SOUTHCENTRAL FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME II

Anchorage, Alaska
March 11, 2010
8:00 o'clock a.m.

COUNCIL MEMBERS PRESENT:

Ralph Lohse, Chairman
Doug Blossom
Judy Caminer
Tom Carpenter
Greg Encelewski
Ricky Gease
Robert Henrichs
Donald Kompkoff
Chuck Lamb
James Showalter
Gloria Stickwan

Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

(Anchorage, Alaska - 3/11/2010)

(On record)

CHAIRMAN LOHSE: Okay. We're going to call this March meeting of the Southcentral Regional Subsistence Advisory Council back in session after our recess for the night.

Donald, you had some announcements you'd like to make.

MR. MIKE: Yes, Mr. Chair. Thank you. Donald Mike, Council Coordinator. For the public and everybody that attends the meeting, please don't forget to sign in and for those that wish to testify, we have a green sign-up sheets for public testimony. If you want to speak on a particular proposal, please make that note on the testify form.

And this morning, I handed out some more information for the Council. There's three handouts I provided for the Council this morning. There's a salmon-colored handout from Wrangell-St. Elias National Park Subsistence Resource Commission. These are the wildlife proposals that Ms. Barbara Cellarius presented on the comments from -- during the meeting and they're just comments on the proposals. And a gray form from the -- it's a meeting minutes from the Upper Tanana/Fortymile Advisory Committee meeting which was held February 19th, 2010, and they made some comments on some proposals, so just for your information. And finally the blue handout is the draft 2009 annual report.

And in addition, we had some more information from the Wrangell-St. Elias and it's -- I got the -- it has a letterhead United States Department of the Interior, National Park Service, and this is the 2009-2010 Denali National Park Service Wildlife Update for Southcentral Alaska, dated March 11, 2010, and there's multiple pages I stapled together and the third page, it has a Nabesna ORVEIS Project Update and finally the last page, it just shows the maps of the ORVEIS Project.

And for those Staff or public that wish to provide copies of any additional information for the

Council, please make sure you have enough copies for the Council members, myself, and the court recorder, and the rest you can put out on the back table for the public's use.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Any questions for Donald before we get started. Hearing none, we're going to start where we left off which is Proposal WP10-33, positive and customary traditional use determinations for residents of Hope and Sunrise for moose in Unit 7.

MS. H. ARMSTRONG: Thank you, Mr. Chair. Helen Armstrong, Office of Subsistence Management. My apologies for not being here yesterday to present proposals. I was up in Nome for that Seward Peninsula Council meeting but managed to get out a little bit earlier and be here today. Proposal WP10-33 is found in your book on Page 118. The announcement starts on 119. This proposal, as the 32A that you heard yesterday from Polly Wheeler, was submitted by Paul Genne and Dennis Ressler. It requests a positive customary and traditional use determination for residents of Hope and Sunrise for moose in Unit 7.

The proponent is requesting a positive customary and traditional use determination for moose in Unit 7 because it would reestablish customary and traditional use of this resource for the residents of Hope and Sunrise. You may remember that we gave -- the Federal Subsistence Board recognized the uses of Cooper Landing for moose in Unit 7 last year and I -- I believe it was last year -- recently and I think this has inspired Hope to say what about us. I'm hypothesizing on that, but the proponent also requested seasons and harvest limits, but the seasons and harvest limits requested are already in regulation and so they won't be addressed.

If you look at Page 119 of your book, you'll see the existing regulations as well as the proposed regulations and you'll see that Unit 7 is divided into two portions. There's Unit 7, that portion draining into Kings Bay and Unit 7 remainder and Hope and Sunrise would be added to both of those portions of Unit 7 if this proposal is adopted by the Board.

I know that Polly talked yesterday about percentage of Federal public lands and also talked about community characteristics yesterday and those all apply to this proposal as well and I won't go through them. Similar to caribou, the Federal Subsistence Board has never specifically addressed the uses of moose by residents of Hope or Sunrise and they have recognized the use of all fish in the Federal public waters of the Kenai River area within Unit 7 by residents of Hope and, as I said, in 2007, the Board added Cooper Landing to the customary and traditional use determination.

I'm not going to go through all of the eight factors, but those are in your book if you have had a chance to look at those and I can talk about them if you would like me to, but I'm just going to focus on a few of the factors here.

Hunting, fishing, trading, bartering, and trapping of resources were important activities for the early residents of Hope and continue to be an important part of Hope residents' lifestyle today. There are numerous references to Hope's use of moose in the ethnographic and historic literature. The existing information indicates that Hope residents traditionally harvested the resources available to them including moose.

