have to reapply every year.
38
39 MR. HENRICHS: No.
40
41 CHAIRMAN LOHSE: See, that's what I
42 think Tom was thinking. If we took what's on Page 21
43 and 22, it doesn't change anything that's in place
44 right now and then he was suggesting that if a person
45 wants more than 25 fish they put a regular proposal in
46 for a permanent allocation or camp, then it wouldn't
47 have to be renewed every year, just like your sobriety
48 potlatch one.
49
50 Currently, what we're looking at on

1 Page 21 and 22 is currently in place, right? It's just
2 not codified. Polly.

3
4 DR. WHEELER: Mr. Chair. That's
5 correct. If I could guide you to Page 41 under special
6 provisions, it says one permit will be issued by the
7 Cordova District Ranger to the Native Village of Eyak
8 to take one bull moose from Federal public lands in
9 Unit 6B or 6C for their annual memorial sobriety day
10 potlatch. So I think I misspoke earlier when I said --
11 I mean this is a slightly different thing than the
12 memorial potlatches, which the provisions for that you
13 can find on Page 20.

14
15 Anyway, that covers the harvest that
16 Mr. Henrichs was talking about with regard to the
17 memorial potlatch or sobriety day down there. A
18 proposal could be submitted to the Federal subsistence
19 program next go around to basically put the cultural
20 and educational permits into unit specific regulation.
21 We could certainly, if the Council so advises, write a
22 letter to AHTNA recommending that they write a proposal
23 so that it could be enshrined in regulations. Mr.
24 Chair.

25
26 CHAIRMAN LOHSE: And then it would
27 become a regulation and not a permit.

28
29 DR. WHEELER: It would become a unit
30 specific special provision.

31
32 CHAIRMAN LOHSE: That's what Tom was
33 thinking, that you don't have to go back every year.

34
35 DR. WHEELER: As always, Mr. Chair, OSM
36 Staff would be more than happy to work with AHTNA or
37 anybody else should they decide to go that route.

38
39 CHAIRMAN LOHSE: And then at that point
40 in time it would also be open for a different bag limit
41 too, wouldn't it?

42
43 DR. WHEELER: Yes, Mr. Chair.

44
45 MR. BLOSSOM: We have an amendment on
46 the table.

47
48 CHAIRMAN LOHSE: Is that what you want
49 to speak to, Doug.

50

1 MR. BLOSSOM: Yeah, Mr. Chair. I was
2 going to add one more, but we better do this one first.

3
4 CHAIRMAN LOHSE: We'll do the first
5 amendment then.

6
7 MR. KOMPKOFF: The question has already
8 been called.

9
10 CHAIRMAN LOHSE: The question has been
11 called by Don on the amendment to take the last
12 sentence on (g)(1) on Page 24 and substitute it for the
13 last sentence on (g)(1) on Page 21. All in favor
14 signify by saying aye.

15
16 IN UNISON: Aye.

17
18 CHAIRMAN LOHSE: All opposed signify by
19 saying nay.

20
21 (No opposing votes)

22
23 CHAIRMAN LOHSE: So that just put a
24 reporting requirement in. Doug.

25
26 MR. BLOSSOM: Mr. Chair. Another
27 friendly amendment that I'd like to see is it has to be
28 operated by a Federally-qualified user and only those
29 users are on the site taking fish or game. I think you
30 have a State permit for State users and this is
31 supposed to be Federal. Why do we have State users
32 being able to run the camp and all that?

33
34 MR. CARPENTER: I'll second it.

35
36 CHAIRMAN LOHSE: Polly, you had
37 something to add to it.

38
39 DR. WHEELER: Mr. Chair. If I could
40 direct your attention again in the blue book on Page 6,
41 general information. It says Federal subsistence
42 regulations apply only to rural Alaska residents. It
43 says one has to be a Federally-qualified user, so I
44 don't know that adding that is going to say anything
45 that isn't already enshrined in regulation.

46
47 CHAIRMAN LOHSE: Doug.

48
49 MR. BLOSSOM: Mr. Chair. Polly. You
50 told us a little earlier today that anyone could come

1 in and run this camp and that was meaning nonrural.

2

3 CHAIRMAN LOHSE: Polly, would you like
4 to answer him.

5

6 DR. WHEELER: Maybe.

7

8 (Laughter)

9

10 DR. WHEELER: I think we're kind of
11 going down different trails here and if I could take a
12 step back. The intent of the cultural and educational
13 permits is directly in line with ANILCA. It's to
14 protect and continue subsistence uses. We have had
15 cultural and educational permits, but haven't had a lot
16 of them. Some for wildlife, some for fisheries. Under
17 our regulations, we get a request for a permit to OSM,
18 but actually that request is to the Federal Subsistence
19 Board. It comes in, gets analyzed, there's
20 consultations with the RAC chair, the InterAgency Staff
21 Committee, the in-season manager, but the Board makes
22 the decisions.

23

24 Now with all the levels of consultation
25 I think you can be assured that if there's a bogus
26 request that comes in, it's going to be dealt with.
27 When a request comes in, it's not always a thumbs up,
28 we're going to approve it. That's why it's a request.
29 So we analyze this request. If it's not a legitimate
30 request or doesn't appear to be a legitimate request,
31 it will be rejected. If a group from a nonrural area
32 wants to participate in this, they're going to have to
33 go through certain hoops. It's not a guarantee.

34

35 I recognize that some things happen and
36 you don't know what's going to come in, but I want to
37 assure you that we do take these requests very
38 seriously and we evaluate them very carefully. We
39 recognize that they're intended to protect and continue
40 subsistence uses, not be a cover for somebody able to
41 harvest under Federal subsistence regs and fill their
42 freezer. Mr. Chair.

43

44 CHAIRMAN LOHSE: Thank you, Polly. I
45 think what Doug was getting at, and, Doug, you can
46 correct me if I'm wrong, earlier we talked about the
47 fact that not all of the people who attend the camp
48 would necessarily be Federally-qualified subsistence
49 users.

50

1 MR. BLOSSOM: Or run it.
2
3 CHAIRMAN LOHSE: But all the people who
4 take game or fish have to be.
5
6 MR. BLOSSOM: But Polly said that the
7 people that run it don't have to be either.
8
9 CHAIRMAN LOHSE: Well, that's a
10 possibility.
11
12 MR. BLOSSOM: Polly, I'm just taking
13 your words. We have a State program that people can
14 enter and that's for nonrural or rural users. What
15 we're after I think they should have to be qualified
16 both places, both as a user and as the organizer to do
17 it.
18
19 CHAIRMAN LOHSE: Under current
20 regulations, that is not in place, is it?
21
22 DR. WHEELER: That is not in place, Mr.
23 Chair.
24
25 CHAIRMAN LOHSE: Is that what your
26 amendment was?
27
28 MR. BLOSSOM: Yes.
29
30 CHAIRMAN LOHSE: Tom.
31
32 MR. CARPENTER: I'd like to speak to
33 that amendment. I understand where you're coming from,
34 Doug, and I agree with you for the most part and
35 realizing that this is not a Native/non-Native issue,
36 this is a rural priority.
37
38 I think of one particular example where
39 -- and, Bob, you can correct me if I'm incorrect here,
40 but I believe Chugach Alaska runs a Camp Nutchek, which
41 is in Prince William Sound. Chugach Alaska is a
42 regional Native corporation that has centralized their
43 operations in Anchorage. So maybe the people that are
44 actually running Chugach Alaska live in Anchorage, but
45 they run this camp in a rural area of Prince William
46 Sound for rural residents.
47
48 So I understand where you're coming
49 from, but I think that we have to consider the fact
50 that some of these big organizations have these

1 outlying facilities that they've developed over the
2 years that we need to take into account.

3

4 CHAIRMAN LOHSE: Doug.

5

6 MR. BLOSSOM: With the second's
7 permission, I'll withdraw it. I just want to make sure
8 we stay online with what we're supposed to be here
9 instead of crossing over.

10

11 CHAIRMAN LOHSE: Does the second agree?

12

13 MR. CARPENTER: Yes.

14

15 CHAIRMAN LOHSE: But that doesn't
16 change the taking regulation. They still require a
17 Federally-qualified rural resident, doesn't it?

18

19 DR. WHEELER: That's correct, Mr.
20 Chair.

21

22 CHAIRMAN LOHSE: Mr. Gease.

23

24 MR. GEASE: I would like to make a
25 motion for a friendly amendment. On Page 21, second
26 sentence, applicants must be submitted to the Federal
27 Subsistence Board through the Office of Subsistence
28 Management and after the word management I'd like to
29 insert the words and should be submitted 60 days prior.
30 It follows the language that's on Page 24 and it gives
31 a little bit of leeway for those instances if something
32 comes up in less than 60 days. So the regulation
33 doesn't look like an unresponsive cold shoulder if
34 somebody doesn't meet that deadline.

35

36 MR. ENCELEWSKI: I'll second that.

37

38 CHAIRMAN LOHSE: It's been moved and
39 seconded to add applicants through the Office of
40 Subsistence Management should be submitted 60 days
41 prior to the earliest desired.....

42

43 MR. GEASE: And is in there. And
44 should be.

45

46 CHAIRMAN LOHSE: And should be. Okay.
47 That puts some leeway in there. That could be
48 understood as our intention also. Polly.

49

50 DR. WHEELER: Just a question, Mr.

1 Chair and Member Gease. Did you also want to add that
2 same language to paragraph three where it says request
3 for follow-up permits must be submitted to the in-
4 season or local land manager 60 days prior to the
5 earliest date of harvest. Did you want to add that in
6 there as well?

7

8 MR. GEASE: Yes, I do.

9

10 CHAIRMAN LOHSE: So we cross off must
11 and put should be.

12

13 DR. WHEELER: Mr. Chair. If I could, I
14 don't believe -- there's two things. The way that this
15 sentence would read under number one, applications must
16 be submitted to the Federal Subsistence Board through
17 the Office of Subsistence Management and should be
18 submitted 60 days prior to the earliest date of
19 harvest. Because they must be submitted to the Federal
20 Subsistence Board but they should be submitted 60 days
21 prior to harvest.

22

23 CHAIRMAN LOHSE: Is that legitimate?

24

25 DR. WHEELER: Yes. And that would be
26 the same for number three as well.

27

28 MR. CARPENTER: Question on the
29 amendment.

30

31 CHAIRMAN LOHSE: The question has been
32 called on the amendment. All in favor signify by
33 saying aye.

34

35 IN UNISON: Aye.

36

37 CHAIRMAN LOHSE: All opposed signify by
38 saying nay.

39

40 (No opposing votes)

41

42 CHAIRMAN LOHSE: Motion carries. We
43 now have a proposal in front of us that's been amended
44 twice. Do we have any other amendments that anybody
45 wishes to add to it.

46

47 MR. CARPENTER: Mr. Chair. I call the
48 question on the amended motion.

49

50 CHAIRMAN LOHSE: The question has been

1 called on the amended motion. The motion can be found
2 on Page 21 and 22, the original language, for cultural
3 education program permits and it has two amendments,
4 one to substitute the language on Page 24, and the last
5 sentence of (g)(1) on Page 21 and to add and should be
6 submitted to the other two paragraphs. All in favor
7 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: Polly, was I under the
17 impression that you would help AHTNA to submit a
18 proposal for change in regulations for the next
19 session?

20

21 DR. WHEELER: The Office of Subsistence
22 Management is available to help AHTNA should AHTNA
23 decide to submit a proposal along those lines. I can't
24 say that I specifically will be because who knows what
25 will be happening in two years. Mr. Chair.

26

27 CHAIRMAN LOHSE: Okay. Let's go on to
28 WP10-04.

29

30 DR. WHEELER: Thank you, Mr. Chair.
31 The analysis for Wildlife Proposal 10-04 can be found
32 in your books on Pages 25 to 38.

33

34 This proposal was also submitted by the
35 Office of Subsistence Management. This one is a little
36 bit confusing, but bear with me and hear me out and
37 hopefully I'll make it clear to you.

38

39 This proposal would remove a number of
40 game management units from the areas for which the
41 Assistant Regional Director for Subsistence Management
42 has the delegated authority to open, close or adjust
43 Federal subsistence lynx seasons and to set harvest and
44 possession limits.

45

46 Lynx trapping seasons are adjusted
47 annually based on recommendations determined using
48 Alaska Department of Fish and Game Tracking Harvest
49 Strategy for managing lynx. The Alaska Board of Game
50 removed Units 6, 12, 20A, 20B, 20C east of the

1 Teklanika River, 20D and 20E from the list of units
2 that are managed using the lynx harvest strategy.
3 Based on this action these units should also be
4 eliminated from regulation.

5
6 Over time the State has removed a
7 number of units from its lynx tracking strategy. If
8 this proposal is adopted, it would align Federal and
9 State regulations regarding lynx management. Season
10 and harvest limits can still be changed through the
11 normal regulatory cycle or through special action if
12 needed. There will be no adverse impacts to
13 subsistence users. Only the authority delegated to the
14 Assistant Regional Director for the Office of
15 Subsistence Management would be affected.

16
17 So the Office of Subsistence Management
18 preliminary conclusion is to support with modification.
19 If you look at Page 28, it's basically deleting the
20 regulatory language. The bottom line, Mr. Chair, is
21 the Federal program has aligned its lynx management
22 regulations with the State. The Board of Game
23 basically kind of got rid of the lynx management
24 strategy in dealing with lynx trapping management. So,
25 to align with that, that's what we're recommending
26 here. So the authority to do seasons and bag limits
27 and that sort of thing will be delegated authority to
28 the Assistant Regional Director for the Office of
29 Subsistence Management. So it goes with the role, not
30 with the individual. That draft letter can be found in
31 your books on Pages 37 and 38.

32
33 So, Mr. Chair, again, the recommended
34 preliminary conclusion from the Office of Subsistence
35 Management is to delete that regulatory language and
36 put the delegated authority in a letter to the
37 Assistant Regional Director for Subsistence Management.
38 Mr. Chair.

39
40 CHAIRMAN LOHSE: Thank you, Polly.
41 Just a question. This proposal deals with Unit 6, 12,
42 20A, 20B, 20C, 20D and 20E. The delegated authority
43 also included Units 7, 11, 13, 14, 15 and 16. I
44 understand and I could be corrected by the State if I'm
45 wrong that the lynx harvest tracking method has been
46 dropped by the State in everything except Unit 11 and
47 13. When we drop this, that's going to leave us
48 without a set season for Unit 11 and 13. Which then
49 leaves us with the necessity to either set a season
50 there or go by the State season.

1 MR. CARPENTER: You mean a Federal
2 season.
3
4 CHAIRMAN LOHSE: Federal season. I
5 mean we could either continue to track the State in
6 Units 11 and 13 or we could set our own season and just
7 say that the season is the same all the time. Am I
8 correct on that, Polly? That was my understanding when
9 I read this.
10
11 DR. WHEELER: Mr. Chair. Bear with me
12 here. I'm looking at the draft delegated authority
13 letter on Pages 37 and 38 and I don't see those GMUs
14 that you mention.
15
16 CHAIRMAN LOHSE: Right.
17
18 DR. WHEELER: So the scope of his
19 delegation -- Mr. Chair, if I could have a minute here.
20
21 CHAIRMAN LOHSE: You may have a minute.
22
23 (Pause)
24
25 DR. WHEELER: It goes to statewide now,
26 Mr. Chair. I was right.
27
28 CHAIRMAN LOHSE: What?
29
30 DR. WHEELER: The regulations basically
31 -- they're statewide and our regulations would follow
32 the State's. If they needed to be changed, they could
33 be changed via delegated authority for the Assistant
34 Regional Director.
35
36 CHAIRMAN LOHSE: So what this is doing
37 is we're aligning Federal and State regulations
38 regarding lynx management.
39
40 DR. WHEELER: That's correct, Mr.
41 Chair. The Federal program has followed the State's
42 lead with regard to lynx management. When they make a
43 change, we make a change too, so this is consistent
44 with State action on lynx management.
45
46 CHAIRMAN LOHSE: Chuck.
47
48 MR. LAMB: So the Board of Game would
49 be the one that actually set the seasons?
50

1 DR. WHEELER: Through the Chair. Our
2 regulations have followed the lead of the State as a
3 general rule with lynx management in particular.

4
5 MR. LAMB: Who actually sets the
6 seasons and the harvest limits? Would it be OSM or
7 Board of Game?

8
9 DR. WHEELER: The Board of Game sets
10 them and then through special action the ARD would
11 follow suit.

12
13 MR. SHOWALTER: I just want to share
14 something. When there was a whole bunch of rabbits,
15 that's when we got most of our lynx. When the rabbits
16 weren't there, the lynx weren't there. When I trapped
17 in Unit 13, that's what I noticed.

18
19 CHAIRMAN LOHSE: So basically we're not
20 taking anything out other than what the State is taking
21 out, so the unit that the State still has their
22 tracking in place we follow their tracking.

23
24 DR. WHEELER: Correct. Mr. Chair. I
25 also forgot to say that the reason -- I mean this
26 proposal is a statewide proposal because the C&T
27 finding for lynx is all rural residents.

28
29 CHAIRMAN LOHSE: Any questions for
30 Polly.

31
32 (No comments)

33
34 CHAIRMAN LOHSE: Alaska Department of
35 Fish and Game does not have any comments on this one.
36 Federal, State and tribal agency comments on this one.

37
38 (No comments)

39
40 CHAIRMAN LOHSE: No InterAgency Staff
41 Committee comments. Subsistence Resource Council
42 comments.

43
44 MS. CELLARIUS: Thank you, Mr. Chair.
45 The Wrangell-St. Elias SRS unanimously supports the
46 proposal as modified by the OSM Staff recommendation.
47 There are no conservation concerns associated with
48 approving this proposal and will not adversely affect
49 subsistence users or others.

50

1 CHAIRMAN LOHSE: Thank you, Barbara.
2 Any questions for Barbara.
3
4 (No comments)
5
6 CHAIRMAN LOHSE: Fish and Game Advisory
7 Committee comments.
8
9 (No comments)
10
11 CHAIRMAN LOHSE: Summary of written
12 public comments.
13
14 MR. MIKE: Thank you, Mr. Chair. We
15 received one written public comment from the AHTNA
16 Subsistence Committee on Proposal WP10-04. They state
17 we are neutral on WP10-04. The Assistant Regional
18 Director for Subsistence Management, Fish and Wildlife
19 Service, authorized to open, close or adjust Federal
20 subsistence lynx season and to set harvest and
21 possession limits for lynx in said units. Since
22 Federal subsistence management does not have biological
23 data on wildlife populations or harvest on lynx, it
24 must utilize the State's biological data and population
25 count. Funding should be provided to conduct studies
26 on Federal lands. Thank you, Mr. Chair.
27
28 CHAIRMAN LOHSE: Thank you, Donald. Are
29 there any public testimony on this one.
30
31 (No comments)
32
33 CHAIRMAN LOHSE: A motion to accept
34 WP10-04 is in order.
35
36 MR. CARPENTER: Move we approve WP10-
37 04.
38
39 CHAIRMAN LOHSE: Do I hear a second.
40
41 MR. SHOWALTER: Second.
42
43 CHAIRMAN LOHSE: It's been moved and
44 seconded that we adopt WP10-04.
45
46 MR. CARPENTER: As modified by OSM.
47
48 CHAIRMAN LOHSE: As modified by OSM.
49 Is that agreeable to the second.
50

1 MR. SHOWALTER: Yes.
2
3 CHAIRMAN LOHSE: Any discussion. Judy.
4
5 MS. CAMINER: Mr. Chair. I think this
6 is a good opportunity to be in concert with the State.
7 I note that the delegation letter does say that there
8 will be involvement of the RAC representatives, so
9 that's a good thing as well.
10
11 CHAIRMAN LOHSE: The only comment I'm
12 going to make on it as the Chair is it's interesting
13 that all units except Units 11 and 13 have been dropped
14 from the lynx tracking strategy because it doesn't work
15 and we continue to have it in Units 11 and 13.
16 Personally, I would like to see the Federal Subsistence
17 Board make a Federal season that's a standard season
18 for lynx in Units 11 and 13 for our Federal trappers,
19 but I can't go there right now. That needs to be a
20 proposal in the future. James.
21
22 MR. SHOWALTER: Yes. You indicated
23 this won't delay any benefits to the Federal
24 subsistence user?
25
26 CHAIRMAN LOHSE: It won't convey any
27 and it won't delay any.
28
29 CHAIRMAN LOHSE: Tom.
30
31 MR. CARPENTER: Mr. Chair. I'd just
32 like to, for the record, show that there's been public
33 testimony, Wrangell-St. Elias SRC has showed support.
34 There appears to be no conservation concern. I'd call
35 the question.
36
37 CHAIRMAN LOHSE: The question has been
38 called. All in favor of WP10-04 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. Okay.
48 We have one more, WP10-05. You can find that on Page
49 39. Polly.
50

1 DR. WHEELER: Thank you, Mr. Chair.
2 This is the final statement proposal that will be
3 before you today. As you just said, it can be found in
4 your books on Pages 39 to 45. This proposal was also
5 submitted by Office of Subsistence Management and seeks
6 to update, clarify, and simplify the regulations
7 regarding accumulation of harvest limits for both fish
8 and wildlife.

9
10 Just by way of background, the wording
11 in the general Federal subsistence regulations
12 concerning accumulation of harvest limits dates back to
13 1990 and 1994 in the very early part of our program.
14 While the Federal Subsistence Board has addressed a
15 number of area specific proposals concerning the
16 accumulation of harvest limits over the years, this
17 part of the general regulations has not been updated to
18 reflect changes to the unit and area specific
19 regulations.