Today the harvest of moose is dictated by regulations and restrictions as well as the availability of moose. Many residents report that they no longer rely on moose as much as they did in the past. However, it continues to be a subsistence resource for many Hope residents. The low moose population may contribute to the decrease in the moose harvest by Hope residents.

We only have one household survey that's been done on Hope and that was done in a study conducted in 1990-'91. 9 percent of households harvested moose, 25 percent attempted to harvest moose, and 68 percent used moose. An estimated 19 pounds per capita of moose were harvested during the study year.

Not all of the moose harvest is within Unit 7 as would be expected. From 1977 to 2009, 125 moose were harvested by Hope residents outside of Unit 7 -- and there's a table that shows those figures, Table 1 -- compared to 46 moose harvested in Unit 7

during the same time period. While 46 moose were harvested in Unit 7, there were in the same time period 258 permits where the hunters hunted in Unit 7 but were not successful. This really indicates the low moose population in Unit 7 and that they're just not able to harvest as many moose.

The overall hunter success rate in Unit 7 by Hope residents from 1977 to 2009 was 18 percent. The Hope moose harvest area is within Unit 7 -- in Unit 7 is within a 50-mile arc south of the community. In the study conducted in Hope in 1991, most households were involved in giving and receiving wild resources. About 90 percent received at least one kind of wild resource from another household.

Moose was received by 62 percent of households and given by 28 percent households. There are references in the literature as well about the wide sharing of moose and other resources by Hope residents. The OSM preliminary conclusion is to support this proposal, WP10-33.

Thank you, Mr. Chair. That concludes my presentation.

CHAIRMAN LOHSE: Thank you. Any questions.

(No comments)

CHAIRMAN LOHSE: Pretty much the same characteristics we were given for the caribou one yesterday.

MS. H. ARMSTRONG: Probably the -- the difference being in many people's minds that caribou were reintroduced and moose have not been.

CHAIRMAN LOHSE: Thank you. No questions. Ricky.

MR. GEASE: On the moose harvest outside Unit 7, is there any information on where the moose was harvested? I mean was it in other areas of the Peninsula?

MS. H. ARMSTRONG: I didn't look at that because this wasn't a C&T for other areas. It was an analysis of Unit 7. So -- I mean I could certainly

find it if you thought it was important, but what we were looking at was Unit 7 and quite honestly, where people go outside of the unit isn't relevant to the customary and traditional determination for Unit 7.

MR. GEASE: It would be relevant in my mind if there were similar numbers that we use to justify in Unit 7 if that hunt occurred in 15A or 15B.

MS. H. ARMSTRONG: Oh, I see what you're saying. So you're thinking that maybe they should have C&T for 15A and 15B as well?

MR. GEASE: If the numbers were most likely going to support a customary and traditional use in Unit 7, in my mind, it would be good practice from this Council to look at other areas of the group that's just new to this process to see if they qualify based on the numbers we're qualifying on Unit 7 for Units 15A and 15B which are also close to their areas where they would traditionally go hunting and I think that's just part of the process that we should do due diligence on that.

MS. H. ARMSTRONG: I see where you're going with this. It's not been our practice in the history of this program to -- let me just back up a little bit. If we have an initial request for an area, say we want to do C&T for all of an area, we would look at -- you know, we may look at it broader, but it's not been our practice to look beyond what people have asked for. So if the Hope residents would like to have C&T in Unit 15, then we wouldn't analyze it. They didn't ask for it, so we haven't analyzed it and for the same reason, we haven't analyzed other communities who might use Unit 7. If they would like to be included, then we'll review that at that time and that's been the practice of this program to look at what people have asked for.

And, you know, we could have looked at Ninilchik and in the case of -- Ninilchik has C&T for moose, but for caribou, we could have looked at Ninilchik and Seldovia and other communities, but we only looked at Hope because Hope was the only community that requested it. So if Hope wants C&T for Unit 15, they can request that next year and we'll analyze it.

CHAIRMAN LOHSE: Any other questions on that one, Ricky. Any other questions from anybody

else.

(No comments)

CHAIRMAN LOHSE: Thank you. I know that's kind of been what we've done in the past and that -- their request was for Unit 7. Thank you. Alaska Department of Fish and Game. Nothing.

(No comments)

CHAIRMAN LOHSE: Tribal Agency comments, Federal Agency comments, State Agency comments.

(No comments)

CHAIRMAN LOHSE: No InterAgency Staff Committee comments.

(No comments)

CHAIRMAN LOHSE: Subsistence Resource Commission comments.

(No comments)

CHAIRMAN LOHSE: Fish and Game Advisory Committee comments.

(No comments)

CHAIRMAN LOHSE: Summary of written public comments.

MR. MIKE: Mr. Chair. There were no written comments on Article 33. There's no request for public testimony on this proposal. Thank you.

CHAIRMAN LOHSE: Any public testimony.

(No comments)

CHAIRMAN LOHSE: Okay. Then a motion to accept WP10-33 is in order.

MR. HENRICHS: I'll make the motion.

CHAIRMAN LOHSE: It's been moved that we accept 10-33. Do we have a second.

MR. LAMB: Second.

CHAIRMAN LOHSE: Second. Okay. Discussion.

(No comments)

CHAIRMAN LOHSE: Any comments by anybody. It's pretty similar to what we went through yesterday on caribou and I see that what it's doing is adding them to other communities in the area that already have C&T, so I think we just have to decide whether these people are rural and do make use of the subsistence resources in the area and if they do, then go from there. And I think the same qualifications apply as applied in the caribou one.

Doug.

MR. BLOSSOM: Yeah. Mr. Chair. I guess I have the same problem with this as with the caribou. If we're going to do this, then we need to -- and I don't see a place in here for how many moose do they get. Somewhere along the line, that's got to be decided too.

CHAIRMAN LOHSE: No, I don't think it does because we've already got seasons set up for the group of people that they would be joining, residents of Chenega Bay to Tatitlik and Cooper Landing. There's already a season set up, so they would just be in the same group as that group of people.

MS. H. ARMSTRONG: Helen Armstrong. Mr. Chair. I just wanted to make note that customary and traditional use determinations don't address that question of how many. That would come into later discussions if there's not -- there's a shortage of a resource, then it would be addressed through adjustments in season, harvest limits, and perhaps, you know, quotas, drawing permits, whatever. You know, that's where that comes in. The customary and traditional use determination just addresses whether or not they should be allowed to harvest it.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Mr. Chair. It appears that the analysis does support the information and provides evidence for us to support the motion to grant

C&T.

CHAIRMAN LOHSE: Any discussion on that. Ricky.

MR. GEASE: Mr. Chair. Yesterday I voted against doing caribou because I didn't feel that there was data necessary to justify it in the legal framework as I understand ANILCA in terms of a group of people hunting in a place for a species. However, I will be voting for this one because at this time the data in Table 2 on Page 123 indicates that a significant -- in my mind, a significant portion of the residents of Hope do go moose hunting in Unit 7 and they have dome so for a long period of time.

CHAIRMAN LOHSE: Thank you, Ricky. If there's no further discussion, the question's in order.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called. All in favor of WP10-33 signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All oppose signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. We now go to WP10-34, wolverine trapping in Unit 11.

MR. HENRICHS: Ralph.

CHAIRMAN LOHSE: Mr. Henrichs.

MR. HENRICHS: I just wanted to make a comment.

REPORTER: Wait.

MR. HENRICHS: Oh, yes. I just wanted to make a comment. I know people from Cordova who have harvested moose in Kings Bay in the past and the other thing I'd like to mention is all these proposals we have and no Advisory Council made any comments on that. I'm kind of shocked. Seems like somebody would say something about something.

CHAIRMAN LOHSE: Yeah. Usually we do have the Local Advisory Committees weighing in on it and at least dealing with them in their meetings, but maybe they didn't feel that these were controversial enough to object to or support.

Okay.

WP10-34.

MR. KRON: Mr. Chair. Members of the Council. Proposal WP10-34 was submitted Corey Schwanke and requests that the wolverine season be managed independently from the lynx season in Unit 11. The analysis for this proposal begins on Page 127 in your Council book.

The proponent states that it is a disservice to trappers to align wolverine seasons with lynx seasons and requests independent seasons for both species using abundance-based information.

Little research has been done on wolverine in Unit 11. Based on general observations and trapper reports, it appears that wolverine numbers are stable in the mountainous areas of Unit 11. Since 2001, an average of ten wolverines per year have been harvested primarily in the foothills in Unit 11 with an average of 70 percent of those being males.

The issues raised in Proposal WP10-34 were addressed during 2008 Federal Subsistence Management Program Wildlife Regulatory Process through two proposals, WP08-03 and WP08-04 that were submitted by local trappers. Those proposals were discussed at length by this Council and the Eastern Interior Council as well as the Federal Subsistence Board in 2008.