20
21 Proposal 10-05 does not affect fish and
22 wildlife populations, subsistence uses or other uses.
23 Rather, the proposal seeks to update, clarify, and
24 simplify the sections of the general regulations which
25 reference accumulation of harvest limits.

26
27 The proposed wording changes retain the
28 general prohibition of accumulation of Federal and
29 State harvest limits, and points to unit and area
30 specific regulations for details and exceptions. The
31 proposal does not change any unit or area specific
32 Federal subsistence regulations concerning accumulation
33 of harvest limits or the timeframe, daily, seasonal or
34 regulatory year, for harvest limits.

35
36 So the Office of Subsistence Management
37 preliminary conclusion is to support Proposal 10-05 as
38 written and you can find that on Pages 41. These are
39 in the general regulations, so generally you can't
40 accumulate limits unless it's specifically stated in
41 the unit-specific regulations. I hesitate to say it
42 because usually this lands us in a ditch, but this
43 truly is a housekeeping proposal. Mr. Chair.

44
45 CHAIRMAN LOHSE: Thank you, Polly. Any
46 questions for Polly.

47
48 (No comments)

49
50 CHAIRMAN LOHSE: No questions for

1 Polly. No comments by the Alaska Department of Fish
2 and Game.

3

4 (No comments)

5

6 CHAIRMAN LOHSE: No comments by other
7 Federal, State and tribal agencies.

8

9 (No comments)

10

11 CHAIRMAN LOHSE: No InterAgency Staff
12 Committee comments.

13

14 (No comments)

15

16 CHAIRMAN LOHSE: Subsistence Resource
17 Commission comments.

18

19 MS. CELLARIUS: Thank you, Mr. Chair.
20 The Wrangell-St. Elias SRC unanimously supports the
21 proposal as written. This is a housekeeping proposal,
22 which is supported by substantial data, will not result
23 in conservation concerns and will not adversely impact
24 subsistence users or others.

25

26 CHAIRMAN LOHSE: Thank you, Barbara,
27 for your excellent synopsis right there. Public
28 written comments.

29

30 MR. MIKE: Mr. Chair. We received
31 again from the AHTNA Subsistence company one written
32 public comment. We support WP10-05 to clarify harvest
33 limits regulation in the fish and wildlife section of
34 the regulations to make it easier for Federally-
35 qualified subsistence users to understand Federal
36 regulations. This is only a housekeeping proposal.

37

38 Thank you, Mr. Chair.

39

40 CHAIRMAN LOHSE: Thank you. Any public
41 testimony, Donald.

42

43 (No comments)

44

45 CHAIRMAN LOHSE: Thank you. Regional
46 Council deliberations. A motion to put WP10-05 on the
47 table is in order.

48

49 MR. HENRICHS: I make the motion.

50

1 MR. CARPENTER: Second.
2
3 CHAIRMAN LOHSE: It's been moved and
4 seconded to accept WP10-05 as submitted by OSM.
5
6 MR. KOMPKOFF: Question.
7
8 CHAIRMAN LOHSE: Let's see if there's
9 any discussion first.
10
11 MR. GEASE: Finding that this is a
12 housekeeping measure, I don't think we need to have a
13 lot of discussion.
14
15 CHAIRMAN LOHSE: Judy.
16
17 MS. CAMINER: Mr. Chair. I did just
18 want to say -- I mean this does help clean up the
19 language and kind of recognizes the dual management
20 situation we're in, but clarifies things.
21
22 CHAIRMAN LOHSE: Okay. The question
23 has been 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. Okay.
33 Five minute break.
34
35 (Off record)
36
37 (On record)
38
39 CHAIRMAN LOHSE: We're back in session.
40 We're looking at WP10-27 on caribou, Unit 13A and B.
41
42 MS. BROWN: Well, good afternoon, Mr.
43 Chairman. Members of the Council. My name is Cole
44 Brown. I'm the wildlife biologist for Office of
45 Subsistence Management and I'm assigned to this Council
46 for these issues. It's a pleasure to be on this
47 Council, thank you.
48
49 The analysis for this proposal begins
50 on Page 46 of your books. Proposal WP10-27 submitted

1 by the Paxson Fish and Game Advisory Committee requests
2 that the harvest limit of two caribou in Units 13A and
3 13B and the harvest limit of two bulls in Unit 13
4 remainder be changed to one caribou for all of Unit 13.
5 In addition, the proponent requests that the authority
6 delegated to the Glennallen Field Office manager of the
7 Bureau of Land Management to announce the sex of the
8 animals to be harvested be rescinded. The proponent is
9 concerned that once lands are conveyed more lands will
10 be open to subsistence harvests, which will create the
11 potential for harvest beyond sustainable levels.

12
13 From 2001 to 2007 the fall population
14 estimates for the Nelchina Caribou Herd have remained
15 relatively stable with the estimated herd size being
16 between 30 to 39,000 animals. In June 2007 a post-
17 calving census estimated the Nelchina Caribou Herd to
18 be approximately 32,569 caribou and in June 2009 the
19 census showed approximately 33,146 caribou.

20
21 The fall sex and age composition survey
22 in 2008 showed 40 calves to 100 cows and 39 bulls to
23 100 cows. During the most recent fall survey in 2009
24 29 calves to 100 cows and 42 bulls to 100 cows were
25 observed. For 2009 to 2010, as is previously stated,
26 the State Nelchina Caribou Herd -- sorry, Tier II
27 subsistence hunt was eliminated. Two hunts were added.
28 A Tier I hunt and a community harvest hunt for
29 residents of eight AHTNA villages. The harvest limit
30 for each is one caribou with the total harvest limit of
31 300 caribou for all of Unit 13.

32
33 Between 2001 and 2008 the State Tier II
34 subsistence hunt was the primary source of harvest for
35 the Nelchina Caribou Herd and accounted for 74 percent
36 of the overall harvest. Between 2003 and 2007 an
37 average of 138 hunters with a range of 84 to 204
38 hunters harvested two caribou, 165 hunters reported
39 taking one caribou.

40
41 The majority of the Nelchina Caribou
42 harvest comes from the State administered hunts, which
43 are closed by emergency order when the annual harvest
44 quota is reached. The Federal hunt, if necessary, can
45 also be closed to avoid exceeding the annual harvest
46 quota. Since the Nelchina Caribou population is
47 currently below management objectives, it is critical
48 to maintain the delegated authority to allow the sex of
49 the harvested animals be determined by the Glennallen
50 Field Office manager in consultation with other various

1 managers.

2

3 The State of Alaska was required to
4 submit the final statewide land selections to the
5 Bureau of Land Management by September 30th, 2009.
6 However, the Bureau of Land Management has not
7 processed the final selections to date, making this
8 proposal premature since final conveyances could take
9 more than a year to process. Furthermore, because the
10 overselected lands are statewide, to date it is not
11 known which specific areas are to become unencumbered.

12

13

14 Therefore, OSM preliminary conclusion
15 is to oppose Proposal WP10-27.

16

17 Thank you, Mr. Chair.

18

19 CHAIRMAN LOHSE: Any questions.

20 Donald.

21

22 MR. KOMPKOFF: Whoever gets a drawing
23 in Unit 13 for one caribou should be able to get their
24 caribou instead of when they close it down. Like they
25 closed the season down because they reached the quota,
26 but there's some people that still had caribou permits
27 and never filled them out. I think they should make
28 sure that guys that got the drawing be able to go get
29 their caribou until the end of the season.

30

31 CHAIRMAN LOHSE: Thank you, Donald.
32 Can I ask a question.

33

34 MS. BROWN: Certainly.

35

36 CHAIRMAN LOHSE: So this proposal was
37 based -- I mean the idea behind this proposal, the
38 submitter's idea was the fact that there will be more
39 land available for subsistence hunting after the State
40 and Federal land selections are completed. Yet, when
41 we look at the last paragraph it says the State has
42 selected most of the Federal lands in that area. So,
43 at this point in time, we don't have any idea how much
44 of that State land the State is going to get. Is that
45 the point?

46

47 MS. BROWN: That's right.

48

49 CHAIRMAN LOHSE: And that's not up to
50 the State, that's up to the -- I mean if that's their

1 first choice, don't they get their choice up until the
2 time they got all of the land they've selected or do
3 the Feds have something to say in that too?

4

5 MS. BROWN: My understanding of how the
6 land conveyances work is pretty fragile. I was
7 schooled by Merben Cebrian, so maybe we could bring him
8 up here and he could maybe elucidate that for us.

9

10 MR. CEBRIAN: Mr. Chair. For the
11 record, Merben Cebrian, wildlife biologist for
12 Glennallen BLM. The land selections for the State, the
13 State has the choice to prioritize land selections and
14 they have until July to do their reprioritization. The
15 State complied with a Federal requirement to prioritize
16 lands by October last year and they did that, but since
17 then they've come up with an extension request to
18 reprioritize lands. So, as of this moment, we don't
19 know how much of those lands, I have a map here on the
20 board, would go to the State.

21

22 CHAIRMAN LOHSE: Okay. Ricky.

23

24 MR. GEASE: Can I ask a clarification
25 question. So, of the lands that were potentially being
26 considered for conveyance to the State, were those
27 lands open or closed to Federal subsistence hunting
28 over the past decade?

29

30 MR. CEBRIAN: Through the Chair. State
31 selected lands under BLM jurisdiction in Unit 13 are
32 closed to Federal subsistence hunts. Only unencumbered
33 Federal lands are open.

34

35 CHAIRMAN LOHSE: Any other questions,
36 Ricky.

37

38 (No comments)

39

40 CHAIRMAN LOHSE: So that's where the
41 potential to have more land available for Federal
42 hunting comes in, is if those State selections aren't
43 accepted, then there's more Federal unencumbered land
44 that you could have Federal hunts on.

45

46 MR. CEBRIAN: Mr. Chair. I don't think
47 acceptance is the right term to use because if the
48 State selects it, if it's a priority for the State, I
49 think the general trend would be for the Federal
50 government to give that to the State within limits of

1 the acreage.

2

3 CHAIRMAN LOHSE: Any other questions.

4 James.

5

6 MR. SHOWALTER: This proposal is a what
7 if. What if we lose some land from the Federal and
8 give to the State. How do we know it's going to happen
9 in the future? So I would have to say no until
10 something actually happens.

11

12 CHAIRMAN LOHSE: Thank you, James.

13 Alaska Department of Fish and Game.

14

15 MR. PAPPAS: Mr. Chair. George Pappas,
16 Department of Fish and Game. A lot of our comments,
17 we've done our best to summarize them and I will
18 attempt to summarize from our comments throughout the
19 meeting. Some of these are very difficult to distill.
20 Our comments are on Page 59 for WP10-27.

21

22 Annual Federal subsistence caribou
23 harvest in GMU 13 have been as high as 600 animals.
24 Total Nelchina Caribou Herd harvest quotas in recent
25 years have ranged from 1,000 to 2,000 caribou. The
26 amount of land open to Federal subsistence hunting in
27 GMU 13 is about two percent of the unit. Federal
28 subsistence hunt can currently exceed 50 percent of the
29 annual yearly harvest quota.

30

31 With increasing Federal land ownership,
32 Federal subsistence harvest could significantly impact
33 the caribou herd north of the Denali Highway. It could
34 also impact opportunity for subsistence by Federally-
35 qualified users hunting under the State's community
36 harvest system.

37

38 As discussed earlier, the State of
39 Alaska provides two alternative Tier I hunts open to
40 all State residents and geared towards two separately
41 organized uses. One is a local community oriented
42 subsistence use and the other is non-local, much more
43 individually oriented use.

44

45 The Tier I community harvest use is
46 provided by creation of a system that allows harvesting
47 under the community harvest permits as requested by
48 local subsistence users. Up to 300 caribou may be
49 taken under this hunt and this was based on input from
50 local users. Federally taken caribou are counted

1 against this total.

2

3 Under the community harvest permits,
4 few communal hunters may harvest on behalf of the
5 entire community up to the total amount of participants
6 who sign up to partake in the program, so there is
7 effectively a very large potential bag limit for
8 communal harvesters.

9

10 There are other unique subsistence
11 oriented advantages to using this system, including the
12 ability to hunt throughout nearly all the traditional
13 hunting territories and all the villages currently
14 participating under a single permit. The ability to
15 preserve customary and traditional practices and the
16 ability on all Federal and non-Federal lands.

17

18 The other Tier I hunt is a drawing type
19 opportunity that is designed to provide participants
20 with a permit about once every four years to harvest a
21 single caribou bull. As long as is doing so consistent
22 with established yearly harvest objectives for the
23 Nelchina Caribou Herd.

24

25 Unfortunately, the herd's harvest quota
26 is difficult with the Federal program authorizing
27 multiple bag limits. Also emergency orders closing the
28 season are less effective when hunters can take more
29 than one animal, especially when animals are abundant
30 during the fall migration of the highways.

31

32 The Department supports this proposal.
33 That concludes my comments, Mr. Chair.

34

35 CHAIRMAN LOHSE: Any questions.
36 George. Do you have any information on the number of
37 times that we had overharvest because of the two bag
38 limit that we ended up taking more because we weren't
39 able to close it fast enough that there was an
40 overharvest?

41

42 MR. DELFRATE: Mr. Chair. I don't
43 think we've overharvested too often because of that and
44 it's mostly because of the system that Bob Toby has got
45 in place and he's pretty conservative when it comes to
46 anticipating the Federal harvest. The biggest concern
47 we have now is with the land selection that Mr. Cebrian
48 had already talked to and the potential for overharvest
49 is much greater once that does happen.

50

1 When we were putting our comments
2 together, we were moving quickly with regards to this
3 land selection process and there was an expectation
4 that that was going to be happening sooner than later.
5 I don't know what the timeline is for that now. Should
6 that land selection process go through, we're going to
7 have a very serious concern with regards to overharvest
8 given the potential with the two bag limit then.

9
10 CHAIRMAN LOHSE: The potential for
11 overharvest, is that going to be based on the amount of
12 land or amount of hunters?

13
14 MR. DELFRATE: Mr. Chair. Probably
15 both. The number of qualified hunters for Unit 13 is
16 large enough that when the caribou are available on the
17 newly created larger parcel of land -- and my
18 understanding is this new -- should the land selection
19 process continue down the road it's going, there's
20 discussions in the neighborhood of 500 to 600,000 acres
21 that will be available for Federal subsistence use
22 because they will be reverted back to Federal
23 ownership, so it is the amount of land and the
24 potential for the number of users that are qualified to
25 use that. Should the herd go through that land at the
26 right time, which includes the Denali Highway and some
27 other roaded parts, it is a potential concern.

28
29 CHAIRMAN LOHSE: So that increase in
30 land increases the number of potential hunters. It
31 takes in a larger area that has hunters that are more
32 qualified for the land that's currently open?

33
34 MR. DELFRATE: No, sir. The same
35 hunters are still qualified. It just provides a much
36 bigger target for the hunters to hunt on. Fifty
37 percent of the Denali Highway will now be available or
38 may now be available for participation if the herd is
39 on that part. Presently the amount of Federal land is
40 small and it's a hit and miss deal with regards to the
41 number of animals that get harvested. It's generally
42 between 200 and 600 animals get taken and it all
43 depends on where those animals occur.

44
45 With the proposed new area there's a
46 substantial amount of area that's available and if the
47 herd occurs on that and the users are positioned to
48 take advantage of it, they have probably a situation
49 similar to what's going on now on the Taylor Highway.
50 Maybe not to that extent because of the number of users

1 up there, but it is going to be very similar.

2

3 CHAIRMAN LOHSE: In other words, if you
4 go up to Hungry Hollow and they're just outside of
5 Hungry Hollow today, at that point in time you could go
6 home with a caribou where currently you sit and look at
7 them.

8

9 MR. DELFRATE: Probably so.

10

11 MR. LAMB: You say north of the Denali
12 Highway. What portion of that, the Clearwater area? A
13 lot of that is walk-in anyway, isn't it?

14

15 MR. DELFRATE: The amount of area has
16 yet to be determined. Right now my understanding of
17 the State land selection process is the State is
18 overselected statewide by considerable amount of
19 acreage. A lot of the area that is selected and yet to
20 be conveyed is in Unit 13 and a lot of that State land
21 is along the Denali Highway, both north and south of
22 Denali Highway.

23

24 MR. LAMB: So that would be like from
25 Susitna Glacier back to the Clearwater Mountains, back
26 toward Paxson or more towards the other end?

27

28 MR. DELFRATE: Well, from the Susitna
29 River bridge all the way to Paxson. Some of the land
30 the State is interested in has got mineral potential,
31 which is on the north.....

32

33 MR. LAMB: Like from Windy Creek on.

34

35 MR. DELFRATE: Probably so. And some
36 of the area that the State is less interested in is
37 still qualified as good caribou habitat.

38

39 MR. LAMB: Yeah, very good caribou
40 habitat.

41

42 CHAIRMAN LOHSE: Tom.

43

44 MR. CARPENTER: Right now it's about
45 two percent of the land. Do you have any -- just like
46 a ballpark figure of what that percentage could become?
47 I mean 20 percent, 5 percent.

48

49 MR. DELFRATE: I'm sorry. It would
50 only be a guess, but I do know just through our

1 discussion that the acreage is -- I think presently
2 there's about 80 or 90,000 acres of available Federal
3 land to participate on and going up to five to six
4 hundred thousand acres to participate on. To some
5 extent it's less about the percentage of land than it
6 is the quality of land.

7

8 MR. CARPENTER: Do you think that --
9 like right now it says that there's a range between 84
10 and 200 people that have these permits. Do you think
11 that's going to increase?

12

13 MR. DELFRATE: Yes.

14

15 MR. CARPENTER: Because there's going
16 to be more opportunity in prime areas. Is that your
17 concern also?

18

19 MR. DELFRATE: Many of the potentially
20 qualified users for Unit 13 currently participate under
21 the State system because they have the opportunity to
22 hunt throughout Unit 13 and should a much broader area
23 become open, it will be that much more enticing for
24 them to participate. So I think the potential number
25 of users or the potential number of residents that can
26 participate, which is all of Unit 13 plus some of the
27 Unit 14 residents and some of the Unit 12 residents.

28

29 MR. CARPENTER: Thank you.

30

31 CHAIRMAN LOHSE: Any other questions.

32

33 (No comments)

34

35 CHAIRMAN LOHSE: Thank you. Other
36 Federal, State and tribal agencies. Gloria.

37

38 MS. STICKWAN: Could we get BLM up here
39 to find out what the trend is for the caribou. I know
40 they have a chart that tells us what the take is.

41

42 MR. GEASE: I just remembered I have
43 one question for the State guys. There's two parts to
44 this one going from two to one, but there's also the
45 component about not allowing the BLM person to identify
46 the sex. I would just like to get the State's position
47 on do they support going from two to one and do they
48 also support rescinding the authority of the BLM person
49 to identify the sex. If you have a problem with the
50 BLM person doing that, what is that issue?

1 Thank you.

2

3 MR. DELFRATE: Through the Chair. I'm
4 not really sure what you mean by the BLM person. If
5 it's a Federally-qualified user. Under our management
6 guidelines, as the herd is growing and when calf
7 production is high, there's always the opportunity to
8 take a certain number of cows along with the bulls. I
9 think this year because the herd is below our
10 management objectives and has been for a couple years,
11 it's the intent of the area biologist to grow that herd
12 back to within our management objective, so we've kind
13 of pulled back on the number of cows to be taken.

14

15 The short answer, I think, is that some
16 cows could be harvested and who gets to take them I
17 think is that some cows can be harvested and who gets
18 to take them I think is just part of the management
19 challenge. I can't speak for how we would set up a
20 system where we have the dual authority. I think we
21 make a recommendation and if it was down to one caribou
22 and we still had a quota of a certain number of cows
23 and a certain number of bulls when get that number of
24 cows, we'd recommend closure. The more liberal we are
25 with the regulation, the faster the cows get harvested
26 and the quicker that quota gets achieved.

27

28 So I'm a little unclear as to where
29 you're going. Maybe you can help me with that or maybe
30 I answered your question.

31

32 MR. GEASE: It just says in addition
33 the proponent requests that the authority delegated to
34 the Glennallen Field Office manager of the BLM to
35 announce the sex of the animals to be harvested to be
36 rescinded. Do you support that concept or not?

37

38 MR. DELFRATE: I think we would like to
39 see the ability of the field managers, whether it's
40 Fish and Game or the BLM manger, to be able to denote
41 the sex of the animals to be harvested. That will
42 allow us to better manage that. It may be that the
43 author of this proposal would like to see this in much
44 more cut and dry in-the-book type of a regulation.
45 That can be achieved one way or the other, but it would
46 also -- if we have the ability to denote the sex of the
47 animal to be harvested, I think we'd be more
48 comfortable that way. It might take away some of the
49 discretion that happens in both the Fish and Game
50 office and the Glennallen office of BLM.

1 CHAIRMAN LOHSE: Ricky, if I understood
2 your question right and the answer right, basically
3 from the Fish and Game standpoint it doesn't sound like
4 you have any objection to having somebody having the
5 authority to delegate the sex of the animal because
6 that makes more sense. Am I correct in that?

7
8 MR. DELFRATE: It does make more sense
9 to have the ability to do that. And I think it makes
10 the most sense that both managers work together to do
11 what's right for the resource.