The 2008 Federal Subsistence Board decision resulted in a one-month extension to the Unit 11 wolverine trapping season which took effect in February 2009. The 2008 Board decision was based on an understanding that the current wolverine population in Unit 11 would be able to support the one-month extension to that trapping season for this species.

It was noted that the lynx sets catch wolverines and that wolverines sets catch lynx. The current Federal Subsistence Management Regulations allow trappers to retain wolverines that are taken in

lynx sets during the lynx trapping season. In February 2009, three wolverines were harvested in Unit 11 under those new Federal regulations during the month of February. All were males.

OSM's preliminary conclusion is to oppose Proposal WP10-34. Thank you, Mr. Chair.

I'd be happy to take any questions.

CHAIRMAN LOHSE: Any questions. Tom.

MR. CARPENTER: Yeah. One question. Is one of the main reasons that you're opposing this is because the Federal regulations allow a trapper under Federal regulations to retain a wolverine if it is caught -- or excuse me. Maybe I -- you can retain a -- I just read it here -- a lynx if it is caught in a wolverine set?

MR. KRON: Mr. Chair. A lot of the discussion two years ago and Chairman Lohse who's trapped a lot of wolverines in this area participated a lot in those discussions. I reviewed those transcripts, but a lot of those discussions focused around the idea that these sets would catch lynx or wolverine, so there was a concern about having a season where the younger folks potentially -- if it was closed to wolverine, the younger folks potentially would catch a wolverine in a lynx set and be tempted to keep it when in fact they're required to turn it in to ADF&G. So that was a lot of the discussion both at the Council meeting -- your Council meeting and then again at the Federal Board.

But again the way the reg reads right now -- and this was as a result of the Department's recommendations as well as the discussion with the Council and your Chair. The way the regs read right now essentially for this unit wolverine and lynx seasons are aligned. You know, the proponent is concerned because right now -- you know, recent years the lynx populations have been strong, but when the snowshoe hare population declines, you know, that there would be an adjustment to the lynx season, so it'd be shortened and along with that, the way this is set up now, the wolverine season would be shortened. But currently the Federal season for wolverine is a month longer than the State season is.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. Any questions.

(No comments)

CHAIRMAN LOHSE: Alaska Department of Fish and Game.

MR. PAPPAS: Morning, Mr. Chair. And members of the Council. George Pappas, Department of Fish and Game. Page 134 will be our comments -- quickly through them.

Reported wolverine harvest in GMU 11 during the last 24 years has ranged from 2 to 27 annually with an average of 10 per year. Wolverine harvest from initiation of ceiling requirement 1971 to the reduction of season length in 1985 averaged 28 per year with the range from 12 to 55.

If this proposal's adopted, Federal subsistence trappers will have the opportunity to continue harvesting lynx and wolverine despite low lynx abundance in GMU 11, when the Federal subsistence trapping season for wolverine will not be shortened along with the lynx.

State regulations authorize wolverine trapping from November 10th to January 31st, no bag limit. The Federal subsistence wolverine trapping seasons closes when the lynx season closes which is February 28th but will be shortened as early as January 31st if the Federal subsistence lynx trapping season is shortened. Lynx trapping seasons are adjusted yearly under the lynx harvest tracking strategy that reduces trapping season length during lynx cyclic lows.

Trapping wolverine during the denning season in February would subject females to harvest when they're most vulnerable. Increasing harvest during February could reduce productivity and kit survival and reduce long-term harvest opportunities for all users. The differences in February and State regulations resulting from the adoption of this proposal would complicate trapping regulations and could cause -- could create enforcement issues in areas with mixed land ownership.

The current season dates for wolverine were adopted during the last Federal Subsistence Board meeting. The wolverine closure coinciding with the lynx closures was adopted because of concerns for incidental catch. The February 28th closure is not permanent and reflects the conservation concerns of harvesting females during denning. This issue was discussed at length and no new data or extenuating circumstances justified changing it.

The Department opposes this proposal.

Thank you, Mr. Chair.

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STATE OFFICIAL WRITTEN COMMENTS
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Alaska Department of Fish and Game
Comments to the Regional Advisory Council

Wildlife Proposal WP10-34 (Wolverine Trapping Season) 21.1:

This proposal would extend the federal subsistence wolverine trapping season in GMU 11 to February 28.

Introduction:

The reported wolverine harvest in GMU 11 during the last 24 years has ranged from 2 to 27 annually and averaged 10 per year. Wolverine harvests, from initiation of the sealing requirement in 1971 to the reduction in season length in 1985, averaged 28 per year (range = 12 55).

Impact on Subsistence Users:

If the proposal is adopted, federal subsistence trappers will have opportunity to continue harvesting lynx and wolverine despite low lynx abundance in GMU 11, when the federal subsistence trapping season for wolverine will not be shortened along with lynx.

Opportunity Provided by State:

State regulations authorize wolverine trapping from November 10 through January 31, with no

bag limit. The federal subsistence wolverine trapping season closes when the lynx season closes, which is February 28 but will be shortened to as early as January 31 if the federal subsistence lynx trapping season is shortened. Lynx trapping seasons are adjusted yearly under the Lynx Harvest Tracking Strategy that reduces trapping season length during lynx cyclic lows.

Conservation Issues:

Trapping wolverine during the denning season in February would subject females to harvest when they are most vulnerable. Increasing harvests during February could reduce productivity and kit survival and reduce long term harvest opportunities for all users.

Enforcement Issues:

Differences in federal and state regulations resulting from adoption of this proposal would further complicate trapping regulations and could create enforcement issues in areas of mixed land ownership.

Other Comments:

The current season dates for wolverine were adopted during the last Federal Subsistence Board meeting. The wolverine season closure coinciding with the lynx closure was adopted because of concerns of incidental catch. The February 28 closure is not permanent and it reflects the conservation concerns of harvesting females during denning. This issue was discussed at length, and no new data or extenuating circumstances justify changing it.

Recommendation:

Oppose.

CHAIRMAN LOHSE: Thank you. Any questions.

(No comments)

CHAIRMAN LOHSE: If nobody else has, I got a couple and I know that I spoke up a lot on this one here and I guess I'll have to reiterate some things

that I've said before. I'm not taking back what I said about the fact that you catch lynx when you catch wolverine and you catch wolverine when you catch lynx. But I'm sitting here looking at the harvest data since 1971 and just like you said, the average catch when we had February 28th season was 10.3. The average catch when we had January 31st season is 9.6.

For a half a wolverine, I really don't think we can call that a conservation concern. I mean I don't -- so I don't think the conservation concern part of it is justified -- is a justifiable argument.

As far as the denning, it's like we've talked before and some of the other things that I've read, most of the denning takes place up -- like you pointed out here, the trapping is done in the lower areas. The other thing is the number of trappers. We're talking of a hundred and what 12 -- 12,000, 13,000 square miles of land and we have -- oh, I'm looking at the data here. We had a high of ten trappers back in 1997. 2007 we had seven trappers that took wolverine in 13,000 acres. So the trapping pressure is pretty light. If anybody's lived in that country, you know that most of that country is refugia. Most of that country is places that wolverine live where nobody gets to.

Give you a little example, my son and I took just a little short flight about four weeks ago to go try to catch trout and in that little short flight up into one of the mountain lakes to catch trout, we saw two wolverine and lots more tracks. The wolverine aren't down in the bottom. The wolverine are up at the top as -- as we know, they're up with the ptarmigan and all you have to do is fly the willow patches and you see the wolverine tracks going around the willow patches and then there's a red spot in the snow and then you go around, there's a red spot in the snow and you know what they're doing. They're up there with the ptarmigan catching the ptarmigan while they're sleeping.

And that's pretty much where the wolverine are during most of the trapping season. If you go back and look -- see, the years that I trapped -- pretty much got quite a few of them right there, '71 to '84, and we caught an average 28 wolverine in the valley up there -- up in the Chitina Valley at that time.

We had a March 31st season. Why did we catch so many more wolverine than you catch with the seasons that we have right now? Come March, the big males and all the rest of them go traveling. I saw the same thing when I went out there this last time. I was trapping out there this year and in February, we had no cats moving around where we were, but I went back there last weekend. I sure would have liked to have been trapping last weekend. The cats were moving around. The wolverine do the same thing.

I know the trappers involved and, boy, have I caught the dickens by just aligning it with the lynx season because the only justification for that is the fact that you're going to incidently catch lynx at the same time you're catching wolverine. But it's kind of interesting that the units except for Unit 13 on both sides of it which have longer trapping seasons than Unit 11 and way more trappers. Unit 11 has very few trappers and a very large area.

So from that standpoint, I have to agree with my trapper friends up there that if we're going to justify this on a conservation concern, I don't think we have a leg to stand on. If we're going to say that there's incidental caught wolverine in lynx traps, then we need to close the coyote season and the wolf season too.