12
13 CHAIRMAN LOHSE: Okay. Thank you. Now
14 we are onto tribal agencies, Federal agencies. Now we
15 can have BLM.

16
17 MR. CEBRIAN: Mr. Chair. I have a
18 chart that I'm passing around. I'd like you to look on
19 Page 2. Page 1 is moose statistics. Page 2 is
20 statistics on Federal harvest on caribou in Unit 13.
21 This is from the years 1990 up to 2009, although
22 granted the 2009 season is still open until the end of
23 the month, so we don't have definitive figures for
24 harvest through the 2009 caribou season.

25
26 This proposal has two components to it.
27 Regarding the first component, I have two points. The
28 first one, and it's been discussed here, land status
29 has not been settled yet, so in that sense it's very
30 preliminary. The second point is as of last month the
31 AHTNA community harvest was at 104 caribou. Tier I was
32 262 for a total harvest as of -- February was 366
33 combined State hunts for caribou in Unit 13.

34
35 Both Federal hunts, RC513 and 514, has
36 a combined 260, so we're way below the target limit of
37 1,000. We're running around 600, 650 right now, so
38 we're way within that allocated number of caribou. So
39 this fear of having overharvest of caribou because of
40 conveyance or non-conveyance in this case of lands to
41 the State along the Denali Highway might be still a
42 little bit premature.

43
44 I have provided a map here on the wall
45 that shows in red the Denali Highway and the light blue
46 section is State land around the Denali Highway and the
47 white section is State selected lands and in the yellow
48 section is BLM unencumbered lands. So it shows here
49 that the State actually -- they've selected lands
50 around the Denali Highway. There's only about five

1 percent of selected lands that needs to be conveyed.
2 Ninety-five percent of State lands have already been
3 given, so we're talking about five percent in Alaska.
4 Because of the over-selected acres of lands, we don't
5 know which parcels in Unit 13 would be selected out and
6 which parcels in Unit 1 to 20 would be selected, so
7 it's a statewide issue.

8

9 I think trying to parcel this issue out
10 based on that is very preliminary and based on the
11 current harvest levels from the AHTNA community
12 harvest, which is around 104 or let's say 120 because
13 this is last month's figure, that's still way below 300
14 and they are allowed -- under this hunt you're allowed
15 to hunt not just in Federal property but you're also
16 allowed to hunt in State property. So this gives a lot
17 of leeway for those community hunters who have this
18 permit.

19

20 It doesn't show in this one example, we
21 have only this year as an example, that that fear is
22 founded. However many AHTNA community harvest permits
23 are out there, they're actually getting the 300 limit.
24 Given the fact that they're allowed not just to hunt on
25 Federal property, but they're also allowed to hunt on
26 State property.

27

28 So going through the graph on Page 2,
29 the harvest for Unit 13 has been more or less between
30 300 to 615 for the last 10 years, going on 20 years
31 now, and that's been steady. I don't foresee any
32 drastic change in the subsequent years.

33

34 Thank you, Mr. Chair.

35

36 CHAIRMAN LOHSE: Thank you. Any
37 questions. Judy.

38

39 MS. CAMINER: So, Merben, I don't know
40 if you were part of the write-up that's in our book
41 too, but it says in the book and from what you're
42 saying conservation concerns about the herd are minimal
43 at this point. Do you agree with that?

44

45 MR. CEBRIAN: Mr. Chair. Yes, I do
46 agree.

47

48 CHAIRMAN LOHSE: Tom.

49

50 MR. CARPENTER: Thank you, Mr. Chair.

1 Under the -- I would assume that the Federal managers
2 have EO authority. They can close a hunt just like the
3 State could close a hunt if they fear there's some sort
4 of overharvest potential or something of that nature,
5 am I correct?

6

7 MR. CEBRIAN: That's correct. In this
8 case, in Unit 13, we don't have the delegated authority
9 to close the hunt. We would have to submit an
10 emergency order through the Board. We do have the
11 option to limit the sex and we do work with our
12 counterparts with the Alaska Fish and Game Division, my
13 counterpart, Bob Toby and Becky Schwanke.

14

15 MR. CARPENTER: What are the reporting
16 requirements? How many days after an animal is
17 harvested do you find out?

18

19 MR. CEBRIAN: The requirements for the
20 Federal hunts is that if you harvest an animal, you
21 have to return your permit within five days. If you
22 did not harvest, then it would be 15 days after the
23 closure of that hunt.

24

25 MR. CARPENTER: How many people utilize
26 the designated hunter provision, just an average?

27

28 MR. CEBRIAN: I would say about 10, 15
29 percent.

30

31 MR. CARPENTER: So if 200 applicants --
32 actually the average is probably 150, so only 15 or 20
33 people might be utilizing that provision a year.
34 Potentially they could have two bag limits, so you're
35 really not talking about a huge number of animals that
36 would be utilized under that provision if they
37 harvested the maximum.

38

39 MR. CEBRIAN: The idea with the
40 designated hunter is that the harvest -- the permitted
41 hunter allows the designated hunter to hunt for the
42 permitted hunter, not that the harvested animal goes to
43 the designated hunter.

44

45 MR. CARPENTER: Clarify this for me.
46 Can an individual harvest for himself and for the other
47 individual at the same time? Can he have multiple bag
48 limits at once?

49

50 MR. CEBRIAN: With a designated hunter

1 permit, yes.

2

3 MR. CARPENTER: Thank you. One more
4 question. Can you have more than one designated hunter
5 permit at a time?

6

7 MR. CEBRIAN: Not at one time because
8 your permit goes to the designated hunter. You cannot
9 split that permit to two or three designated.

10

11 MR. CARPENTER: Okay. Thanks.

12

13 CHAIRMAN LOHSE: Any more questions.

14

15 (No comments)

16

17 CHAIRMAN LOHSE: I was sitting here
18 looking at your chart and it looks like we have
19 probably somewhere between a 10 and a 15, maybe at some
20 point 20 percent success ratio basically for the
21 Federal permits that are out there. Does that sound
22 pretty much in your ballpark so that if we had a 10
23 percent -- well, I'm looking at there's 2,579 permits
24 issued for 2010 and I just wonder what the population
25 is in that area. What's the population of people in
26 the area that are qualified for this hunt?

27

28 MR. CEBRIAN: Mr. Chair. I cannot
29 guess. I don't know what the census is for that area.
30 Maybe somebody does. But the way I presented the data
31 here is that we have currently 260 successful permits
32 that have harvested caribou out of 2,579. That's not
33 really a whole lot. Success here is ranked based on
34 the number of successful permits divided by those that
35 actually hunted, not by the number of permits that were
36 issued.

37

38 CHAIRMAN LOHSE: No, but the number of
39 permits are a proportion of the community that's
40 available to do it. The fact that you open more land
41 doesn't open more community members. I mean it doesn't
42 increase the area of the community that can get a
43 permit. The community that will be eligible for that
44 permit remains the same.

45

46 MR. CEBRIAN: Right.

47

48 CHAIRMAN LOHSE: And it looks like what
49 we have is 2,500, 2,600, 2,400, but basically around
50 2,500 people from the available community avail

1 themselves of a permit every year and approximately
2 half of those hunt.

3

4 MR. CEBRIAN: Right.

5

6 CHAIRMAN LOHSE: And then out of the
7 half that hunts, we have that success ratio. I'm just
8 wondering with the population that we have in that area
9 and we don't have any great increase in the population
10 in that area, whether the fear of having more land is
11 going to go into more permits or whether a higher
12 percentage of those permits will hunt or what. To me
13 it looks like you have about 2,500 people that get a
14 permit every year and that's out of a fairly static
15 population up there.

16

17 MR. CEBRIAN: Mr. Chair. I tend to
18 agree. We can get a snapshot or an idea of what the
19 potential harvest would be also just by looking at the
20 AHTNA community harvest. Remember, with this
21 particular hunt they are already allowed to hunt not
22 just in Federal lands but also in State lands. If you
23 only have 104 available, then that fear might not be
24 there.

25

26 CHAIRMAN LOHSE: That's 104 that were
27 successful, right?

28

29 MR. CEBRIAN: Yes.

30

31 CHAIRMAN LOHSE: Any other questions
32 for the BLM.

33

34 (No comments)

35

36 CHAIRMAN LOHSE: Thank you. Are there
37 any other State agencies that have comments.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: We don't have any
42 InterAgency Staff Committee comments.

43

44 (No comments)

45

46 CHAIRMAN LOHSE: Subsistence Resource
47 Committee comments. Barbara.

48

49 MS. CELLARIUS: Thank you, Mr. Chair.
50 Wrangell-St. Elias SRC unanimously opposes WP10-27.

1 The proposal would adversely affect subsistence users
2 by reducing subsistence opportunity. Conservation
3 concerns are minimal and can be addressed through the
4 current delegation of authority for in-season
5 management.

6

7 CHAIRMAN LOHSE: Any questions for
8 Barbara. Yes, Ricky.

9

10 MR. GEASE: In your conversations with
11 local hunters, has any hunter mentioned that there's
12 not enough area to go hunting in that determines
13 whether or not they go hunting or not?

14

15 MS. CELLARIUS: Did you say the issue
16 of not enough fuel?

17

18 MR. GEASE: No. The question was in
19 your conversations with resident hunters in the area
20 that you may come across, some of them don't go
21 hunting. Have you ever heard the reason that they
22 don't go hunting is that there's not enough Federal
23 land to go hunting on?

24

25 MS. CELLARIUS: I haven't had that
26 conversation. I mean I haven't heard that as an issue.
27 I'm actually doing some community harvest assessments
28 as we speak and it may be that in the future I'll have
29 more information for you on that issue, but it's not
30 something I have information or have had conversations
31 about at this point.

32

33 CHAIRMAN LOHSE: Okay. Fish and Game
34 Advisory Committee comments.

35

36 (No comments)

37

38 CHAIRMAN LOHSE: Written public
39 comments. Donald.

40

41 MR. MIKE: Thank you, Mr. Chair. The
42 AHTNA Subsistence Committee on Proposal WP10-27 opposed
43 Proposal 27, which will restrict Unit 13 Nelchina
44 caribou to one caribou per person harvest limit. The
45 Federal take of two caribou needs to stay in place so
46 that Federally-qualified subsistence users will have
47 their needs met. If a moose is not harvested, then two
48 caribou can be harvested under the Federal system. If
49 there is ever a decline due to overharvest of caribou
50 in Unit 13, then measures can be made then.

1 On another note, I was asked about
2 actions taken by the Eastern Interior Regional Advisory
3 Council. They had a meeting in Fairbanks and I believe
4 they opposed Proposal 27 as recommended by OSM.

5
6 Thank you, Mr. Chair.

7
8 CHAIRMAN LOHSE: Thank you, Donald. Do
9 we have any public testimony on this.

10
11 (No comments)

12
13 CHAIRMAN LOHSE: Okay. Regional
14 Council deliberations, recommendation, justification.
15 A motion to accept WP10-27 is in order.

16
17 MR. CARPENTER: So moved.

18
19 CHAIRMAN LOHSE: It's been moved. Do I
20 hear a second.

21
22 MS. STICKWAN: I second.

23
24 CHAIRMAN LOHSE: It's been moved and
25 seconded to adopt WP10-27. Discussion.

26
27 MR. ENCELEWSKI: I'll talk.

28
29 CHAIRMAN LOHSE: Go ahead.

30
31 MR. ENCELEWSKI: I'm opposed to this.
32 I think it's premature and it probably shouldn't even
33 be brought before us at this time. I don't see that
34 it's going to really cause any problem until we find
35 out different we shouldn't be addressing it.

36
37 Thank you.

38
39 CHAIRMAN LOHSE: Judy.

40
41 MS. CAMINER: Mr. Chair. Yes, agreeing
42 with Greg, this is detrimental to subsistence users and
43 there certainly seems to be mechanisms in place to
44 manage by the Federal managers and keep track of what's
45 going on. Should there be a problem, there's many ways
46 to deal with that quickly.

47
48 CHAIRMAN LOHSE: Tom.

49
50 MR. CARPENTER: Yeah, I would also

1 oppose this proposal. This will have a significant or
2 potentially could have a significant adverse effect or
3 impact on subsistence users. While I understand the
4 State's concerns in regards to in the future depending
5 on which lands are selected, there could be a potential
6 for a problem, but I think it's premature to put the
7 burden on the subsistence user in regards to something
8 that hasn't even been conveyed yet. Until that time, I
9 think both the Federal and State managers have EO
10 authority and if they think that it's something that
11 ought to be used, then they ought to use it out of
12 conservation concern. That would be my position.

13

14 CHAIRMAN LOHSE: Any other comments.

15

16 (No comments)

17

18 CHAIRMAN LOHSE: The only comment I
19 would make at this point in time is I don't see a
20 current conservation concern, but if a conservation
21 concern does arise out of this land conveyance, I think
22 at that time we need to address it.

23

24 MR. CARPENTER: Question.

25

26 CHAIRMAN LOHSE: The question has been
27 called. All in favor signify by saying aye.

28

29 MR. KOMPKOFF: Aye.

30

31 CHAIRMAN LOHSE: All opposed signify by
32 saying nay.

33

34 IN UNISON: Nay.

35

36 CHAIRMAN LOHSE: Motion fails. Not
37 unanimously. There was one supporter.

38

39 MS. STICKWAN: Who supported?

40

41 CHAIRMAN LOHSE: Donald, did you
42 support? Did you say aye?

43

44 MR. KOMPKOFF: No, I withdraw it.

45

46 CHAIRMAN LOHSE: You're withdrawing
47 your aye? I was wondering if maybe you were thinking
48 of something else at the time because you weren't
49 looking in this direction. Let's take it over again
50 just so that we know it's unanimous. All in favor

1 signify by saying aye.

2

3 (No aye votes)

4

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

7

8 IN UNISON: Nay.

9

10 CHAIRMAN LOHSE: Motion fails
11 unanimously. Proposal WP10-28.

12

13 MS. BROWN: Mr. Chair. The analysis
14 for this proposal begins on Page 62 of your book.
15 Proposal WP10-28 was also submitted by the Paxson Fish
16 and Game Advisory Committee and requests that the
17 harvest limit of one antlered bull moose be changed to
18 one antlered bull moose per household for Unit 13B and
19 that the season be changed from August 1st to September
20 20th to August 20th to September 30th.

21

22 As the last proposal, the proponent is
23 concerned that once lands are conveyed more lands will
24 be open to subsistence harvest, which will create the
25 potential for moose harvest in Unit 13B beyond
26 sustainable levels.

27

28 Long-term population trends for all of
29 Unit 13 are monitored by observing annual changes in
30 numbers of moose during the fall and show a general
31 increase in the number of moose counted from 2001 to
32 2007. The fall 2007 aerial moose composition count
33 showed that Unit 13B met management objectives for both
34 Alaska Department of Fish and Game and also their age
35 and sex compositions, but they did fall short for calf
36 and cow ratios in 2007 and 2008 where there were 20
37 calves to 100 cows. Similar results in 2008 with 38
38 bulls to 100 cows and 18 calves to 100 cows.

39

40 Similarly, the State general harvest
41 season is from September 1st to September 20th in Unit
42 13 and it is the predominant source of moose harvest
43 under State regulations. Prior to 2009, the State Tier
44 II hunt provided a State subsistence opportunity from
45 August 15th to August 30th. This has been eliminated
46 and a community harvest hunt from August 10th through
47 September 20th has been established with a limit of one
48 bull per hunter for the residents of eight AHTNA
49 villages. There's an upper harvest limit of 25 any
50 bull moose for Unit 13B in specificity.

1 The current Federal harvest season in
2 Unit 13 is from August 1st to September 20th, which
3 allows for a longer subsistence opportunity for
4 Federally-qualified subsistence users. Since 2004, the
5 early part of the season, from August 1st to the 20th,
6 has only accounted for about 7 percent of the total
7 bull moose harvest. The latter portion of the season
8 sees more harvest success with 25 percent of the moose
9 in Unit 13B being harvested in the last week of the
10 hunt.

11
12 Annual reported harvest by Federal
13 subsistence users has been consistent from 2004 to 2007
14 with an average of 33 bulls harvested. Currently,
15 Federally-qualified subsistence users may harvest one
16 antlered bull moose by permit from August 1st to
17 September 20th.

18
19 If the proposal is adopted, which is
20 requesting it to change from August 20th to September
21 30th. This would shift the time of the harvest season
22 by 10 days compared to the State community harvest,
23 which is from August 10th to September 20th. It would
24 be longer than the current State general season of
25 September 1st to September 20th, but there is currently
26 an upward population trend of moose in Unit 13B and the
27 fall 2007 aerial survey estimated 1.5 moose per square
28 mile, showing an increase of moose density since 2001.

29
30 The current moose populations in Unit
31 13B can support the current harvest regulations. In
32 addition, adoption of this proposal for one permit per
33 household would reduce the opportunities for Federal
34 subsistence users to harvest a moose in Unit 13B, while
35 the State regulations have no such restrictions.

36
37 Again, land selections for the State of
38 Alaska have not been finalized, therefore an accurate
39 estimate of conveyed lands and the effect of changing
40 land status on the harvest of moose in Unit 13B are
41 unknown at this time. Once land conveyances have been
42 achieved the result and effects can be evaluated.

43
44 Therefore, OSM preliminary conclusion
45 is to oppose Proposal WP10-28.

46
47 Thank you.

48
49 CHAIRMAN LOHSE: Any questions.

50

1 (No comments)

2

3 CHAIRMAN LOHSE: So I'll just make a
4 comment on that. The proposal to lengthen it for 10
5 days at the end, we've dealt with that so many times
6 before because that puts it into the rut and makes
7 actually that instead of limiting the amount of hunting
8 would increase the amount of success just by having it
9 that extra 10 days. So it's kind of like the proposal
10 is contradictive to itself. One way they want to limit
11 the hunting and the other way they want to make it open
12 at the most vulnerable time.

13

14 Any other questions, comments.

15

16 (No comments)

17

18 CHAIRMAN LOHSE: Thank you. Alaska
19 Department of Fish and Game.

20

21 MR. PAPPAS: Thank you, Mr. Chair.

22 George Pappas. Comments will be on Page 71.

23

24 This proposal will limit Federal
25 subsistence users to one bull per household as in the
26 Federal regulations for Unit 13E. The proposal also
27 shifts the Federal moose hunt 10 days. The reduction
28 in the bag limits would not impact Federal subsistence
29 users. During the last five years from 2003 to 2007
30 only six families took two Federal subsistence moose
31 and one family took three.

32

33 If the proposal is adopted, however,
34 the 10-day season extension from September 20th to
35 september 30th would negatively effect the moose
36 population and reduce future subsistence hunting
37 opportunity on Federal public lands.

38

39 Any bull bag limit for general hunt
40 occurred in Unit 13 in 1979. Heavy hunting pressure
41 under an any bull bag limit greatly reduced the
42 bull/cow ratio as low as five animals per 100 cows in
43 heavily hunted areas. As this amount of Federal public
44 land is increasing, if the proposal is adopted, the
45 bull ratios can be expected to decline.

46

47 Currently, the amount of Federal public
48 land open for subsistence in Unit 13 is small and
49 overharvest of bulls is not a conservation issue
50 because the limited land open to Federal subsistence

1 hunting. Additional protection is also provided for
2 the small bulls under the State spike fork 50-inch
3 antler spread or four brow tine bull moose antler
4 restriction regulation.

5
6 As additional large parcels of Federal
7 land become available for subsistence harvest, the any
8 bull bag limit coupled with increasing hunting pressure
9 of the extended season after September 20th to
10 September 30th is expected to greatly reduce the
11 bull/cow ratios on these lands. Decline would be
12 extenuated because moose are extremely vulnerable to
13 hunting after September 20th when leaf fall increases
14 visibility. Breeding behavior of the bulls during the
15 rut makes them more vulnerable.

16
17 Extending the Federal season after the
18 State season closes will increase the risk of
19 enforcement on non-Federal lands. Currently the
20 subsistence moose harvest are in excess of two percent
21 of the total take in Unit 13 despite only two percent
22 of the land being open to Federal moose hunting.

23
24 Moose do not congregate on Federal
25 public lands, therefore it's highly likely that some of
26 the current take comes from the adjacent State lands.
27 The change can create additional enforcement issues for
28 State and Federal law enforcement.

29
30 The Department supports with
31 modification to change the bag limit to one antlered
32 bull moose per household as proposed and in Federal
33 regulations for Unit 13E, but modified to apply to all
34 of Unit 13. This will reduce the impacts of Federal
35 regulations on future subsistence hunting opportunities
36 on the majority of the Federally-qualified users in
37 Unit 13.

38
39 The Department opposes shifting the
40 moose season into the rut and also opposes the
41 remainder of the proposal.

42
43 Thank you, Mr. Chair.

44
45 CHAIRMAN LOHSE: Thank you. Any
46 questions for Alaska Department of Fish and Game.
47 Ricky.

48
49 MR. GEASE: Through the Chair. Just
50 for consistency sake in your testimony you said that

1 only three or six households, depending on the year,
2 had multiple take per household. If a household -- if
3 it's not a big issue, why would you support -- because
4 to me this proposal kind of goes against multi-
5 generational hunts going out and teaching your kids how
6 to get a moose or going with your parents. Why would
7 you be against that if it's not really a big component
8 of the take now?

9

10 You're supporting a restriction on
11 families going out and hunting in my opinion through
12 the support of this proposal by just limiting it to a
13 household and if households aren't a big component of
14 the take, multiple per household, we want to support
15 hunting traditions and usually hunting traditions are
16 passed down in families. Why would you guys support
17 this at all?

18

19 MR. DELFRATE: Through the Chair. Mr.
20 Gease. I guess I would differ with the
21 characterization that we oppose the traditional family
22 hunting. I think what the indication is when there's
23 only one moose per household being taken is that maybe
24 only one moose is needed per household. I can speak to
25 the tradition within my family. We only need one moose
26 and if I take my daughters out hunting and they have
27 the opportunity to pull the trigger, I'm going to let
28 them pull the trigger and pass on the tradition of
29 participating in a moose hunt together. So that family
30 tradition is, I think, not really a part of this.

31

32 This proposal is kind of interesting in
33 that it provides for a more liberalized hunting
34 opportunity for all residents of Unit 13. Actually all
35 the rural residents within this area that hunt in Unit
36 13 by providing an any bull opportunity. It is only
37 one per household, but it does provide them that
38 opportunity. I think that's a big change in this
39 regulation.

40

41 We are most opposed to the extension of
42 the season and that's been a standard theme for years.
43 Providing any hunting opportunity past the 20th of
44 September is going to potentially impact the moose. We
45 have found through our evaluation of the spike fork/50
46 regulation that the take of any bulls -- spike fork/50
47 is necessary in Unit 13 to maintain a certain number of
48 bulls to meet our objectives.

49

50 When we had a three brown tine rule,

1 the number of bulls to 100 cows actually declined to
2 below our management objectives because many of those
3 medium-sized moose were actually being harvested. So
4 we've taken -- we've found out that spike fork/50 with
5 four brow tines is adequate for meeting our objectives.

6
7 Actually our bull to cow ratio is on
8 the high end now and there's a little bit more
9 opportunity for taking additional any bulls, whether it
10 be through household permit, a drawing permit under the
11 State system or whatever. We're adjusting to
12 increasing harvest opportunity that way. But by
13 providing an any bull harvest opportunity throughout
14 Unit 13 we found that it doesn't work, but by providing
15 a little extra opportunity for residents it's probably
16 still manageable.

17
18 We've already talked about the Federal
19 land issue and I don't think we need to talk about that
20 more until we actually see what the land selection --
21 when it happens.

22
23 Thank you.

24
25 CHAIRMAN LOHSE: Any other questions.
26 Tom.

27
28 MR. CARPENTER: Yeah, thank you. Under
29 the State regulations, I was looking in the Unit 13
30 moose regulations. There's no restriction in regards
31 to household restrictions in areas of Unit 13 where
32 there's a harvest ticket requirement. There's no one
33 per household restriction there, am I correct?

34
35 MR. DELFRATE: Through the Chair.
36 That's correct.

37
38 MR. CARPENTER: And also through the
39 drawing process I see that the State has two new
40 drawing moose hunts in Unit 13. There's no restriction
41 on how many people could draw a moose under that system
42 under the State program, is there?

43
44 MR. DELFRATE: That's also correct.

45
46 MR. CARPENTER: Okay. Thank you.

47
48 CHAIRMAN LOHSE: Can I ask you a
49 question. If I understood you right, the biggest
50 objection you have to this is basically the extension

1 of the season.

2

3 MR. DELFRATE: Yes, that's correct.

4

5 CHAIRMAN LOHSE: The one per household
6 amount of the eight moose over five years, so not even
7 a moose and a half a year, so that's not a real big
8 impact, but you're saying -- but isn't it currently
9 under Federal regulations, it's any bull, any antlered
10 bull. I mean that's not being changed in this
11 regulation, is it, any antlered bull? That's what it's
12 currently right now.

13

14 MR. DELFRATE: That's correct.

15

16 CHAIRMAN LOHSE: So the only two
17 current -- the only two changes in this proposal was to
18 change it to one per household and to extend the season
19 into the rut and shorten it at the front end. Right,
20 George?

21

22 MR. PAPPAS: (Nods affirmatively)

23

24 CHAIRMAN LOHSE: Okay. Thank you. Any
25 other questions for Alaska Department of Fish and Game.
26 Greg.

27

28 MR. ENCELEWSKI: Yeah, I've just got a
29 quick question. You define the household as anyone
30 that lives in that household, correct, whether it's two
31 families moved in together. It's just everyone in that
32 household.

33

34 MR. DELFRATE: Through the Chair. Mr.
35 Encelewski. Under the State definition we describe a
36 household as anybody living at the same address. I
37 don't know what the Federal definition of a household
38 is.

39

40 CHAIRMAN LOHSE: Any other questions
41 for the State.

42

43 (No comments)

44

45 CHAIRMAN LOHSE: Thank you. Tribal
46 agency comments. Federal agency comments. BLM or
47 Polly.

48

49 DR. WHEELER: Just for the record, Mr.
50 Chair, on Page 134 the definition of household and that

1 is that group of people residing in the same residence.
2 I just wanted to make sure the record reflected that we
3 had a definition.

4

5 CHAIRMAN LOHSE: BLM.

6

7 MR. CEBRIAN: Mr. Chair. Merben again,
8 BLM, Glennallen. With the handout that I passed out
9 earlier, if you could turn to Page 1. For the last 10
10 years in GMU 13 for both Federal moose hunts RM313 and
11 314, we have roughly an average of about 50 bulls that
12 are harvested each year. This year we have 61 recorded
13 harvests and a State -- let's see. Total harvest so
14 far is 779. So out of the total harvest, like I said
15 State is 779, Federal harvest is 61 for 2009.

16

17 I think the predator control program
18 that's currently in place in Unit 13 has been very
19 successful in helping out with the increase in moose
20 populations. We had a burn back in 2004 that was a
21 joint project. We do work with the Alaska Department
22 of Fish and Game. In that particular area we have an
23 increase in moose. So there's available moose to be
24 harvested.

25

26 As for the household portion of this
27 proposal, I don't think there's a problem with the
28 current scheme. Mr. Chair.

29

30 CHAIRMAN LOHSE: Thank you. Any
31 questions. Judy.

32

33 MS. CAMINER: On the proposed
34 regulation it talks about adding for 13B. The current
35 regulation only talks about Unit 13 remainder. So is
36 this an additional hunt in an additional area?

37

38 MR. CEBRIAN: Mr. Chair. The current
39 Federal regulation is on Page 67 of your handy-dandy.
40 It states Unit 13E for the household stipulation and
41 the remainder of Unit 13. So this proposal wants to
42 have the household stipulation in Unit 13B, which under
43 the current regulation falls under Unit 13 remainder
44 and does not have the household restriction on it.

45

46 CHAIRMAN LOHSE: Can I ask you a
47 question then. Our little chart right here is all of
48 Unit 13, not just 13B, right?

49

50 MR. CEBRIAN: That's correct, Mr.

1 Chair.

2

3 CHAIRMAN LOHSE: So what portion of the
4 moose are we talking about coming out of 13B,
5 approximately?

6

7 MR. CEBRIAN: I'd say about 80 percent,
8 Mr. Chair. We have a chart in your book, Page 67.

9

10 CHAIRMAN LOHSE: Okay. So it looks
11 like about 20 percent.

12

13 MR. CEBRIAN: Mr. Chair. Off the
14 Federal harvest, if you look at the first graph on Page
15 67 of your big book, for the year 2007 the dark portion
16 of the chart is a Federal harvest. That correlates to
17 roughly less than 50. If you look in the handout that
18 I gave you this morning for 2007 we have 53 harvested.
19 So roughly 80, maybe 90 percent of the harvest.

20

21 CHAIRMAN LOHSE: Of the Federal harvest
22 came out of.....

23

24 MR. CEBRIAN: Of the Federal harvest,
25 yes, sir.

26

27 CHAIRMAN LOHSE: Right. Okay. Any
28 other questions for BLM.

29 (No comments)

30

31 CHAIRMAN LOHSE: Okay. With that then
32 we go onto Subsistence Resource Commission comments.

33

34 (No comments)

35

36 CHAIRMAN LOHSE: Barbara, you're not
37 synopsisizing it for us this time. Fish and Game
38 Advisory Committee comments.

39

40 (No comments)

41

42 CHAIRMAN LOHSE: Summary of written
43 public comments.

44

45 MR. MIKE: Thank you, Mr. Chair. The
46 AHTNA Subsistence Committee opposed WP10-28, which
47 would shorten the Unit 13 moose season from August 1 to
48 September 20 to August 20 to September 30. We do not
49 know what the take of moose will be in Unit 13B and a
50 decision should not be made to shorten the moose

1 season. If overharvest occurs in Unit 13B, then
2 measures can be taken to adjust the problem. Federally
3 qualified subsistence users need to have a longer moose
4 season than the State system so that subsistence needs
5 can be met.

6

7 The Eastern Interior Council opposed
8 the proposal as recommended by OSM. Thank you, Mr.
9 Chair.

10

11 CHAIRMAN LOHSE: Thank you. Any other
12 written comments. Any public comments at this point in
13 time.

14

15 (No comments)

16

17 CHAIRMAN LOHSE: Okay. A motion to
18 accept WP10-28 is in order.

19

20 MR. CARPENTER: So moved.

21

22 CHAIRMAN LOHSE: It's been moved to
23 adopt WP10-28. Do I hear a second.

24

25 MR. KOMPKOFF: Second.

26

27 CHAIRMAN LOHSE: It's been moved and
28 seconded to adopt WP10-28. Discussion is in order.
29 Tom.

30

31 MR. CARPENTER: Yeah, Mr. Chairman.
32 Thank you. I think this proposal -- I'm opposed to
33 this proposal. I think that it's -- in regards to the
34 one per household it's even more restrictive than the
35 State. I think we have to take that into consideration
36 at all time. It doesn't appear that there's a
37 conservation concern at this time with the amount of
38 animals. We heard from the biologist that the moose
39 numbers have been getting better not worse. I think
40 that this Council has taken a position in the past in
41 regards to extending the hunts later into the rut would
42 have more of an adverse effect than we or management
43 biologists have thought was a good thing. So, for
44 those reasons I'd oppose it.

45

46 CHAIRMAN LOHSE: Any other discussions,
47 comments. Chuck.

48

49 MR. LAMB: I'm not in favor of this
50 either because of the extension into the rut. Also

1 there's not really an antler restriction. I think
2 they've got to have something to keep from taking the
3 breeding stock out. So I'm not in favor of it.

4

5 CHAIRMAN LOHSE: Judy.

6

7 MS. CAMINER: Thank you, Mr. Chair. I
8 think this would be detrimental to subsistence users
9 and, again, I think there are mechanisms in place to
10 monitor what's going on in the hunt.

11

12 CHAIRMAN LOHSE: Okay. Doug.

13

14 MR. BLOSSOM: Mr. Chair. One final
15 comment. I think Paxson Advisory Committee should have
16 come and supported their proposal. I always dislike it
17 when a proposal is put in here and then the sponsors
18 never show up.

19

20 CHAIRMAN LOHSE: Thank you, Doug.

21

22 MR. CARPENTER: Question.

23

24 CHAIRMAN LOHSE: The question has been
25 called. All in favor signify by saying aye.

26

27 (No aye votes)

28

29 CHAIRMAN LOHSE: All opposed signify by
30 saying nay.

31

32 IN UNISON: Nay.

33

34 CHAIRMAN LOHSE: Motion fails
35 unanimously. Okay. We go to WP10-29/30 combination
36 proposal. Deals with positive and customary
37 traditional use determination for brown and black bear
38 in Unit 11.

39

40 DR. WHEELER: Thank you, Mr. Chair. My
41 Staff did this analysis, so I will be presenting this
42 analysis and several others to you today and hopefully
43 other Staff will come in and they can present the
44 analysis because I think it's best when the actual
45 analyst can present the analysis. For today you have
46 me.

47

48 The analysis for Proposals 29 and 30,
49 and we did combine these proposals for the purpose of
50 analysis because one was asking for C&T for brown bear,

1 the other was asking for C&T for black bear. The
2 analysis can be found on Pages 73 to 86 in your books.

3
4 These proposals were submitted by the
5 Wrangell-St. Elias Subsistence Resource Commission and
6 they request a positive customary and traditional use
7 determination for brown bear and black bear in the Unit
8 11 remainder area for the Unit 12 residents of the Tok
9 cut-off road from Milepost 79 to 110 and Nabesna Road
10 from Milepost 25 to 46.

11
12 In requesting this regulatory change,
13 the commission states that the residents of this area
14 have subsistence patterns similar to those of Slana and
15 Mentasta Lake, which are included in the determination
16 for black bear and brown bear in Unit 11 remainder.
17 Also residents of this area harvest other subsistence
18 resources in Unit 11 remainder and find it confusing to
19 have a customary and traditional use determination, for
20 example for sheep and wolf in this area, but not for
21 black bear or brown bear.

22
23 The Federal Subsistence Board
24 previously determined that the residents of Unit 12
25 generally exhibited the eight factors for black bear
26 and brown bear and the Federal Board has made a
27 positive customary and traditional use determination
28 for the residents of Unit 12, including the residents
29 of the proposed area for black bear and brown bear in
30 Unit 12 and Unit 11 north of the Sanford River.

31
32 The question for this analysis is not
33 do these Unit 12 residents exhibit customary and
34 traditional patterns of use of black bear and brown
35 bear, but rather the question is did that use occur
36 within the boundaries of Unit 11 remainder. So again
37 the question is not do the residents of this area
38 exhibit C&T patterns of use of black bear and brown
39 bear, but rather where did they exhibit these patterns
40 of use.

41
42 Fish and Game harvest ticket data was
43 searched for harvest information for the proposal area,
44 but hunters from the proposal area could not be
45 identified because their households are dispersed along
46 the road system between communities. Mailing addresses
47 only indicate communities in which hunters pick up
48 their mail, not where they actually live. However,
49 according to the Alaska Department of Fish and Game
50 Subsistence Division surveys conducted in 1987, which

1 was a long time ago but sometimes we have to dig back,
2 about 26 people living in 11 households resided in the
3 area of the Tok cut-off road Milepost 79 to 110.

4
5 According to the Alaska Department of
6 Fish and Game Subsistence Division surveys also
7 conducted in 1987 about 37 people living in 13
8 households resided in the area of the Nabesna Road
9 Milepost 25 to 46. Just as a side note, I actually did
10 some of those surveys way back when. There's no
11 specific census data for either of these areas and how
12 many residents live there today is not documented.

13
14 Because the Board looked at Unit 12 in
15 a holistic manner, it did not specifically address the
16 pattern of use of the residents in the proposed area.
17 It concluded instead that the information available did
18 not indicate customary and traditional uses of black
19 bear or brown bear in Unit 11 remainder but Unit 12
20 residents the Board's decision was based on the premise
21 that the Unit 12 boundary is not only a boundary of
22 management units but also a boundary between Native
23 cultures and harvest areas. Unit 12 residents,
24 however, are not limited to Athabaskan residents.

25
26 Additionally, in order to engage in
27 subsistence activities in Wrangell-St. Elias National
28 Park, the National Park Service requires that
29 subsistence users live within the Park's resident zone
30 communities or have been issued a subsistence permit.
31 The Tok cut-off road extends between Slana and Tok,
32 which are resident zoned communities and the Nabesna
33 Road extends between Slana and Nabesna, which is also a
34 resident zoned community.

35
36 A designation by the National Park
37 Service as a resident zoned community indicates that
38 the residents in these communities are recognized as
39 having customary and traditional uses of the Wrangell-
40 St. Elias Park, thus the National Park Service
41 recognizes Slana and Mentasta as resident zoned
42 communities and these communities are also included in
43 the customary and traditional use determination for
44 brown and black bear for all of Unit 11.

45
46 The people living in the proposal area
47 are in close proximity to Slana and Mentasta Lake in
48 Unit 13 and should not be excluded from being eligible
49 to hunt in the same hunt area as Slana and Mentasta
50 Lake just because they live along a road and not

1 actually in Slana or Mentasta Lake.

2

3 Mr. Chair and Council members, the OSM
4 preliminary conclusion is to support proposals 29 and
5 30. Mr. Chair.

6 CHAIRMAN LOHSE: Any questions for
7 Polly.

8

9 MR. CARPENTER: I have a question.

10

11 CHAIRMAN LOHSE: Tom.

12

13 MR. CARPENTER: Polly, I'm trying to
14 get my hands around in your justification where --
15 originally when this was dealt with by the Board, for
16 residents of Unit 12, which include the residents of
17 Tok cut-off Milepost 79 to 110, Mentasta past Nabesna
18 Road for brown and black bear is north of the Sanford
19 River and it said while the Board carefully reviewed
20 the information provided, Council recommendation,
21 public comment, they concluded that the uses of black
22 bear and brown bear by residents of Unit 12 in the
23 remainder were not customary and traditional. So what
24 has changed that you can now take this recommendation
25 to the Board and justify now what you didn't then?

26

27 DR. WHEELER: Through the Chair.
28 Member Carpenter. I think what's changed is that we
29 have new information. I mean when we do these customary
30 and traditional use determinations we rely on the
31 Councils to provide information, we rely on other users
32 to provide that information as it comes up. At the
33 time in '97 and '98, 10, 12 years ago, it didn't come
34 up. Now it's come up, we've looked at it, the
35 Wrangell-St. Elias SRC has provided that additional
36 information.

37

38 As I said earlier, the information
39 that's written down is somewhat dated and it doesn't
40 always point to -- it doesn't always give you what you
41 want, so you rely on oral testimony and I think that's
42 what's changed. It looks like people did probably use
43 this area.

44

45 MR. CARPENTER: Okay. Thank you.

46

47 CHAIRMAN LOHSE: So Polly currently
48 under current law the residents of Chistochina,
49 Chitina, Copper Center, Gulkana, Glennallen, Kenny Lake
50 Mentasta, Slana, Tazlina and Tonsina have C&T in the

1 remainder of Unit 11, right? So what we're adding
2 basically is communities that were between or in the
3 area of Mentasta and in the area of Slana, but weren't
4 part of the community, they were just on the road
5 between them, right?

6

7 DR. WHEELER: That's correct.

8

9 CHAIRMAN LOHSE: So we had already
10 added Slana. We already had added Mentasta Lake. So
11 those are the communities that are in the area of these
12 roads that are being listed.

13

14 DR. WHEELER: Right. It's the
15 communities and then it's these areas along the road
16 system. Typically we do the C&T's by community, but
17 then you forget the areas that are along the road
18 system that aren't in a specific community per se.

19

20 CHAIRMAN LOHSE: Tom.

21

22 MR. CARPENTER: So if this proposal was
23 adopted, then they would just follow into the same
24 season that has been created already by the Board.

25

26 DR. WHEELER: That is correct. They'll
27 just be added to the existing poll of users subject to
28 the same season methods and means.

29

30 CHAIRMAN LOHSE: They would just be
31 recognized that they aren't residents of Slana and they
32 aren't residents of Mentasta, but they're neighbors. I
33 think we dealt with this before when we dealt with the
34 road connected people between Copper Center and Kenny
35 Lake, between Kenny Lake and Chitina, between Chitina
36 and McCarthy and all the rest of those. They're not
37 part of the community, but they're in the area.

38

39 Okay. Any questions for Polly.

40

41 (No comments)

42

43 CHAIRMAN LOHSE: Thank you, Polly.
44 Alaska Department of Fish and Game.

45

46 (No comments)

47

48 CHAIRMAN LOHSE: Tribal agency, Federal
49 agency, other State agencies.

50

1 (No comments)
2
3 CHAIRMAN LOHSE: InterAgency.
4
5 (No comments)
6
7 CHAIRMAN LOHSE: Subsistence Resource
8 Commission comments.
9
10 MS. CELLARIUS: Thank you, Mr. Chair.
11 Since someone indicated an interest in hearing from the
12 proponent of the proposal. Wrangell-St. Elias National
13 Park Subsistence Resource Commission unanimously
14 supports these proposals which they submitted
15 consistent with the justification for the OSM
16 preliminary conclusion along with public comments
17 presented at the SRC meeting.
18
19 CHAIRMAN LOHSE: Any questions for
20 Barbara. Judy.
21
22 MS. CAMINER: Sorry to put you on the
23 spot, Barbara, but I was wondering if the Park Service
24 had developed a position on this at this point.
25
26 MS. CELLARIUS: I haven't heard formal
27 discussion of a Park Service position, but we certainly
28 would look towards the SRC for guidance.
29
30 CHAIRMAN LOHSE: Polly.
31
32 DR. WHEELER: If I could add to that.
33 Part of the review of the draft analyses is the
34 InterAgency Staff Committee and we've had three
35 meetings to date on these 108 wildlife proposals, so
36 the InterAgency Staff Committee has concurred and
37 there's a Park Service representative on the Staff
38 Committee and has supported the preliminary conclusion
39 at this point in time.
40
41 CHAIRMAN LOHSE: Okay. With that we go
42 to Fish and Game Advisory Committee comments.
43
44 (No comments)
45
46 CHAIRMAN LOHSE: Summary of written
47 public comments.
48
49 MR. MIKE: Thank you, Mr. Chair. These
50 are comments received from the AHTNA Subsistence

1 Committee as it relates to WP10-29 and WP10-30. I'd
2 just like to clarify with the representative from AHTNA
3 that it starts off we support WP10-28. I'm assuming
4 that the AHTNA Subsistence Committee meant to say WP10-
5 29 for brown bear and it also states WP10-28 and I'm
6 assuming that's WP10-30 for black bear, is that
7 correct? Just for the record I want to clarify that.