For my own personal experience, if I want to catch a wolverine -- and I'm a scent trapper. I don't use bait. If I want to catch a wolverine, I don't use cat scent. Cat scent doesn't catch wolverine. If I want to catch a wolverine, I use coyote scent or wolf scent and I'll make my pee-posts with that and that's when I'll catch a wolverine.

And so from that standpoint, I know that there are wolverine caught in cat scent, so I'm not going to argue that, but I don't think it's as big of an impact as wolf trapping, coyote trapping, and I don't think in this case that it's a big enough impact with a half a wolverine more or even a couple wolverine more to impact an area that's got 12,000 square miles or 13,000 or whatever it is. Somewhere in that neighborhood anyhow.

So myself I'm going to vote in favor of this proposal based on that even if it's against what I testified in front of the Board because I was

testifying that -- for the fact that we had a short season there and I had young trappers in the area that were being put on the spot by being able to trap lynx and having to turn wolverine loose and they're the ones that caught seven wolverine that you're talking about, you know, and it was kind of hard, but I can't justify this on a conservation concern. We can talk it from another way, but the impact is so minimal in Unit 11.

Now, can that change. Can we get a bunch of population out there. I happen to know one of the biggest trappers out there for trap line is retiring. One of the other trappers that has been trapping there for 40 years is pretty much semi-retired and probably will retire next year. If not retire, he'll do the same thing I did, run a dozen traps or so close to home. So we're not going to have a real lot of impact at least -- what I'm talking about is -- and this I'm talking about in the Chitina Valley which is the center of Unit 11. I can't speak for the Nabesna Road area, but I don't see much impact from that areas over there.

What are your observations as far as trapping pressure in Unit 11?

MR. DELFRATE: Thank you, Mr. Chair. Hey, I think you're characterizing the trapping observations fairly accurate. Comparatively to the adjacent units, Unit 11 has a fairly low trapper density and it's mostly because many of the trappers have to either be Federal trappers to access some of the Federal lands in the area. They may have to have permission from the private landowners in order to access some of the properties, and so it is a tougher area to get into with regards to establishing a trap line. And so I think you've characterized that fairly well and -- so yeah.

CHAIRMAN LOHSE: Would it be your opinion that there's a lot of rugged country in Unit 11 that nobody gets into in the wintertime?

MR. DELFRATE: Mr. Chair. I don't have that information. I think it's probably true, but I don't get the opportunity to spend much time in Unit 11 and so I can't -- I can tell you more about the Kenai.....

CHAIRMAN LOHSE: You can't say that

from personal experience. Yeah. Well, anybody that wants to go look at a map can see there's an awful lot of high country there that nobody can get to.

Anyway, with that I didn't mean to put you on the spot, but I just know that we go back -- we use the same -- we go back and we use the same arguments all the time and sometimes they're -- you know, sometimes they really are vital, but a lot of times what we're doing is we're skirting around the issue and we're using them as excuses and the -- like the conservation issue with trapping wolverines in February. That would be true if we had trappers all over the high country. I agree with you a hundred percent.

That's not so true when you're -- when everybody's trapping down in the valley, sort of the river bottoms and stuff like that. And this can be an -- I don't know. Some of these other areas in the State that have these long seasons, I look at the map and I look at the topography and I can't see anyplace I couldn't go in there and yet they have seasons that last to the end of March, some of them into April, and here we have one of the most rugged pieces of topography in the State and we've got one of the shortest seasons, you know. And I can understand for Unit 13 because Unit 13's accessible and has a lot of people in it, but Unit 11 doesn't have that.

So I think that this would have a positive impact on subsistence users, but at the same time, I recognize the fact that you will have some bycatch. Now whether you'd have sufficient bycatch to impact the lynx, I don't know.

Any other comments you've -- the ADF&G would like to make?

MR. DELFRATE: I think just one general comment. I find it kind of interesting we've had similar discussions with regards to the issue of trying to align lynx and wolverine seasons with the Board of Game, local advisory committees, and in -- from my observation, I've seen that some of our Staff are adamant that you try to align the seasons as much as possible. Some trappers are very vocal with regards to aligning the seasons in order to minimize incidental catch.

But you continuously bounce back and forth between okay, while we -- we're aligning wolverine and lynx, suddenly we then focus on the longer wolf and coyote seasons and then there's the desire to have a year-round coyote season which then makes us a little uneasy with regards to incidental catch for everything else, you know, including bears in the springtime.