8

9 Gloria? I'm sorry. I just need
10 clarification from the AHTNA Subsistence Committee.

11

12 MS. STICKWAN: (Nods affirmatively)

13

14 MR. NICK: Okay. Mr. Chair. The AHTNA
15 Subsistence Committee supports WP10-29 to grant C&T
16 determination for brown bear in Unit 11 remainder to
17 include Tok cut-off Milepost 79 to 110 Mentasta Pass
18 and Nabesna Road Milepost 25 to 46. Few residents live
19 along these road areas and they meet the C&T
20 determination criteria.

21

22 Comments on WP10-30. We support WP10-
23 30 to grant C&T determination for black bear in Unit 11
24 remainder to include Tok cut-off Milepost 79 to 110
25 Mentasta Pass and Nabesna Road Milepost 25 to 46. Few
26 residents live along this road area and they meet the
27 C&T determinations criteria.

28

29 The Eastern Interior Regional Advisory
30 Council supports the proposal. Thank you, Mr. Chair.

31

32 CHAIRMAN LOHSE: Thank you, Donald. Do
33 we have any public comments.

34

35 MR. NICK: I haven't received any.

36

37 CHAIRMAN LOHSE: Haven't received any.
38 Okay. With that we go to a motion from the Council for
39 WP10-29 and 30.

40

41 MR. HENRICHS: I'll make a motion we
42 support this.

43

44 MR. CARPENTER: Second.

45

46 CHAIRMAN LOHSE: It's been moved and
47 seconded that we support WP10-29/30. Okay.
48 Discussion, comments, amendments, anything. Judy.

49

50 MS. CAMINER: Mr. Chair. Thank you.

1 My understanding is that the court is looking for
2 evidence that the determination is somehow tied to
3 traditional harvest areas and I think we have that
4 information in front of us with this analysis and with
5 the suggestion by SRC, so I would be in favor.

6

7 CHAIRMAN LOHSE: Tom.

8

9 MR. CARPENTER: Yeah, Mr. Chairman. I
10 would also support this proposal. It's been exhibited
11 by Staff that there's been new information that shows
12 these communities do fall and generally exhibit. Also
13 we've heard from people throughout the region, AHTNA,
14 the proposer Wrangell-St. Elias, and InterAgency Staff
15 comments that they are in favor of this. As far as I
16 know, there's been no comments that shows any sort of
17 conservation concern by adding more users.

18

19 CHAIRMAN LOHSE: Thank you, Tom. Any
20 more comments. Any other discussion.

21

22 (No comments)

23

24 CHAIRMAN LOHSE: If not, the question
25 is in order.

26

27 MR. ENCELEWSKI: Question.

28

29 CHAIRMAN LOHSE: The question has been
30 called. All in favor of WP10-29/30 signify by saying
31 aye.

32

33 IN UNISON: Aye.

34

35 CHAIRMAN LOHSE: All opposed signify by
36 saying nay.

37

38 (No opposing votes)

39

40 CHAIRMAN LOHSE: And I suppose I should
41 have put in there as submitted so there's no question.
42 Okay. We are now going to WP10-31. Donald.

43

44 MR. MIKE: Mr. Chair, thank you.
45 Proposal 31 and 35, that was a for time certain for
46 tomorrow. We have the Park Service Staff to listen in
47 by teleconference.

48

49 Thank you, Mr. Chair.

50

1 CHAIRMAN LOHSE: Okay, 31 and 35. So
2 let's go on then to WP10-32A.

3
4 DR. WHEELER: Thank you, Mr. Chair.
5 The analysis for Proposal 10-32 can be found in your
6 books on Pages 95 to 105.

7
8 This proposal was submitted by Paul
9 Genne and Dennis Ressler and requests a positive
10 customary and traditional use determination for Hope
11 and Sunrise for caribou in Unit 7 as well as season and
12 harvest limits. The customary and traditional use
13 determination portion of the proposal is addressed in
14 this analysis for Proposal WP10-32A and the season and
15 harvest limits portion is addressed in the analysis for
16 Proposal WP10-32B. So I'll present the analysis for
17 10-32A. Tom Kron will be here momentarily and he will
18 be presenting the analysis for the season portion, 32B.

19
20 Mr. Chair.

21
22 The proponent is requesting a positive
23 customary and traditional use determination for caribou
24 in Unit 7 for Hope and Sunrise residents because it
25 would re-establish the customary and traditional use of
26 this resource for the residents of Hope and Sunrise.
27 Based on historical reports, caribou were abundant on
28 the Kenai Peninsula prior to the late 1800's. Large
29 forest fires on the Peninsula in the late 1800's,
30 including a massive fire in 1883 destroyed a
31 significant amount of caribou habitat and contributed
32 to a decline in the Kenai Peninsula caribou population.

33
34
35 It is thought that caribou were
36 extirpated on the Kenai Peninsula by about 1912. The
37 Kenai Mountain Caribou Herd in Unit 7 was derived from
38 reintroductions of caribou on the Kenai Peninsula in
39 1966, 1985 and 1986. The State has had a caribou hunt
40 in Unit 7 since 1972. The State's Kenai Mountains
41 caribou hunt is a drawing hunt, which is available to
42 all Alaska residents and non-residents, including non-
43 U.S. residents.

44
45 Again, you'll hear more details on the
46 history of caribou in Unit 7 in the presentation of the
47 analysis for Proposal 10-32B. Approximately 78 percent
48 of the lands in Unit 7 are comprised of Federal public
49 lands and for those of you that are interested there's
50 a map on Page 97 that gives you a picture of the

1 Federal public lands. They're Forest Service lands,
2 Kenai Fjords National Park and a little bit of the
3 Kenai National Wildlife Refuge, but the Kenai Fjords
4 National Park lands are not open to subsistence uses.

5
6 The Federal Subsistence Board has
7 addressed customary and traditional use determinations
8 for the Kenai Peninsula since the inception of the
9 Federal Subsistence Management Program in 1990. The
10 Board adopted the State's customary and traditional use
11 determinations in 1990 and that goes back to what I
12 talked about earlier when we were thought to be a
13 temporary program. We adopted many of these things and
14 then things have changed over time.

15
16 At that time the State determined again
17 in 1990 the road connected portion of the Kenai
18 Peninsula, which is most of Unit 7 and 15, to be a non-
19 subsistence area. As a result of the State's non-
20 subsistence area, the Federal Subsistence Board then
21 determined that all wildlife resources in Unit 7 and 15
22 had a no Federal subsistence priority customary and
23 traditional use determination.

24
25 While the Board has revisited its
26 determinations for Unit 15, this is the first time that
27 a proposal has been submitted specifically for the
28 Board's consideration to change the no Federal
29 subsistence priority for caribou in Unit 7. The
30 request in Proposal WP10-32A is the first request from
31 Hope residents to include Hope in any of the customary
32 and traditional use determinations in this area, Units
33 7 and 15.

34
35 The Board has recognized the use of all
36 fish in the Federal public waters of the Kenai River
37 area partially located within Unit 7 by residents of
38 Hope. This was through an analysis of a request for a
39 customary and traditional use determination for the
40 entire Kenai Peninsula.

41
42 As a side note, because this will
43 inevitably come up, a little note about re-introduced
44 and introduced species. The Board has recognized the
45 customary and traditional uses of re-introduced species
46 for the duration of the program. For example, muskoxen
47 in Units 22, 23 and 26, elk and deer were introduced in
48 Unit 3, and the Board has recognized customary and
49 traditional uses for these species in Unit 3 as well as
50 in Unit 8.

1 A little bit about community
2 characteristics. You can find them on Page 98 in your
3 book. Hope is a small, unincorporated community
4 located in Unit 7 within the Kenai Peninsula Borough
5 with an estimated permanent year-round population of
6 148 in 2008. I think that's gone down since then, but I
7 guess we'll see in the 2010 census. Hope is recognized
8 as a rural community by the Federal Subsistence Board.

9
10 Sunrise is seven miles from Hope and a
11 year-round population of 22 in 2008. Sunrise is a
12 census designated place and has very little in the way
13 of a community. It's really considered a sub-community
14 of Hope. Sunrise was established on Six Mile Creek and
15 was the dominant community during the early part of the
16 20th century, but the population declined and had no
17 residents by 1940. Gradually people have moved into
18 the area, but the population continues to be small.
19 There are no schools, businesses and government
20 organizations.

21
22 Because of the close proximity of
23 Sunrise to Hope and the interconnectedness between the
24 two communities Sunrise is considered a part of Hope
25 for this analysis. All references in this analysis to
26 Hope's use of caribou include Sunrise as well.

27
28 Going to the eight factors for
29 determining customary and traditional uses, you can
30 look in your book beginning on Page 99 and going over
31 to 101. Just as a little jog to your memory, the eight
32 factors are listed right at the top of the Page 99.
33 Since some of you are new I'm just going to read them
34 here for you.

35
36 The first factor is a long-term
37 consistent pattern of use excluding interruptions
38 beyond the control of the community or area. Second is
39 a pattern of use occurring in specific seasons for many
40 years. Three is a pattern of use consisting of methods
41 and means of harvest which are characterized by
42 efficiency and economy of effort and cost, conditioned
43 by local characteristics. Fourth is a consistent
44 harvest and use of fish or wildlife as related to past
45 methods and means of taking near or reasonably
46 accessible from the community or area. Five is a means
47 of handling, preparing, preserving and storing fish or
48 wildlife which has been traditionally used by past
49 generations, including consideration of alteration of
50 past practices due to recent technological advances

1 where appropriate. Six is a pattern of use which
2 includes the handing down of knowledge of fishing and
3 hunting skills, values and lore from generation to
4 generation. Seven is a pattern of use in which the
5 harvest is shared or distributed within a definable
6 community of persons. Finally, eight is a pattern of
7 use which relates to reliance upon a wide diversity of
8 fish and wildlife resources of the area and which
9 provides substantial cultural, economic, social and
10 nutritional elements to the community or area.

11
12 Again, the Federal Subsistence Board's
13 approach to the eight factors has been that together
14 the eight factors provide a holistic look at the
15 customary and traditional pattern of use. We do not
16 treat these factors as a checklist that you have to go
17 down and check every box for each of the eight, but
18 it's sort of the combined package so to speak. General
19 application.

20
21 I've read you the eight factors. I'm
22 not going to read you the analysis. I'll spare you
23 that, but I will focus on a few key points to talk
24 about in the context of the eight factors. Existing
25 information indicates that Hope residents traditionally
26 harvested the resources available to them, including
27 caribou. Hunting, fishing, trading, bartering and
28 trapping of resources were important activities for the
29 early residents of Hope and they continue to be an
30 important part of Hope residents' lifestyles today.
31 Ethnographic and historic literature notes that caribou
32 were harvested by the early inhabitants of the Kenai
33 Peninsula.

34
35 A study conducted by the Alaska
36 Department of Fish and Game Subsistence Division in
37 1990 to 1991 documented the contemporary use of caribou
38 by Hope residents. Today there are four small herds,
39 which are the result of reintroductions that I
40 previously mentioned 1965 to '66 and 1985 to 1986.

41
42 Hope residents have harvested caribou
43 in small numbers as a result of the limited harvest
44 opportunities on the Kenai Mountains Caribou Herd since
45 its reintroduction in the mid 1960s. The first hunting
46 season occurred in 1972 and again, as I mentioned
47 earlier, a State season has occurred every year since
48 then. Since 1977, the Alaska Department of Fish and
49 Game has managed the hunt using a limited drawing
50 permit system that has been open to residents and non-

1 residents.

2

3

4 Generally there have been few permits
5 available for a large number of people applying for
6 permits, which then limits the possibility for Hope
7 residents to have demonstrated extensive use of caribou
8 in Unit 7. As I mentioned earlier, the analysis for
9 proposal 10-32B discusses the permit history at length
10 and Mr. Kron will be here shortly to talk to you about
11 that.

11

12

13 The aforementioned household survey by
14 the Alaska Department of Fish and Game in 1990-91
15 indicated that even with low numbers of locally
16 available caribou during the study year caribou ranked
17 second to moose among large mammals in frequency of use
18 and harvest quantities. During the study period, eight
19 caribou or about eight pounds per person were harvested
20 by Hope residents. Of the sampled households, 20
21 percent used caribou, 9 percent hunted and 7 percent
22 harvested caribou. Not all these caribou were
23 harvested in Unit 7 and the study really didn't break
24 down where they were harvested, so they asked about the
25 resource but not where they got the resource.

25

26

27 The Alaska Department of Fish and Game
28 does not have data on the number of caribou harvested
29 by Hope residents from '72 through '81. However, a
30 Hope resident reported that he and other Hope residents
31 harvested caribou every year from the Kenai Mountain
32 Caribou Herd in Unit 7 from 1972 through 1982.

32

33

34 The Alaska Department of Fish and Game
35 harvest ticket database indicates that 22 caribou have
36 been harvested from 1981 through 2008 by Hope residents
37 in Unit 7, although the last time a Hope resident
38 harvested a caribou in Unit 7 was in 1997. Since 1988
39 Hope residents have received permits to hunt caribou
40 sporadically. From '81 through 2008 56 Hope residents
41 have received permits, 41 have hunted and 22 have been
42 successful.

42

43

44 In 1985 and 1986 three caribou were
45 harvested each of those years. After 1986 caribou were
46 only harvested in four years through 2008 in Unit 7
47 from the Kenai Mountains Herd with a total of five
48 caribou harvested. It has become difficult for Hope
49 residents to get a caribou permit since the drawing
50 permit system was implemented by the Alaska Department
of Fish and Game. The success rate of getting a

1 drawing permit was 12 percent in 2008.
2 Caribou also are harvested by Hope residents outside of
3 Unit 7 and from 1977 through 2009 80 caribou were
4 harvested outside of Unit 7 by Hope residents.

5
6 As far as the harvest area goes, the
7 Hope caribou harvest area within Unit 7 is a 25 to 30
8 mile arc south of the community and is extremely
9 difficult to access. This is the area used by the
10 Kenai Mountains Caribou Herd and almost all this area
11 is Federal public land managed by the Fish and Wildlife
12 Service and a portion of it by the Fish and Wildlife
13 Service.

14
15 The Alaska Department of Fish and Game
16 harvest ticket database indicates that all of Hope
17 residents who held caribou permits to harvest caribou
18 in the Kenai Peninsula from 1984 through 1997 hunted
19 caribou in Unit 7, but no harvests have occurred in
20 Unit 7 since 1997.

21
22 Mapping conducted by the Alaska
23 Department of Fish and Game when they did that
24 household survey they did mapping as well and their
25 mapping indicated that Hope residents harvested caribou
26 in Unit 7. The primary means of access for all hunters
27 of the Kenai Mountain Herd is hiking in or on foot with
28 horses due to difficult access. I'm sure if you asked
29 Tom Kron, he can tell you all about the difficulties in
30 access and based on his personal experience.

31
32 Residents of hope depend upon a wide
33 diversity of fish and wildlife resources harvesting an
34 average of 9.1 different kinds of resources and this is
35 similar to other road-connected communities on the
36 Kenai Peninsula. The average number of wild resources
37 used in the communities and areas in the Kenai
38 Peninsula range from 7.6 North Fork Road to 21.5 in
39 Nanwalek.

40
41 Almost all Hope residents, about 94
42 percent of all Hope households, hunted fish or gathered
43 wild foods and 100 percent used at least one type of
44 wild resource. The per capita harvest of wild
45 resources measured in pounds of useable weight was
46 110.7 pounds while the mean household harvest was 262.2
47 pounds.

48
49 The Office of Subsistence Management
50 preliminary conclusion is to support Proposal 10-32A

1 with the justification that Hope has been determined by
2 the Federal Subsistence Board to be a rural community
3 and caribou is a wild renewable resource and it's
4 located in close vicinity of the community of Hope in
5 Unit 7. Hope, including Sunrise residents, have
6 demonstrated a customary and traditional pattern in
7 contemporary use of harvesting caribou in Unit 7. Mr.
8 Chair.

9
10 CHAIRMAN LOHSE: Thank you, Polly.
11 Questions for Polly.

12
13 (No comments)

14
15 CHAIRMAN LOHSE: So I understand right,
16 there's a hunt there every year, right?

17
18 DR. WHEELER: There's a State hunt
19 there. It started in 1972 and it's occurred every year
20 since. Mr. Chair.

21
22 CHAIRMAN LOHSE: Do we have the success
23 rate on the State hunt, how many permits they issue and
24 how many they actually take?

25
26 DR. WHEELER: I believe that's covered
27 in the analysis for 32B. Mr. Kron will cover that when
28 he speaks to that portion. When we have a new request
29 for C&T and establishing a season, we split them out
30 for the purposes of analysis so it doesn't get -- it
31 gets kind of confusing otherwise.

32
33 CHAIRMAN LOHSE: Judy.

34
35 MS. CAMINER: I believe it's on Table
36 1, Page 101.

37
38 CHAIRMAN LOHSE: I thought that didn't
39 have to do with State. It doesn't tell us how many the
40 rest of the state harvested. It just tells us how Hope
41 did. We'll get it next time. We don't need it now.

42
43 DR. WHEELER: The table here speaks to
44 the percent chance of getting a permit, but not the
45 success rate if you get a permit.

46
47 CHAIRMAN LOHSE: Okay. Other questions
48 for Polly. Ricky.

49
50 MR. GEASE: Just a point of scope.

1 When the fisheries proposals were done and analyzed,
2 Hope and Sunrise were included with Cooper Landing, yet
3 in this instance when it comes through Cooper Landing
4 is not included in the analysis. Is that just a policy
5 call or is it because a resident from Hope did this
6 one?

7

8 DR. WHEELER: We responded to the
9 proposal that came in. Typically when we get customary
10 and traditional use we deal with them in a different
11 way. If there's no priority when a proposal comes in,
12 we deal with that proposal specifically. If there's no
13 C&T finding, which in this case there wasn't, then we
14 deal with that proposal specifically. If we get a
15 request to expand to it, we would expand to a larger
16 area.

17

18 CHAIRMAN LOHSE: Doug.

19

20 MR. BLOSSOM: Mr. Chair. Polly. Did
21 they indicate how many people might participate if they
22 get C&T? Because we're going to have to decide to give
23 them a number of caribou.

24

25 DR. WHEELER: Fortunately that's in
26 32B. No, I'm kidding. This is just looking at the
27 pool of users. So, again, the population of Hope I
28 think it said it was 148 in 2008. I know it's gone
29 down since then and Sunrise is about 44. From a purely
30 practical standpoint, if the Regional Advisory Council
31 and then the Board opts to recognize the customary and
32 traditional use of caribou by residents of Hope and
33 Sunrise, all residents would be eligible, recognizing
34 that only a small portion of those residents likely
35 would harvest those caribou. Actually Tom does address
36 this in his analysis in the next portion. This is just
37 the pool of users.

38

39 MR. BLOSSOM: Mr. Chair. Polly, the
40 reason I asked that is I know there's not enough
41 caribou for them all to get a caribou, then we're going
42 to have to go to the drawing or some other method to go
43 farther, so that's why I'm just curious.

44

45 CHAIRMAN LOHSE: Thank you, Polly, for
46 clarifying that at this point. Seasons, bag limits and
47 methods aren't under discussion. It's strictly whether
48 or not they qualify as having C&T. Ricky.

49

50 MR. GEASE: Just sneaking ahead, it's

1 less than 10 percent of the permits success rate. So
2 if you have 250 permits, it seems like they've been
3 around 30 or less. It's on Page 112.

4

5 MR. BLOSSOM: Mr. Chair. Ricky. I
6 realize that, but when they get C&T, there's 148 they
7 say are living in Hope and they're all qualified.
8 Somewhere along the line you have to draw the line.
9 There isn't 148 caribou to give. Even though we're not
10 addressing it now, we've got to address it.

11

12 CHAIRMAN LOHSE: We are going to
13 address it on the next proposal.

14

15 DR. WHEELER: If I could make a point,
16 Mr. Chair, this is exactly what we were talking about
17 this morning when we have the C&T determinations. It's
18 tough to not jump immediately into conservation issues.

19

20 CHAIRMAN LOHSE: Tom.

21

22 MR. CARPENTER: Polly, correct me if
23 I'm wrong. We could give them a C&T. That doesn't
24 mean we have to have a season, correct?

25

26 DR. WHEELER: That is correct. The
27 companion proposal to this asks for.....

28

29 MR. CARPENTER: I realize that.

30

31 DR. WHEELER: Well, actually no.
32 Because the harvest occurs on Federal public lands, if
33 there's a customary and traditional use that's
34 recognized and the harvest occurs on Federal public
35 lands, there has to be a season.

36

37 CHAIRMAN LOHSE: If there's a
38 season.....

39

40 MR. CARPENTER: Well, there has to
41 maybe be a season, but it doesn't mean they have to
42 open it.

43

44 DR. WHEELER: No, because -- you guys
45 are challenging today. Because there's a State
46 hunt.....

47

48 MR. CARPENTER: Oh, that's true, yeah.
49 I didn't think about the State hunt.

50

1 DR. WHEELER: And you will have the
2 opportunity to deal with this again probably tomorrow
3 with the Chisana Herd request to open up a season
4 because it's kind of the same issues. There's a State
5 season, the hunt occurs largely on Federal lands. If
6 there's a customary and traditional use recognized,
7 opportunity has to be provided.

8
9 MR. CARPENTER: Okay. I guess I'll
10 deal with this first.

11
12 (Laughter)

13
14 DR. WHEELER: Good suggestion.

15
16 CHAIRMAN LOHSE: Okay. Any more
17 questions for Polly.

18
19 (No comments)

20
21 CHAIRMAN LOHSE: Thank you, Polly.
22 With that we go to Alaska Department of Fish and Game.

23
24 (No comments)

25
26 CHAIRMAN LOHSE: No comments. Tribal
27 agency comments.

28
29 (No comments)

30
31 CHAIRMAN LOHSE: No comments. Federal
32 agency comments. Ah, Forest Service.

33
34 MR. ZEMKE: This is Steve Zemke with
35 Chugach National Forest. Just to say shortly that we
36 support the preliminary conclusion of OSM.

37
38 CHAIRMAN LOHSE: Thank you, Steve.
39 Other State agency comments.

40
41 (No comments)

42
43 CHAIRMAN LOHSE: Subsistence Resource
44 Commission comments.

45
46 (No comments)

47
48 CHAIRMAN LOHSE: Fish and Game Advisory
49 Committee comments.

50

1 (No comments)
2
3 CHAIRMAN LOHSE: Summary of written
4 public comments.
5
6 MR. MIKE: Mr. Chair. There was none
7 received and there was no request for public testimony
8 on this proposal. Thank you, Mr. Chair.
9
10 CHAIRMAN LOHSE: Okay. Regional
11 Council deliberation, recommendation, justification.
12 In other words, a motion to put WP10-32A on the table.
13
14 MR. CARPENTER: So moved.
15
16 CHAIRMAN LOHSE: It's been moved. Do I
17 hear a second.
18
19 MR. HENRICHS: Second.
20
21 CHAIRMAN LOHSE: It's been moved and
22 seconded. Discussion, amendments, comments.
23
24 MR. ENCELEWSKI: I'll make a general
25 comment just to throw it out there, but I know on these
26 C&T determinations they used to get very involved and
27 we always had the communities come in and testify to
28 their uses long term, so I'm hoping there's some people
29 from Hope, but it doesn't appear that way. It's hard
30 for me to determine on this one.
31
32 CHAIRMAN LOHSE: Judy.
33
34 MS. CAMINER: Mr. Chair. I think it
35 must be hard for the people who live in Unit 7 to have
36 a hunt going on in their own unit and not have a
37 Federal priority. I think there is information here
38 that would lead us to approve the motion that's before
39 us. I also think really if we look at the ANILCA copy
40 that I think we were given in our books, subsistence
41 uses means the customary and traditional uses by rural
42 Alaska residents of wild renewable resources and that's
43 exactly what we're talking about here, that there has
44 been a demonstrated use and the communities would meet
45 the C&T.
46
47 CHAIRMAN LOHSE: Thank you, Judy.
48 Greg, I agree with you, that I like the idea of
49 somebody that puts a proposal in coming to testify, but
50 knowing what you guys went through to get here, are you

1 sure they could even get out of Hope today?

2

3 MR. ENCELEWSKI: Well, the road to Hope
4 and Sunshine is great. The long-term consistent use
5 and et cetera, I know there's a State hunt in there,
6 but I would like to hear the subsistence people's view
7 of it.

8

9 CHAIRMAN LOHSE: Ricky.

10

11 MR. GEASE: As a person who's looked
12 into the legal issues and paid for lawyers to look at
13 the legal issues, I think there's a couple things that
14 we need to consider. One is that the long-term pattern
15 of consistent use is tied to a place. What we've seen
16 in the data is that Hope residents use caribou, we have
17 seen that people hunt caribou in Unit 7. What we don't
18 have before us is that Hope residents have a long-term
19 and consistent use of caribou from Unit 7 in numbers
20 that are significant. If you haven't harvested
21 anything in the last 10 years, it's hard to say that
22 that's -- you're making your living off of that
23 basically. If you're living off the land, you're not
24 living off of caribou there.

25

26 So that's where as an individual I've
27 had some issues with C&T determinations. When you can
28 show that definite pattern of subsistence uses of
29 resources, you can show that this animal is hunted in
30 that area, but the evidence isn't necessarily there to
31 show the connection of that community with that
32 resource in that area and that's what ANILCA asks us to
33 do. It's difficult without the subsistence users here
34 testifying that, yes, I live in Unit 7 and, yes, I've
35 hunted for caribou in Unit 7 for a long period of time
36 and we've done that as a community. That's what it
37 asks us to do.

38

39 CHAIRMAN LOHSE: Doug.

40

41 MR. BLOSSOM: Mr. Chair. Ricky. I
42 agree with you, except I look at this list of how many
43 Hope residents ever got a permit. El Zippo. I agree
44 with your reasoning, but if we go back to the Kenai
45 Peninsula and some of the fishery issues, they didn't
46 harvest for a number of years because regulations
47 didn't allow them to, so then we assume they did have
48 the right but the law said no. They didn't get any
49 permits.

50

1 CHAIRMAN LOHSE: The question would be
2 did they apply for any. I know it's a question that we
3 can't answer because that information is not available.
4 Judy.

5
6 MS. CAMINER: Mr. Chair. It is a very
7 awkward situation for Hope in that they have not been
8 considered Federally-qualified users, so that takes
9 them out of that whole statistical realm that we seem
10 to be looking for, but we do have evidence from some of
11 the household surveys that caribou ranks second to
12 moose among the large mammals in frequency of use and
13 harvest quantities. I think we have people not only
14 from all over the state but internationally coming to
15 harvest these caribou on Federal public lands.
16 Subsistence users should have an opportunity to do the
17 same.

18
19 CHAIRMAN LOHSE: Tom.

20
21 MR. CARPENTER: Yeah, I would make a
22 couple comments. I tend to agree with you Ricky and
23 Doug. I mean I don't live on the Kenai Peninsula, but
24 I do agree that obviously we have to look -- we look at
25 the criteria a little bit different than the State does
26 when they do a C&T, but there are definitely
27 interruptions beyond the control of the community that
28 have kept them from participating in a hunt in Unit 7.
29 That is ultimately because the population is so low
30 that the State went to a drawing system. I know what
31 it's like to try and draw one percent tag. Maybe once
32 in your lifetime.

33
34 It would be interesting to know what
35 percentage of the people that live in Hope have applied
36 for those State permits. If there's 200 people that
37 live in those two communities and 200 people have
38 consistently put in for the last 20 years and they've
39 only drawn two tags, then that would show to me that
40 there's a real need or want for those animals in that
41 community.

42
43 I can remember sitting in Kenai, I
44 don't remember how many years ago it was, and one of my
45 concerns at the time was -- and I believe it was the
46 proposal that you were talking about earlier in regards
47 to Cooper Landing asking for a C&T for something, and
48 no disrespect to the Staff at all, but the Staff put
49 Hope and Sunrise in that same analysis.

50

1 My premise with C&T determinations has
2 always been that if you're a community that wants a
3 C&T, then you should ask for it. Nobody else should
4 put your request forward. So now here we are sitting
5 here 10 years later with a request from the community
6 for a hunt -- and, granted, we can take the weather
7 into consideration, but there is nobody here from Hope
8 and that does play a big part in my decision-making.
9 I'm not so sure that I've ever seen besides this
10 proposal anybody from Hope ever come forward and ask
11 for anything from this advisory committee so far.

12
13 On the other hand I agree with you on
14 some respects, Judy. You're right, the State has
15 drawing hunts in an area where there's so very few
16 animals even for the people that live here, and there
17 are non-resident tags. I understand the State's
18 philosophy that they have to incorporate a percentage
19 of these in for the different guiding operations or
20 whatever that have been developed over a long period of
21 time. So it's a real quandary with me.

22
23 The C&T process is so up to each
24 person's interpretation. What do you consider a level
25 of harvest that shows -- you know, is it eight animals
26 a year, is it one animal a year? That's the one thing
27 about the Federal process that's hard for me to get
28 around, is it's very, very, very broadly interpreted.
29 I guess it has to be for certain reasons, but it's
30 harder to make a decision under this system than it is
31 the State. So I don't know where I'm at yet.

32
33 CHAIRMAN LOHSE: Tom, I would just
34 probably take the opposite viewpoint. I would look at
35 what the people do, how the people live. I don't know
36 Hope and I don't know Sunrise as far as individuals are
37 concerned. I did have a friend that used to teach
38 school there. The view times I went and visited, it
39 sure looked like a rural community to me. Some people
40 try to make their living mining and some people I'm not
41 sure what they were trying to make their living doing.
42 I'm not sure -- I won't even guess what they were
43 doing. Even so, they've exhibited the same
44 characteristics of most rural communities that I've
45 seen that are out in the Bush.

46
47 We do know that they meet the criteria
48 of using wild or subsistence resources, varied
49 subsistence resources. I'm not sure if there is a
50 season on caribou they're going to go take any caribou

1 because it sounds like the caribou are fairly hard to
2 get at and takes a lot of work to get. Like Polly
3 said, we're going to face the same thing tomorrow when
4 we look at the Chisana Herd and stuff like that.

5
6 If we have animals in an area that has
7 rural residents that take part in subsistence
8 lifestyle, should we provide -- should we find that
9 they are rural residents that live a subsistence
10 lifestyle and in the past we've seen like with the
11 muskox and stuff like that, muskox were found to be
12 customary and traditional before people were taking any
13 muskox for all practical purposes.

14
15 In that case, to me, I'd have to look
16 at it broadly and say these people exhibit a rural
17 lifestyle, subsistence lifestyle, they live in an area
18 with subsistence resources. The fact that they haven't
19 used them. It says if they haven't been interrupted by
20 -- I can't remember what the exact wording is, but it
21 looks to me like the opportunity hasn't -- I looked
22 back here all the way from '81. There was one year
23 they took a few, but the opportunity hasn't been
24 present to take very many caribou by the number of
25 permits that have been there.

26
27 The amount of caribou that have been
28 taken is even less than the opportunity. So they're
29 definitely not subsisting on caribou, but caribou would
30 be a subsistence resource that's available in the area
31 in which they live and in the area that if I would
32 think that they should have customary and traditional,
33 I would think it would be an area that they would have
34 customary and traditional use.

35
36 Usually we take the broad scale of what
37 the subsistence resources are and I would have to say
38 personally that they do have C&T. When it comes to what
39 to do about a hunt, I don't know. That would be my way
40 of looking at it. Gloria.

41
42 MS. STICKWAN: We're looking at C&T
43 only. I don't think we should be looking at the hunt
44 season and dates. Right now we're just looking at C&T
45 and that's what we should be focusing on right now.

46
47 CHAIRMAN LOHSE: That's right. Greg.

48
49 MR. ENCELEWSKI: I just got a comment.
50 I guess where I'm confused is I know we've had rural

1 communities come to us before for C&T, but they had to
2 prove the customary and traditional patterns of uses
3 there. I'm not opposed to them getting some of the
4 animals here, but I just don't feel that they're -- I'm
5 not so sure that they meet the requirement. That's
6 where I'm hung up.

7

8 CHAIRMAN LOHSE: Greg, that's where a
9 vote comes in. Ricky.

10

11 MR. GEASE: Just doing some math here
12 in my head. The success rate of getting a drawing
13 permit is 12 percent. If you have 10 people who put in
14 from Hope, it should mean that once a year you get a
15 permit for that community, for that area, and that's
16 not shown. Just by looking at the math of it it's less
17 than 10 people are putting in permits, otherwise they
18 would have had permits in this area. So it is a low
19 number of people who are hunting.

20

21 Maybe it's an aging community, maybe
22 it's a retirement community, maybe people are getting
23 ill and infirm and don't want to go out hunting. I
24 don't know. I'm not of that community. That's why it
25 would be helpful if people of the community here were
26 testifying, especially the hunters that are finding it
27 frustrating. They're going elsewhere to get their
28 caribou. The weird situation, they're using the State
29 that's open to everybody system to go hunt caribou
30 elsewhere.

31

32 CHAIRMAN LOHSE: Thank you, Ricky. I
33 was just thinking if the average household there is
34 four people per household, probably for Hope and
35 Sunrise we're looking at about 40 household. So if all
36 of them put in, that would be 40 applications. You
37 should have one or two people. Even so, you have a
38 point there. James.

39

40 MR. SHOWALTER: Yes. I've always
41 agreed that rural should have C&T as long as they're
42 within the area, but what I have seen and had here,
43 those people were here to testify for what they want.
44 We have gone against other village because they weren't
45 here to support their testimony. So, yes, I feel they
46 should get it, but they're not here saying, yes, I live
47 there and I'm trying to depend on it, but I have to go
48 elsewhere to get it. I haven't heard that. So I'm
49 kind of real iffy about it.

50

1 CHAIRMAN LOHSE: Judy.

2

3 MS. CAMINER: Mr. Chair. I can
4 appreciate people wanting enthusiasm from the proposers
5 or the proponents. I guess when I was part of the
6 program, my understanding was when a proposal came into
7 the program, to the Federal subsistence program, it's
8 not owned if you will by the proponent anymore. It's
9 the program's proposal. So while it may be kind of a
10 personal measure, it's not an official measure to say I
11 don't want to support this because someone from the
12 community isn't here.

13

14 Granted, it would be helpful, but I
15 think we need to be careful that that's not stated as
16 our reason for approving or not approving if someone
17 showed up. If they said something that didn't make
18 sense, we wouldn't necessarily support them. Likewise,
19 if they don't show up, it's not necessarily something
20 to hold against them. We have an analysis here and
21 that's based on talking to the proponent and gathering
22 information and that's mostly what we should be going
23 on.

24

25 Thank you.

26

27 CHAIRMAN LOHSE: Tom.

28

29 MR. CARPENTER: I got one for you,
30 Polly. I'm sure I've asked, maybe not you this before,
31 what do you consider a definition of generally
32 exhibits? Do you know what I'm saying? I mean this
33 morning we were dealing with these housekeeping
34 measures, as you may, that have changed small bits in
35 regulation. In your opinion, what is generally exhibits
36 mean? There's eight criteria. What would you say that
37 that means?

38

39 DR. WHEELER: I guess it's kind of like
40 what that supreme court justice said, it's sort of like
41 pornography, you can't define it, but you know it when
42 you see it.

43

44 We have been very clear in the Federal
45 program we don't go point by point. We look at the
46 whole package. When the criteria were originally
47 derived, it was actually by the joint boards. It was
48 by the State. There were 10 criteria and then they
49 came to eight. The wording at the time was it was the
50 Gestalt of the whole package. So I guess I look at

1 these things, I look at all the pieces of evidence and
2 pull them together and see if they -- you know, is it a
3 wild renewable resource, is it a rural area, are they
4 rural residents, is it a wild renewable resource, is
5 there a pattern of use and that's the package that we
6 as a program look at. Mr. Chair.

7

8 MR. CARPENTER: I guess I kind of tend
9 to agree with you there, I guess. When I see the
10 analysis, I guess I kind of go through each one and I
11 say, yeah, okay, there's some of that, some of this.
12 In my mind, if a majority of the evidence that's
13 presented falls within a majority of the eight
14 criteria, I feel, yeah, okay, there's a pretty
15 justifiable reason for it. Maybe I have a little bias
16 still. I mean I made the comment earlier that still to
17 this day Hope really shouldn't even be a rural
18 community in Hope's eyes because they never asked for
19 it. I've got to get that out of my mind, I guess, when
20 I'm dealing with this. We wouldn't even be dealing
21 with this proposal right now. Anyway, thank you.

22

23 CHAIRMAN LOHSE: Polly, before you run,
24 in this case wasn't it residents of Hope that put this
25 in?

26

27 DR. WHEELER: It was two residents of
28 Hope that submitted the proposal, Mr. Chair.

29

30 CHAIRMAN LOHSE: Polly, if we look on
31 Page 101, the bottom two paragraphs, would that be
32 pretty indicative or consistent with most of the
33 communities that we've granted C&T? That puts them
34 right basically in the middle of most subsistence use
35 communities, doesn't it?

36

37 DR. WHEELER: Mr. Chair. If you
38 remember from the training session this morning there
39 was that one graphic early on that talked about the
40 estimated harvest per capita per person across the
41 state. Granted, these data are from the '80s, so they
42 are dated. The average across the state in rural areas
43 is about 375 pounds per capita. In nonrural areas,
44 like Fairbanks, Anchorage, Juneau, it's about 22 pounds
45 per capita. So there's a big disparity between
46 nonrural areas and rural areas. So 262 pounds per
47 capita. So, on average 375 pounds per rural Alaska.
48 262 is certainly closer to that than to 22 pounds per
49 capita.

50

1 Again, it's all of the eight factors.
2 It's the uses, the patterns, the giving and receiving,
3 all that. Mr. Chair.

4
5 CHAIRMAN LOHSE: Doug.

6
7 MR. CARPENTER: Mr. Chair. Polly.
8 That brings it back what I said a while ago. They
9 didn't eat caribou because they didn't have any. So
10 where do you go with that? But then I look at this
11 chart and I don't know how many applied for a permit.
12 If none of them applied for a permit, then I don't feel
13 sorry for them at all, but if 20 of them applied for a
14 permit and gotten them, then that changes my thinking
15 entirely. But just looking at all these charts we've
16 got and no one here to talk about it, they didn't eat
17 any caribou because the chart says they didn't. I just
18 wish I knew how many applied for permits and the desire
19 there.

20
21 MR. GEASE: The next page shows you how
22 many caribou were taken. Not in Unit 7.

23
24 DR. WHEELER: But that's all caribou.

25
26 MR. GEASE: Right, that's all caribou,
27 but not in Unit 7 where we're trying to tie it
28 together.

29
30 CHAIRMAN LOHSE: Mr. Henrichs.

31
32 MR. HENRICHS: It sure seems like we
33 don't have all the information we need to make a
34 decision here. It's hard to make a decision if you
35 don't have the information. Is it possible to table
36 this?

37
38 CHAIRMAN LOHSE: It's always possible
39 to table or defer. Ricky.

40
41 MR. GEASE: Just a question. I know
42 this did come in from Hope and traditionally we have a
43 process that's been from communities, but is there
44 anything that prevents this RAC from considering all
45 rural residents in Unit 7 having C&T for caribou in
46 Unit 7? Is there anything in our process that prevents
47 us from taking that up?

48
49 CHAIRMAN LOHSE: You mean from tacking
50 it on to this proposal? Doug.

1 MR. BLOSSOM: Mr. Chair. Ricky. The
2 thing I would have against that is we gave them C&T for
3 fish and they never even asked for it. Since we did
4 that and they never came around, they never asked for
5 it, we kind of all decided in several meetings that if
6 the community didn't come and ask for a C&T, we were
7 going to ignore it. That brings me back to I want to
8 see them here. If they'd just sit there and tell me
9 about it, we'd be all set.

10

11 CHAIRMAN LOHSE: Polly, in answer to
12 Ricky's question, are we capable of opening something
13 up that we haven't advertised? Because this is on the
14 table which is C&T for communities in Unit 7, can we
15 open it up to all communities in Unit 7 if that hasn't
16 been advertised ahead of time?

17

18 DR. WHEELER: Well, it's always a
19 judgment call, but this proposal is customary and
20 traditional use of caribou in Unit 7, so I think you're
21 covered from that standpoint, but I would caution the
22 Council about evidence. If there's some that feel
23 there's not enough evidence in this analysis to
24 recognize the customary and traditional pattern of use
25 by the residents of Hope in Unit 7, which is on the
26 record already, then it seems like it would be a bit of
27 a stretch to recognize the customary and traditional
28 use of all Unit 7 residents for caribou since there's
29 nothing about the other communities in the analysis.
30 Mr. Chair.

31

32 CHAIRMAN LOHSE: Thank you, Polly.
33 Judy.

34

35 MS. CAMINER: Mr. Chair. Yes, first of
36 all, I'd agree with Polly. I think without an analysis
37 we wouldn't have much of a leg to stand on if anybody
38 might disagree with us. Secondly, Doug, on Page 100,
39 the first full paragraph that says household survey,
40 that does talk about the use of caribou in Hope,
41 including harvests from Unit 7. No, I guess we don't
42 know how many people applied for the hunt, but I mean
43 that's the case in many communities. If we got a
44 request from an area that didn't have a permit hunt, I
45 don't know that we'd ask how many people are hunting or
46 want to hunt. It's just do we have a demonstrated use
47 of this resource by this community in this general
48 area. That's our question.

49

50 MR. BLOSSOM: Mr. Chair. I'd just like

1 to respond.

2

3 CHAIRMAN LOHSE: Doug.

4

5 MR. BLOSSOM: If you just go to the
6 next page, what I'm looking at there, they didn't
7 harvest any. Now I'm saying it might be because they
8 didn't get any permits, but they didn't harvest any
9 caribou. That's what I'm looking at, just looking at
10 the data in front of us there's no harvest, so how
11 could they eat any.

12

13 CHAIRMAN LOHSE: Doug, not to
14 contradict you, but if you look there was a harvest of
15 22 caribou and most of them were taken back in that
16 time period just prior to when they did that survey.
17 Doug.

18

19 MR. BLOSSOM: Again, Mr. Chair, because
20 I've lived in this area forever, most of the people
21 that hunted back in that time are gone. The school
22 shows it. The school is down to being closed. We're
23 talking that people aren't there anymore. So I don't
24 know.