And so it's -- I think it's a preference. It's -- I don't know that the jury is going to decide one way or another which is the best way to go on that part. The other part of this is the actual what is the best season date with regards to wolverine conservation and I think the key that you've spoken to quite a bit is access to refugia and from what our furbearer biologists have seen throughout North America and where wolverine actually exist is there is a need for refugia and as you get away from refugia -- and we may be experiencing some of that closer to town here in the Talkeetna Mountains, the Chugach Mountains close to Anchorage, and even here in Anchorage where we're losing our refugia and we may not necessarily have places where we can fill back in from those areas.

When those go away, then you have the potential to see your wolverine numbers drop dramatically. Whether or not that'll ever be the case in Unit 11, I'm not sure. I do know from discussion with our biologists in Unit 13, one of the things that they try to do and it's as much of a convenience for trappers as it is for management, is to try and maintain even seasons so that everybody understands that trapping begins on November 10th or now November 1st in most areas and extends through either the end of January, the end of February, or the end of March depending on your species.

And they also try to align Unit 13 and Unit 11 and that's one of our preferences and I think that's part of the reason why we're in opposition to this as well. So I'll stop there and I think we can move on. Thank you.

CHAIRMAN LOHSE: Thank you. I recognize those and probably personally I'd like to see seasons aligned too, all of them, but at the same time I recognize that sometimes it impacts the subsistence users in a way that we have to make sure what we use

for an argument against it and in this case here, I think any kind of conservation concern or denning concern doesn't really enter into the equation when we look at the numbers and things like that.

It's possible that convenience in aligning seasons or something like that might enter into it, but as far as the impact on the subsistence user, that convenience is not supposed to come in to our discussion here, you know, for us as a Council so -- but thank you for that.

MR. CARPENTER: Can I ask one question.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. Just -- this is very interesting because I tend to agree. I'd like to see seasons aligned too. If you had a permanent date like February 28th for a wolverine season to close, from a biological standpoint, you know, I'm not all that familiar with lynx reproduction and I know that they have very highs and very dramatic lows depending on the rabbit populations, but from a biological point of view, if you had a permanent wolverine date -- if you -- if the lynx season -- you know, if the lynx season changes with the cycle, would it have a smaller impact on the lynx population if you had some incidental catch of lynx with a late wolverine season? Would it be a less -- less of a problem with the lynx population in the long term as it would if you reversed that. I know wolverines have a very low productive rate and you think it would have a more dramatic impact if you had reversed the scenario and had incidental wolverine catch.

You see what I'm saying.

MR. DELFRATE: Yes. Thank you, Mr. Chair. And Mr. Carpenter. I think you're right. You would have less of an impact on the overall lynx cycle if you were just incidentally taking a few lynx as -- otherwise if you were -- it'd probably heavily impact your wolverine season or your wolverine population if you in you're incidentally taking a wolverine.

MR. CARPENTER: Okay. Thank you.

CHAIRMAN LOHSE: One last question if I could. I just thought of something and that's one

thing that I -- it's my fault for not having looked it up. But with the high lynx cycles that we've had this year, have we extended the lynx season anyplace in the State till March 31st? Or have all the lynx seasons closed February 28th?

MR. DELFRATE: Mr. Chair, I don't know that question. I think we set the lynx seasons prior to publishing our regulations and I don't know that we've ever extended a lynx season through emergency action anywhere.

CHAIRMAN LOHSE: I wasn't thinking of emergency action. I meant underneath our lynx tracking strategy, do we have lynx seasons that go to March 31st. I mean would there be a potential in the future for Unit 11 or Unit 13 to go to a lynx season that's March 31st?

MR. DELFRATE: I don't think so. I think right now -- well, there's always a possibility of going that direction if the Board of Game approved it. Right now I believe that the regulation in our codified book is November 10 through February 28. That's the maximum season dates that you can allow under harvest tracking strategy and you'd have to have Board action in order to extend beyond that and right now I believe -- it's -- with our emergency action so to speak, our harvest tracking strategy action, we can maintain our seasons somewhere within those dates but not outside those dates.

CHAIRMAN LOHSE: And that's the other question I has going to ask you is how short can we shorten the lynx season because that would impact the subsistence trappers in Unit 13 -- or in Unit 11 if it was shortened so far that they had no wolverine season to speak of, you know.

MR. DELFRATE: The short answer is we can close the season completely due to -- and we do that in some areas. In -- the longer answer is that some of this depends on the biologists' understanding of what goes on in the area, the number of trappers as you've described describe, if it's a very small trapping pressure, then its entirely possible that we'll have a longer season, and Bob Taube has been pretty good about -- his opinion is yeah, we'll shorten the season under harvest tracking strategy, but we're not going to go to a two-week season like we have on

the Kenai in some years or -- and so he -- his idea of shortening the season may go to December 31st in an -- in his area which would be similar to a complete closure in other areas.