25

26 CHAIRMAN LOHSE: Well, if we come to
27 the point we have nothing more to discuss, we can
28 always call the question. I'll make a comment on that
29 last thing you said. We have given C&T to communities
30 on the Kenai Peninsula based on what happened in those
31 communities a long time ago and those residents that
32 did those things, like going up to Tustumena Lake and
33 that are long dead. No further discussion.

34

35 (No comments)

36

37 CHAIRMAN LOHSE: The question is in
38 order. Ricky.

39

40 MR. GEASE: Well, I'll just add to the
41 record then. It's an interesting situation. The time
42 sequence going through time and traditions are handed
43 down, those are part of the criteria, and if you had a
44 hunting community that was once there and that's no
45 longer there because of out-migration of people or
46 through death and there hasn't been a replanting of
47 hunters there in that area who are hunting in that
48 area, does that constitute customary and traditional
49 use in that community for that species in that area?
50 That's what ANILCA asks us to do. By this criteria, I

1 don't think it passes.

2

3 One of the reasons why I said maybe if
4 you throw all rural residents in there and we table it
5 and we get more information, then if you clump them in
6 with Cooper Landing, Cooper Landing folks may have had
7 more and it bumps it up. If you do it by an area
8 level, it may pass, but if you fine tune it on a very
9 small community for one species in that area, I think
10 the trend shows a very dwindling interest in caribou in
11 that area.

12

13 CHAIRMAN LOHSE: Doug.

14

15 MR. BLOSSOM: Mr. Chair. You asked for
16 it. Herman Hermison, who we relied on for a lot of the
17 Tustumena data, he died three weeks ago or a month ago.
18 Yeah, he is dead now, but he was up to the pretty
19 present.

20

21 CHAIRMAN LOHSE: Okay. Any more
22 discussion on this. Ricky.

23

24 MR. GEASE: I just want to point out
25 though, even though this Council did not ask the
26 residents of Hope and Cooper Landing to participate in
27 the fisheries and when you did do it, I'll argue the
28 other side of the coin. They are making use of those
29 fisheries now. There's a disconnect sometimes when we
30 meet in a hotel in Anchorage. We're talking about,
31 well, the community needs to come to us. What outreach
32 did this Council -- how many Council members went to
33 Hope this summer or this fall and go talk to people in
34 Hope or Cooper Landing about whether or not they wanted
35 to be included in this.

36

37 I mean we could set the bar high, but
38 then how much effort did we do consistently to help
39 people understand what the implications are to a
40 proposal in front of this Council. Is that the
41 responsibility of this Council or just the
42 responsibility of those communities. That may be
43 different on a case-by-case basis also.

44

45 MR. CARPENTER: Question.

46

47 CHAIRMAN LOHSE: The question has been
48 called. Do we want to do it by a show of hands, by yea
49 and nay, or do you want to do it on a piece of paper.
50 I'll leave that up to the rest of the Council.

1 MS. CAMINER: Hands.
2
3 MR. CARPENTER: Hands are fine or roll
4 call.
5
6 CHAIRMAN LOHSE: Okay. Roll call.
7 Donald, do you want to make a roll call. I have to
8 repeat what the proposal is. WP10-32A, find a
9 customary and traditional use determination for
10 residents of Hope and Sunrise for the caribou in Unit
11 7.
12
13 MR. MIKE: Mr. Robert Henrichs.
14
15 MR. HENRICHS: Yes.
16
17 MR. MIKE: Mr. Ricky Gease.
18
19 MR. GEASE: No.
20
21 MR. MIKE: Mr. Doug Blossom.
22
23 MR. BLOSSOM: Yes.
24
25 MR. MIKE: Mr. Greg Encelewski.
26
27 MR. ENCELEWSKI: No.
28
29 MR. MIKE: Mr. Judy Caminer.
30
31 MS. CAMINER: Yes.
32
33 MR. MIKE: Mr. John Lamb.
34
35 MR. LAMB: Yes.
36
37 MR. MIKE: Ms. Gloria Stickwan.
38
39 MS. STICKWAN: Based on the evidence
40 before us, yes.
41
42 MR. MIKE: Mr. Donald Kompkoff, Sr.
43
44 MR. KOMPKOFF: Yes.
45
46 MR. MIKE: Mr. James Showalter.
47
48 MR. SHOWALTER: I might have to vote
49 yes.
50

1 MR. MIKE: Mr. Ralph Lohse.
2
3 CHAIRMAN LOHSE: Yes.
4
5 MR. MIKE: Mr. Tom Carpenter.
6
7 MR. CARPENTER: No.
8
9 MR. MIKE: Mr. Fred Elvsaas, absent.
10 Mr. Chair, you have eight in favor, yes, three nay.
11
12 CHAIRMAN LOHSE: Motion passes 8 to 3.
13 This just shows the controversial nature of C&T
14 determinations. Now we go on to WP10-32B. This is a
15 request for a season in response to the C&T. I've been
16 requested that we have a short break.
17
18 (Off record)
19
20 (On record)
21
22 CHAIRMAN LOHSE: Okay. It's 5:06.
23 We're going to try to extend this meeting until it
24 closes at 8:00 o'clock tonight. We lose this room at
25 8:00, so what we're going to do is we're going to try
26 to go through this proposal right here, have a supper
27 break at 5:30, come back at 6:30 and go to 8:00, if
28 that's acceptable to the rest of the Council. From the
29 ones I've polled, that seems to be acceptable. I hope
30 that doesn't cause too much hardship for everybody
31 else, but it's pretty evident otherwise we're going to
32 be here until Saturday afternoon instead of Friday
33 afternoon.
34
35 With that we're ready to go on to 32B.
36 We have a C&T for this. All we have to do is decide
37 what kind of a hunt to have. Okay.
38
39 MR. KRON: Mr. Chairman. My name is Tom
40 Kron with OSM. Mr. Chairman. Members of the Council.
41 Proposal WP10-32B was submitted by Paul Genne and
42 Dennis Ressler and would establish a season and harvest
43 limit for caribou for the residents of Hope and Sunrise
44 in Unit 7. The analysis for this proposal is found on
45 Page 106 in your Council book.
46
47 The State currently allows a caribou
48 harvest by drawing permit from the Kenai Mountains
49 Caribou Herd in Unit 7 north of the Sterling Highway
50 and west of the Seward Highway. Virtually all of the

1 hunting area for the Kenai Mountains Caribou Herd is
2 Federal lands. Both Chugach National Forest and Kenai
3 National Wildlife Refuge. Most of the harvest occurs
4 on U.S. Forest Service lands.

5
6 Section .802(2) of ANILCA mandates that
7 subsistence shall be given preference on public lands
8 over other consumptive uses. A Federal subsistence
9 hunt by residents of Hope and Sunrise would affect the
10 State drawing permit hunt as the Kenai Mountains
11 Caribou Herd is small and has a limited harvestable
12 surplus each year.

13
14 It is difficult to anticipate the level
15 of harvest from the Kenai Mountains Caribou Herd that
16 would occur if the Federal Subsistence Board were to
17 implement a Unit 7 caribou hunt for the residents of
18 Hope and Sunrise. However, based on the small
19 population of these two communities and difficult
20 access to the Kenai Mountains Caribou Herd, it's likely
21 that the harvest by residents of these two communities
22 would be small.

23
24 The Federal subsistence permit hunt
25 would have priority over the State drawing permit hunt
26 and it is likely that the State hunt would need to be
27 reduced to accommodate the Federal hunt.

28
29 A Federal hunt should be limited to
30 that portion of Unit 7 that is north of the Sterling
31 Highway and west of the Seward Highway. This is the
32 area where the Kenai Mountains Caribou Herd is located.
33 Caribou very rarely occur in other parts of Unit 7.
34 Caribou hunting should not be allowed in other parts of
35 Unit 7 for conservation reasons.

36
37 The OSM preliminary conclusion is to
38 support Proposal WP10-32B with modification to
39 implement a Federal registration permit hunt in the
40 part of Unit 7 described and provide an in-season
41 management authority to the local Federal land manager,
42 in this case the U.S. Forest Service, where most of the
43 harvest is occurring.

44
45 That concludes my canned presentation.
46 There was some questions earlier about the drawing
47 permit hunt issue. If you look on Page 108 at the top
48 under regulatory history and I'll just touch on some
49 key points here.

50

1 As Polly mentioned, the State hunt
2 there was started in 1972. From '72 to '76, ADF&G
3 issued an unlimited number of registration permits and
4 the season was closed by EO when the caribou harvest
5 exceeded sustained limits. Since 1977 ADF&G has
6 managed the herd using a limited drawing permit system.
7 The State has issued 250 drawing permits per year for
8 one caribou of either sex for the Kenai Mountains
9 Caribou Herd since 1996.

10

11 Next I would refer you to Page 112 for
12 another question that you were talking about. Mr.
13 Gease was looking at this, but basically the second
14 paragraph down from the top on Page 112 talks about the
15 information. There's a table there that shows the
16 harvest. Again, we're looking at 250 permits being
17 issued.

18

19 The majority of the people that draw a
20 permit, I think once they find out how difficult it is
21 to get in there decide not to go because the majority
22 of the people that get a permit don't hunt. Of the
23 people that get a permit, the success rates have
24 varied, but range from 7.6 to 11.6 percent getting a
25 caribou.

26

27 Again, most of the harvest occurs in
28 the fall, August and September. Access is a big
29 challenge here. People can't use ATVs to get in there.
30 They basically have to go in by foot. Some people go
31 in by float plane or horses. So limited access is a
32 real issue here.

33

34 Also I would refer you to Page 113. I
35 did talk to a fellow by the name of Bud Mars, who I
36 worked with years ago. He's lived in Hope for 41
37 years. He's been in on 20 Kenai Mountains Caribou
38 permit hunts over the years either by himself when he
39 had a permit or with others when they had a permit.
40 Again, a little bit of information there.

41

42 Polly mentioned this, but I've been in
43 with my kids or myself or friends that have had
44 permits. I've been in there 12 times myself, so I have
45 a little familiarity with the area. Thank you, Mr.
46 Chair.

47

48 CHAIRMAN LOHSE: What would your
49 success rate be for 12 times?

50

1 MR. KRON: Every time we went in we got
2 a caribou and twice we got two and I would recommend
3 never doing that again.

4
5 (Laughter)

6
7 MR. KRON: It's a lot of work and my
8 left knee is still sore. I went in on a hunt with two
9 people from Fish and Game that had permits last fall
10 and, again, my left knee is still sore as a result of
11 that. One of those two people got a caribou. We were
12 13 miles from the truck and it's doable, but it's a lot
13 of work.

14
15 Mr. Mars, he had some thoughts as to
16 how many people would actually hunt. He thought --
17 again, he's lived in Hope for 41 years. He said he
18 thought that if you let people know that they can put
19 in for a Federal registration permit that maybe 20
20 people in Hope and Sunrise would put in. He's 66 years
21 old, but he said he would put in and he would try and
22 go. His other comment was because it's so difficult to
23 get in there that he thought of those 20 people he
24 estimated that maybe about six would actually get a
25 caribou. So, if that helps. Thank you, Mr. Chair.

26
27 CHAIRMAN LOHSE: Tom.

28
29 MR. CARPENTER: I was looking under the
30 State. They currently have a reporting requirement.
31 Ten days if you harvest an animal, 15 days if you're
32 unsuccessful. In the beginning of that paragraph it
33 says when ADF&G issued unlimited number of registration
34 permits, which this is not unlimited. I mean it's
35 limited to the amount of people that live there, I
36 guess. But they couldn't really control it because it
37 always exceeded the sustainable limits.

38
39 What kind of reporting requirement
40 would you think would be necessary if the registration
41 hunt was open for this hunt?

42
43 MR. KRON: I would look to my U.S.
44 Forest Service comrade. I think for an initial go to
45 use the same kind of dates that the State uses would be
46 a reasonable approach. Basically things like this we
47 normally don't put in the regs. You leave it up to the
48 area staff, in this case the Forest Service, to input
49 it on the permit.

50

1 MR. ZEMKE: This is Steve Zemke.
2 Looking at some of the other hunts, registration hunts,
3 for example 15B for moose, that has a five-day
4 reporting period if there's a harvest, so I think
5 that's probably where in that area we'd be looking at.
6 I think in talking with ADF&G they indicated that DC001
7 hunt currently has a five-day reporting period if you
8 are successful.

9
10 CHAIRMAN LOHSE: Would five days give
11 everybody a chance that got a caribou to get out and
12 get a report in? I mean how long did it take you to
13 get out?

14
15 MR. KRON: Mr. Chairman. Again, for
16 those of you that have hauled around a backpack and you
17 think about going on a trip with a backpack and your
18 food issue, the times that I've gone in there we have
19 always gone in for just two nights because it's a
20 balance when you're going that far. The times I've
21 gone in there, I can't speak for other people, but
22 we've gone in two nights, three days, and it's
23 basically driven by the weight of the food and how far
24 you've got to go to get to where the caribou are.
25 Thank you, Mr. Chair.

26
27 CHAIRMAN LOHSE: I've got a question
28 for you. I see that there's other means that are
29 allowed to go in there and with a season that's going
30 to the 31st of December why -- is it such rugged
31 country that that's why there's no more snowmobile use
32 than there is? It seems like snowmobiles are all over
33 the Kenai Peninsula.

34
35 MR. ZEMKE: Normally the season for
36 snowmachine access in the area would be about December
37 1 normally it opens because snow levels normally aren't
38 deep enough until that period of time. If there was
39 adequate snow cover before that there could be an
40 opening. Generally December 1st is that period.

41
42 MR. KRON: Mr. Chair. Maybe if I could
43 add to that. Mr. Zemke and I discussed the snowmobile
44 issue. Most of the harvest occurs on Forest Service
45 lands. Most of the overwintering occurs on the Kenai
46 Refuge side. In the fall you go in by the Resurrection
47 Trail, so then you hike up to the ridge and there's
48 kind of a ridge line. The refuge boundary primarily
49 runs right along that ridge line out of Hope. So you
50 basically have to get up and over the top. Based on

1 the way the trail goes, if they drove snowmachines up
2 the trail December 1st, there are basically razorback
3 ridges to get over to where most of the caribou are
4 wintering. It looked like it would be a real
5 challenge.

6

7 We talked with the Kenai Refuge Staff
8 about this several weeks ago and the enforcement
9 officer there said that he had understood they had the
10 very first caribou taken using a snowmachine. During
11 the reporting period that I was looking at in the
12 analysis, no one reported using a snowmachine at all.
13 Thank you, Mr. Chair.

14

15 CHAIRMAN LOHSE: Ricky.

16

17 MR. GEASE: I'm looking at Table 1.
18 Can you explain why the estimate herd size in the
19 decade from '95 to 2005 went down probably by about a
20 third? Do you have any indication the last survey --
21 is that accurate, the last survey was done in '05 then
22 or have there been subsequent surveys or what's the
23 deal on that table?

24

25 MR. KRON: Mr. Chair. The table was
26 put together based on the information presented in the
27 annual caribou reports that are put together by the
28 field staff. I did not go through the contact with the
29 area managers down there to find out if there's been a
30 more recent survey done. Again, the herd is small.
31 That's very clear. Thank you, Mr. Chair.

32

33 CHAIRMAN LOHSE: Any questions.

34 Donald.

35

36 MR. KOMPKOFF: Yes. Is there moose in
37 there?

38

39 MR. KRON: Mr. Chair. Yes. Thank you,
40 Mr. Chair.

41

42 CHAIRMAN LOHSE: Doug.

43

44 MR. BLOSSOM: How about horses? Don't
45 people take horses in there?

46

47 MR. KRON: Mr. Chair. Some people do
48 take horses in. The years that I've gone in, often we
49 do see people with horses. Some years there have been
50 guides that operated in there for moose. I know when I

1 draw a permit I can count on getting letters in the
2 mail from outfitters offering to take me in there for a
3 couple thousand bucks. When we've seen them in there,
4 they're hunting moose and if they can happen to get
5 somebody that's got a caribou permit, but it seems like
6 most of the horse operations are focused on moose
7 because they can go in there, it's open. To hunt
8 caribou with horses, it's a function of getting the
9 permit to be able to do that. Thank you, Mr. Chair.

10 CHAIRMAN LOHSE: Ricky.

11

12 MR. GEASE: So can you walk through
13 some of these numbers just a little bit. On the State
14 side there's 250 permits that are issued for the
15 drawing. Of those permits, how many people actually go
16 hunting and then there's been about 20 to 25 caribou
17 taken per year, but what's the success ratio of people
18 going in who actually hunt. Not the number of permits
19 that are given, but the actual people who are hunting.

20

21 MR. KRON: Mr. Chair. As I noted
22 earlier, most of the people that draw a permit don't
23 hunt. I can just imagine that part of this is they put
24 in for the permit because it looks good and then when
25 they start trying to figure out how they're going to do
26 this and they start talking to people or they call the
27 area manager in Soldotna and find out that they've got
28 to walk in 12 miles and climb a mountain, they're
29 probably having second thoughts. I don't know. I'm
30 speculating there. Again, half of the people that get
31 a permit do not even hunt.

32

33 The other information that's presented
34 there on Page 112, from 7.6 to 11.6 percent of the
35 people that draw a permit actually harvest a caribou.
36 If you just look at the general numbers, about half of
37 the people don't hunt. Of the half that hunt, about 20
38 percent get a permit. If you go in there, you've got
39 about a 20 percent chance, just round numbers. Thanks.

40

41 CHAIRMAN LOHSE: Any other questions
42 for them. Ricky.

43

44 MR. GEASE: Yeah, given that we've
45 heard numbers, what do you think is a comfortable
46 number of harvest on an upper level per year to be
47 taken from this herd at its size?

48

49 MR. KRON: I'm going to basically refer
50 to the approach that the Department has been taking. I

1 think they came -- just based on the way things have
2 been managed, they started issuing 250 permits a year
3 and just letting it proceed with the knowledge that
4 only a small number of caribou are going to be taken.
5 If you look at the harvest numbers that are presented
6 in Table 1 for the years 1993-94 to 2000-2001, the
7 average harvest per year was 24.5 caribou. I'm looking
8 on Page 114 in the justification.

9

10 If you look at the most recent set of
11 years, 2001-2002 to 2008-2009, an average of 19 caribou
12 were taken per year. So it's dropped a little bit in
13 recent years. Again, those are some average numbers
14 for how many have been taken for the years when they've
15 been issuing 250 permits a year. Thank you, Mr. Chair.

16

17

18 CHAIRMAN LOHSE: Doug.

19

20 MR. BLOSSOM: Mr. Chair. I guess my
21 next question would be -- I don't see how a
22 registration hunt would be possible. Can we go to a
23 drawing permit? Wouldn't that be the more -- you don't
24 have unlimited numbers and who knows how many might go.
25 You might have a real mess.

26

27 MR. KRON: Mr. Chairman and those of
28 you from Cordova know that there are drawings that
29 occur and you looked at the definition for drawing
30 permit earlier today. I'm not sure how you voted on
31 that, but I think those kind of options are available
32 to you to look at. Thank you, Mr. Chair.

33

34 CHAIRMAN LOHSE: Tom.

35

36 MR. CARPENTER: I mean this proposal
37 basically just asks for a season. We did the C&T. We
38 gave them a C&T. The Federal Board hasn't given
39 anybody anything yet. I'm not sure if the actual
40 Federal manager is here. Is that you, Steve?

41

42 MR. ZEMKE: The actual manager would be
43 the district ranger in the Seward Ranger District and
44 he isn't here today.

45

46 MR. CARPENTER: But this would be one
47 of your projects.

48

49 MR. ZEMKE: It probably could be made
50 to work either through a drawing or registration

1 permit, but we probably would need to talk more
2 specifically with ADF&G and try to figure out proper
3 methodology to make sure that we don't get to a case
4 where we could have significant overharvest.

5
6 Just kind of as an aside, take a look
7 at the number of permits that Hope residents -- say the
8 sockeye fishery at Russian Falls it's been 20 permits
9 both in 2008 and 2009. Most all of those have
10 harvested. It's just speculation would that be similar
11 to the numbers that you could have in the hunt there.
12 Tom presented some information from talking with
13 residents of Hope of how many, but certainly I wouldn't
14 look at 40 households probably getting a permit and
15 trying to harvest.

16
17 MR. CARPENTER: So I guess my second
18 question would be then would it be your recommendation
19 to us that we just recommend to the Federal Board that
20 the season be opened and we leave that between you and
21 the State to determine at least for the next couple
22 years until we see how this progresses, how many
23 animals need to be taken. What would you say to that?

24
25 MR. ZEMKE: Tom had a point here.

26
27 MR. KRON: Again, we looked at that
28 issue and took that into consideration in the
29 recommendation, the preliminary conclusion that's
30 before you. Again, the one resident from Hope that I
31 talked to that's hunted there a lot, he thought that
32 maybe six caribou would be taken. It's really hard to
33 get in there. He thought maybe 20 people would get
34 permits. Of those maybe less than a third that
35 actually get a caribou.

36
37 What we said was that we think that the
38 harvest is actually going to be pretty small. For that
39 reason, in our recommendation, we recommended starting
40 out with a registration permit, track things closely,
41 you need to have good reporting so that the manager can
42 see what the harvest is. Maybe you get into a
43 situation where you need to close the hunt down. If
44 that becomes a real concern -- we've got to protect the
45 resource, number one. But if that becomes a concern,
46 then we start having to make adjustments, think about
47 drawing permits.

48
49 Because of ANILCA we've got a Federal
50 priority here and the way we were looking at it

1 basically that we would provide that Federal priority
2 and then look to the State to adjust things on the
3 drawing permit hunt, so I would have even less chance
4 of drawing a permit.

5
6 MR. CARPENTER: That was really my
7 concern. I realize that you recommend a registration
8 hunt with a reporting requirement. I just didn't know
9 if you thought that this RAC should be more specific.
10 Obviously there's a lot of questions to be answered
11 about at what level as a Federal manager are you going
12 to say enough is enough on the first year. We don't
13 necessarily have to be that specific.

14
15 MR. KRON: Mr. Chair. On the bottom of
16 Page 113 is essentially OSM's recommendation or
17 preliminary conclusion is one caribou by Federal
18 registration permit as a start. I really don't think
19 this is going to generate a lot of caribou being taken.
20 We'll have to wait and see. The one local resident
21 said he thought it might be six. I think it's going to
22 be some small number, but we don't know what it's going
23 to be until we do it. We had recommended a registration
24 permit process from the start and then close
25 monitoring. Thank you, Mr. Chair.

26
27 CHAIRMAN LOHSE: Thank you, Tom. I
28 have a question on that though. Because we're dealing
29 concurrently with a State drawing permit that they've
30 been giving 250 permits out and I'm hoping that what
31 they're actually shooting for is somewhere around 20, a
32 take of around 20 since that's what they've been
33 getting. If all of a sudden we would take six and they
34 still had 250 permits out, even if only a small -- even
35 if not all of those people end up using their permits,
36 there will be people who have made long term or long-
37 range plans to use their permits, hire guides and all
38 of that kind of stuff on the basis of the fact that
39 they have a permit.

40
41 If we have to close it by emergency,
42 then we've taken these people who have had these long
43 range plans, it would almost be better if we thought
44 that we were going to have 20 permits that we would
45 say, okay, we would like to reserve 10 percent of the
46 permits for the Federal season because that would give
47 25 permits out and the State could issue 225 permits
48 and not worry about the fact that all of a sudden we've
49 had these extra 25 thrown in there that kicks us over
50 the number.

1 The other thing, and I know I've talked
2 about this with some of the proponents of another
3 proposal, is there's also the possibility that what a
4 person could do is you could have your Federal
5 subsistence hunt and then have the State permits, so
6 many regular and so many alternative, and if they
7 aren't taken for subsistence, then you could let the
8 people who have alternative permits know that they're
9 available. But when we have a season that goes from --
10 like this season which runs the whole way, you don't
11 know that until the end.

12
13 So I think something has to be done,
14 otherwise we're going to run over or have the chance to
15 run over. From that standpoint, I think we should
16 reserve a certain amount of the permits for temporary
17 anyhow to see how things go for the subsistence hunt
18 and then let the State issue the rest.

19
20 Tom.

21
22 MR. KRON: Mr. Chair. Again, basically
23 things keep moving even when we're working on this
24 process. Following your decision here, the Federal
25 Board will take this up in May and their actions would
26 basically be put in place for the regulatory year that
27 starts in July. Meanwhile, on the State side, my son
28 and I and my grandson all put in for Kenai Mountains
29 Caribou permits and my understanding is that we're
30 going to find out if we got one in mid-March. So the
31 250 people that they issue them to will find out in
32 mid-March.

33
34 So in terms of trying to deal with this
35 fall, it's a challenge anyway. Again, we thought that
36 the harvest would be relatively small. Mr. Mars
37 thought half a dozen. We know just based on the
38 harvest data that we've looked at here over the past 16
39 years, it was -- the first eight years average harvest
40 was 24, but it's now dropped down to 19. People aren't
41 as successful as they were earlier. Things obviously
42 can change over time. Anyway, we were recommending
43 just going ahead with a drawing permit and monitoring.
44 That's what's in the recommendation conclusion for you.
45 Thank you, Mr. Chair.

46
47 MR. GEASE: I just want to make one
48 point. The number of caribou has been going down, but
49 so is the size of the herd. Maybe your percentage rate
50 of success has remained the same, it's just that

1 there's fewer animals to be successful on.

2

3 CHAIRMAN LOHSE: That's what I was
4 wondering, if you knew what the State's goal was for
5 how many caribou they were trying to take and maybe
6 we'll learn that from the State. If they have a goal
7 of 19 caribou and we all of a sudden throw six more
8 caribou on top of a declining herd, we could have a
9 real serious impact.

10

11 If there isn't any more questions from
12 Tom -- okay, Tom.

13

14 MR. KRON: Mr. Chair. They have
15 expressed a goal in the management plans about the size
16 of the herd. Basically it's in the order of -- the
17 numbers are in here. It's changed a little bit over
18 time, but they basically want to say a herd size on the
19 order of 300 to 350, 300 to 400. Those have been the
20 numbers in recent years and that's included in the
21 analysis for you.

22

23 They have not specified -- it was
24 obvious based on the surveys that were going on during
25 the 1980s and early '90s there was a lot of focus on
26 this and it looked like based on the decisions that
27 they came to the conclusion that the thing is going to
28 be self-regulating and they went with the 250 permits
29 and let things go. It hasn't had the amount of money
30 invested in it for research that it did during the
31 '60s, '70s, '80s and '90s. There's a lot of years they
32 didn't do surveys, but they had estimates. Thank you,
33 Mr. Chair.

34

35 CHAIRMAN LOHSE: Thank you, Tom. Any
36 other questions for our Federal boys.

37

38 (No comments)

39

40 CHAIRMAN LOHSE: Are you guys going to
41 be available at 6:30? We are at our break time right
42 now. We're actually a little bit over. It's 5:38. Do
43 we want to try to go through this one.

44

45 MR. CARPENTER: Yeah.

46

47 CHAIRMAN LOHSE: If that's the
48 consensus of everybody, we'll just continue on this one
49 here and take a break. Okay. No other questions for
50 Tom. Then we'll go to the Alaska Department of Fish

1 and Game.

2

3 MR. DELFRATE: Good evening, Mr. Chair.
4 The Department has yet to produce final comments for
5 this proposal. However, we were waiting to see what
6 the C&T determination was on that, so we will be
7 providing final comments at the Board meeting.

8

9 Given some of the discussion and the
10 direction, given the C&T findings and the fact that I
11 spent a number of years on the Kenai partially managing
12 this herd and also participating in the hunt, I've got
13 a 50 percent success rate for my caribou hunts. I've
14 drawn five permits, hunted four times and been
15 successful twice.

16

17 It is as I think my Federal
18 counterparts have described it. It is a fairly tough
19 hunt. I think that either they don't know about it or
20 they neglected to mention that there are some easy
21 access points and there are places that you can do this
22 in a day trip. There's even one place you can drive to
23 the caribou. So that is one of the Department's
24 concerns with regards to this hunt.

25

26 I believe Mr. Gease asked about the
27 harvest rate for caribou. In general, the harvest rate
28 for caribou across the state we look at in our
29 intensive management areas we look at approximately 10
30 percent harvest rate. In areas where you have low
31 density, small numbers of caribou or declining caribou
32 numbers, we're down closer to about six percent. So in
33 a caribou herd of about 300 animals, six percent,
34 you're looking at 18 animals or so. So we're probably
35 in the ballpark of a sustained yield management.

36

37 As far as the herd goes, the numbers
38 kind of speak for themselves and I think they did a
39 good job of portraying that. The Department has for
40 the last practically 30 years looked at this herd. I
41 think the overall design early on was to grow this herd
42 into formidable herd and what we saw was every time
43 this herd got upwards of about 450 animals it started
44 to go back down. Whether it's an avalanche issue or
45 just a habitat issue or what, the caribou herd seems to
46 like 300, 350 animals, which is where we are about now.

47

48 I think we characterized it as
49 stabilized with a harvest of about 20 animals and
50 that's what we've seen. Given that, we recognize that

1 if this group goes forward with a hunt, that there
2 might have to be some changes down the road with
3 regards to the number of permits the State issues as
4 well as the season.

5
6 On the season side, one of the things
7 that we did about five or six years ago was we extended
8 the season into December in an effort to try and allow
9 for additional snowmachine based harvest and I think
10 they mentioned there's been one animal taken with use
11 of a snowmachine. It turned out with some reports from
12 some of the better snowmachine users is that's a very
13 difficult area to snowmachine into in December. The
14 snow is still pretty soft, it's unconsolidated and you
15 get bogged down pretty fast. The guys that did go in
16 there with the expectation to run up, kill a caribou
17 and come home found out they couldn't even get where
18 they wanted to go.

19
20 So the snowmachine portion of this
21 access has been tough. I think, as well, many of the
22 animals are over on the Fish and Wildlife Service side,
23 which has much more stricter snowmachine regulations.
24 In fact, everything above treeline is off limits in
25 this area to snowmachine access. So you could get to
26 the base of the mountain and then you still have to
27 climb.

28
29 With that, I do want to reiterate my
30 concern with a registration hunt. We don't know what
31 the harvest would be. It could be a substantial
32 portion of those 20 animals that we're looking at
33 taking now. We do have a timing issue because those
34 250 permits will be issued probably next week and there
35 will be an overlap. I assume that can be taken care of
36 in subsequent years.

37
38 I can answer any more questions.

39
40 CHAIRMAN LOHSE: Thank you. Any
41 questions.

42
43 (No comments)

44
45 CHAIRMAN LOHSE: I have just one. If
46 what we're looking at is we have a year here that we
47 can't do much about the 250 permits because they're
48 already issued, let's just take the best case scenario
49 and the 250 permits were successful in taking 19
50 animals and the subsistence permits took six, so

1 basically 25 animals, we're a little bit over what we'd
2 like to be taking on a low herd and a little under what
3 you'd be taking on a healthy herd. Would one year's
4 damage like that give you time to adjust for the next
5 year without long-term damage, do you think?

6

7 MR. DELFRATE: Mr. Chair. I believe
8 so. I think that we would be able to. That's within
9 the range of similar previous years where we've seen
10 higher harvest and lower harvest. So I think we would
11 be able to take care of that in subsequent years. We
12 would have two options with regards to our side of the
13 season, which I think we would consider maybe reducing
14 the season back to a more fall-based hunt, which isn't
15 necessarily going to do much to the overall harvest,
16 and the other part would be reduce the overall number
17 of permits. I would rely on our manager, Jeff
18 Selinger, to give us a recommendation for that.

19

20 CHAIRMAN LOHSE: Thank you. Any
21 questions.

22

23 (No comments)

24

25 CHAIRMAN LOHSE: Thank you. Okay. Do
26 we have any tribal agencies, Federal agencies or State
27 agency comments at this point in time.

28

29 (No comments)

30

31 CHAIRMAN LOHSE: We don't have any
32 InterAgency Staff Committee comments.

33

34 (No comments)

35

36 CHAIRMAN LOHSE: No Subsistence
37 Resource Committee comments.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: Fish and Game Advisory
42 Committee comments.

43

44 (No comments)

45

46 CHAIRMAN LOHSE: Summary of written
47 public comments. Donald, do we have any.

48

49 MR. MIKE: Mr. Chair. We don't have
50 any written public comments on this proposal and there

1 is no request for testimony on this proposal. Thank
2 you, Mr. Chair.

3

4 CHAIRMAN LOHSE: So in that case
5 Regional Council deliberation, recommendations. WP10-
6 32B needs to be put on the table. Do I have a motion
7 to do that.

8

9 MR. CARPENTER: Mr. Chair. I move we
10 adopt WP10-32B with modification as justified in OSM
11 preliminary conclusion.

12

13 CHAIRMAN LOHSE: And that would be on
14 Page 113, 114, correct?

15

16 MR. CARPENTER: Yes.

17

18 MR. HENRICHS: Second.

19

20 CHAIRMAN LOHSE: Okay, we have a
21 second. Discussion. Tom.

22

23 MR. CARPENTER: Well, Mr. Chairman. We
24 have given a C&T or have at least recommended a C&T and
25 after hearing from both the Federal and State managers
26 I feel that at least for a year I feel pretty safe in
27 allowing the Federal managers to work with the State
28 biologists in dealing with this and seeing how it works
29 for a year and if they have to make adjustments next
30 year, then they're going to have to do it. If other
31 communities decide they want to put in for a C&T in the
32 future for this herd because Hope has one now, then I
33 guess we'll have to deal with that when it comes down
34 the road.

35

36 CHAIRMAN LOHSE: Doug.

37

38 MR. BLOSSOM: Mr. Chair. I have a
39 little different approach. We did it in fish and we
40 did it in some of the game animals. I think we need to
41 set a quota and let them work toward that quota. That
42 way the State and everyone concerned will know the max
43 that they're going to take to start with and if they go
44 after that or go above that, then we can work toward
45 that another year. We set a quota of 500 kings in a
46 river and we pretty much set a quota of how many moose
47 in that subsistence hunt. Until they get to that
48 point, then at least it leaves the State knowing that
49 they're not going to exceed that, then let the managers
50 figure out how they're going to hunt that hunt to get

1 to that point.

2

3 I guess, Mr. Chair, my number would be
4 like seven, six or seven, five. Five sounds good.
5 I'll make a motion to amend the proposal to a maximum
6 number of five. It's up to the management to decide
7 how they want to get to that point. In other words,
8 drawing permit or registration, it's up to them.

9

10 MR. GEASE: I'll second that motion.

11

12 CHAIRMAN LOHSE: Okay. We have an
13 amendment on to put a cap on this proposal of five. We
14 already have as part of this proposal the Seward
15 District Ranger is authorized to close the season based
16 on conservation concerns. If we put a cap of five,
17 anything over five is a conservation concern. To me,
18 that would answer our conservation concerns. Five,
19 with 19 or 20, would still put us within the range of
20 no conservation concerns.

21

22 We have that amendment on the table.
23 Is there any more discussion on the amendment. Judy.

24

25 MS. CAMINER: Mr. Chair. I guess I
26 would just wonder if we have a basis for that number
27 and given that our charge is to provide for subsistence
28 priority we need to ask ourselves is that, in fact,
29 providing for the subsistence priority.

30

31 CHAIRMAN LOHSE: Ricky.

32

33 MR. GEASE: Yes. If you look at Table
34 2 on Page 102. In the last 15 years they've ranged
35 from a high of 11 down to a low of 2 or no data on all
36 caribou coming into that community. So I think if you
37 take the highest high number ever and divide it in half
38 people can still go out in other areas of the state and
39 get caribou and you're providing a community gap of
40 five, which is 20 percent or 25 percent of the normal
41 harvest. I think that's fair.

42

43 CHAIRMAN LOHSE: I would look at it
44 from the standpoint that from the only information we
45 have from somebody from Hope, the only person that's
46 made any comment that talked to Tom basically was
47 looking at possibly 20 people going out and possibly
48 six taking them, which is a reasonable assumption.
49 Both of those numbers, five or six, puts it within the
50 range of sustainability. We have no conservation

1 concerns at that point in time.

2

3 Now, if it turns out that they go out
4 and get their five and they want more for the next
5 year, then at that point in time we have the ability to
6 adjust -- the State has the ability to respond and
7 adjust their season, but what we're trying to do now is
8 to prevent any conservation concerns. I think we have
9 a basis for that number five or six. That's a
10 reasonable subsistence take at this point in time.
11 Ricky.

12

13 MR. GEASE: I was just thinking about
14 five if you look at what the State then would be
15 looking at. If you got 250 permits, you'd probably
16 bump it down to 200, I mean as kind of round numbers,
17 and that's about 20 percent and five is about 20, 25
18 percent of the harvest and that would be a reasonable
19 response from the State. You'd still be providing
20 other users of that resource an opportunity for a
21 permit.

22

23 CHAIRMAN LOHSE: Again, if it turns out
24 that that's not enough, we can respond to that in the
25 future too. In the meantime, I think we need to
26 address the conservation concern. I think that's what
27 Doug was doing. Tom.

28

29 MR. CARPENTER: I was going to call the
30 question on the amendment.

31

32 CHAIRMAN LOHSE: We have an amendment
33 to put a cap of five on this one here. 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. We
44 have in front of us OSM's proposal north of the
45 Sterling Highway, east of Seward Highway one caribou by
46 Federal registration permit only. The Seward District
47 Ranger is authorized to close the season based on
48 conservation concerns when five caribou have been taken
49 in consultation with the ADF&G and the Chair of the
50 Southcentral Alaska Subsistence Regional Advisory

1 Committee.

2

3 MR. BLOSSOM: Mr. Chair. I guess my
4 only question would be do we want to take the
5 registration hunt out and leave it up to the managers
6 how they want to proceed or leave it alone for now?

7

8 CHAIRMAN LOHSE: I think we need to
9 leave the registration hunt in there so that they have
10 a reporting mechanism. We need a reporting mechanism.
11 I would expect them to put a fairly short one on it.
12 The thing I don't know if we need to leave in is if we
13 need to leave in in consultation with the ADF&G, Chair
14 of the Southcentral. I would think that if they're
15 authorized to close the season based on conservation
16 concerns when five caribou have been taken, the rest of
17 that could be left out. I don't think we need an
18 amendment for that since we've added the five.

19

20 What would be the feeling of the rest
21 of the Council on that. If we have a limit of five, do
22 we need consultation with the ADF&G and the Regional
23 Chair? James.

24

25 MR. SHOWALTER: I got a question. We
26 approved the C&T. Now are we getting ahead of ourself
27 before the Board approves that or are we just hope they
28 approve it or whichever?

29

30 CHAIRMAN LOHSE: If they don't approve
31 it, they don't act on this one.

32

33 MR. SHOWALTER: Okay.

34

35 CHAIRMAN LOHSE: What was the feeling
36 on leaving in the ADF&G and Chair of Southcentral
37 Alaska Subsistence Regional Council? Do you feel that
38 can be dropped? I read it into the thing, but if
39 there's a cap of five that's probably not necessary.
40 Tom.

41

42 MR. CARPENTER: I mean it doesn't
43 really matter to me. You're the person that's going to
44 get the phone call.

45

46 (Laughter)

47

48 MR. CARPENTER: But I mean if it's
49 going to be something that's going to be a problem if
50 you can't be reached they can't close the hunt or

1 something like that, then I'd make a motion to amend to
2 strike that language from the motion.

3

4 CHAIRMAN LOHSE: So we say the Seward
5 District Ranger is authorized to close the season based
6 on conservation concerns when five caribou have been
7 taken.

8

9 MR. CARPENTER: Yes.

10

11 CHAIRMAN LOHSE: Judy.

12

13 MS. CAMINER: Mr. Chair. I would just
14 shift it and say authorized to close the season when
15 five are taken. I mean conservation concerns may be a
16 different issue.

17

18 CHAIRMAN LOHSE: Okay. Close the
19 season when five caribou have been taken. Is that
20 agreeable wording to everybody.

21

22 (Council nods affirmatively)

23

24 CHAIRMAN LOHSE: Okay. In that case,
25 let's call the question on the motion.

26

27 MR. CARPENTER: We have to vote on that
28 amendment.

29

30 CHAIRMAN LOHSE: Didn't we already?

31

32 MR. CARPENTER: No, this amendment.

33

34 CHAIRMAN LOHSE: Oh, on striking the
35 language. Okay. I thought that was just a consensus
36 thing. Okay. Let's vote on the amendment to strike
37 the language. It will read the Seward District Ranger
38 is authorized to close the season when five caribou
39 have been taken. Who offered that amendment?

40

41 MR. CARPENTER: I did.

42

43 CHAIRMAN LOHSE: Who seconded it?

44

45 MR. GEASE: I did.

46

47 CHAIRMAN LOHSE: You seconded it. It's
48 been moved and seconded. All in favor of the amendment
49 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: Amendment carries.
9 Call the question on the motion if somebody wants to as
10 amended.
11
12 MR. CARPENTER: Question.
13
14 CHAIRMAN LOHSE: The question has been
15 called. Now we are voting on the motion which says
16 Unit 7 north of the Sterling Highway, west of the
17 Seward Highway, one caribou by Federal registration
18 permit only. The Seward District Ranger is authorized
19 to close the season when five caribou have been taken.
20 Any questions.
21
22 (No comments)
23
24 CHAIRMAN LOHSE: All in favor signify
25 by saying aye.
26
27 IN UNISON: Aye.
28
29 CHAIRMAN LOHSE: All opposed signify by
30 saying nay.
31
32 (No opposing votes)
33
34 CHAIRMAN LOHSE: Okay. We are 30
35 minutes after the time I said we were going to close
36 for a lunch break. If we take a lunch break now, how
37 short can we take one and be back to have a meeting
38 until 8:00 o'clock. Mr. Henrichs.
39
40 MR. HENRICHS: We got a late start and
41 we've gotten through 10 proposals and we have 13
42 proposals left, plus it's basically housekeeping items
43 after that. Do you think we can get to everything
44 tomorrow if we start at 8:00?
45
46 CHAIRMAN LOHSE: Probably could.
47
48 MR. HENRICHS: If we have to do a night
49 session, we could do it tomorrow.
50

1 CHAIRMAN LOHSE: Does that sound
2 acceptable to the rest of the Council?

3
4 (Council nods affirmatively)

5
6 CHAIRMAN LOHSE: Does that sound
7 acceptable to the audience?
8 Okay. Okay. We are adjourned until tomorrow morning
9 at 8:00.

10
11 MR. NICK: Mr. Chair. We're in recess
12 until 8:00.

13
14 CHAIRMAN LOHSE: We're in recess until
15 8:00 o'clock.

16
17 (Off record)

18
19 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

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

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

DATED at Anchorage, Alaska, this 22nd day of March 2010.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/10