January 31st is I think where he tends to modify his season when it starts to get concerned -- extend out from there.

CHAIRMAN LOHSE: Okay. Any other questions from anybody else.

(No comments)

CHAIRMAN LOHSE: Thank you. Okay. Tribal Agency comments.

(No comments)

CHAIRMAN LOHSE: Federal Agency comments.

(No comments)

CHAIRMAN LOHSE: Park Service comments.

(No comments)

CHAIRMAN LOHSE: InterAgency Staff Committee comments.

(No comments)

CHAIRMAN LOHSE: SRC comments.

MS. CELLARIUS: Thank you, Mr. Chair. For the record, I'm Barbara Cellarius with Wrangell-St. Elias National Park and I'm speaking for the Subsistence Resource Commission.

The Wrangell-St. Elias National Park Subsistence Resource Commission unanimously supports the proposal.

The Commission heard public comment in support of the proposal. The two species are on different cycles and consequently should be managed independently. The proposal protects subsistence opportunity. If it is not approved, the wolverine season could be unnecessarily shortened when the lynx

season dates are adjusted.

CHAIRMAN LOHSE: Any questions for the SRC.

(No comments)

CHAIRMAN LOHSE: Thank you, Barbara. Fish and Game Advisory Committee comments, have we got any. Donald.

MR. MIKE: Mr. Chair. This morning I handed a comment from Upper Tanana Fortymile Advisory Committee on Proposal 34. They support it basically stating that this is a good proposal for all the reasons listed in the proposal.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Summary of written public comments, Donald.

MR. MIKE: Mr. Chair. We have three written public comments that's in the Council book starting on Page 135 and these are lengthy comments. And in addition to that, we have the AHTNA Subsistence Committee comments and the AHTNA Subsistence Committee support the -- separate the wolverine trapping season for Unit 11 and start on Page 135 for -- keep these short. Mr. Chair. I'm going to just state on record who submitted the proposal and their position on the proposal.

On Page 135, written public comment received from Kieth Rowland of McCarthy, supports the proposal. And starting on Page 135, written comment received from Dean Wilson, Jr., from Canyon Lake supports the proposal. And on 136, Corey Schwanke of Brunnell also supports the proposal.

Thank you, Mr. Chair.

And in addition to that, we have some administrative information.

CHAIRMAN LOHSE: Thank you, Donald. Polly.

DR. WHEELER: Thank you, Mr. Chair. I just wanted to point out that the proponent of this

proposal, Mr. Schwanke, had submitted two pages of public comments in support of his proposal, but as is common practice with us when we have these lengthy public comments, we summarize.

We believe that the summary that's in your books represents the key points that Mr. Schwanke brought up in his full two pages, but the full two pages are entered into the administrative record and will be available to the Board and the Staff Committee at their meetings too, but I just wanted to point that out because he did raise this as an issue that his full set of comments wasn't in the books. Mr. Chair.

CHAIRMAN LOHSE: If anybody wants to read his full set of comments, I have them.

DR. WHEELER: As do I.

CHAIRMAN LOHSE: Yeah. Thank you, Donald. If you've all had a chance to look at the written comments, you'll see a lot of the things that have been said they reiterate: the shortage of trappers, the areas nearby having longer seasons or regular seasons, the denning impact, and things like that and the refugia. So it'd be worthwhile glancing through them at least in -- I hope you've all read them before you got there, but you definitely should take a look at them.

Okay. Now public testimony, have we got any.

MR. MIKE: No, Mr. Chair.

CHAIRMAN LOHSE: I thought we were going to have more. Okay. Regional Council deliberation, recommendation, justification, WP10-34. Motion to put it on the table. It's in order.

MR. CARPENTER: So moved

CHAIRMAN LOHSE: Do I hear a second.

MR. BLOSSOM: Second.

CHAIRMAN LOHSE: Been moved and seconded to put WP10-34 on the table. Okay.

Discussion.

Tom.

MR. CARPENTER: Yeah. Mr. Chairman. Thank you. I mean I'm fairly familiar with this area and have listened to the testimony and actually have talked to some of these people that are trappers up there. There is a small number of trappers. I think if you look at the harvest data over a long period of time, any season that extends past February 28th does have a dramatic impact on the amount of wolverines that are harvested. February 28th and earlier, the harvest levels seem to be quite similar and stable and I don't believe that having a season permanently in Federal regulation set at February 28th will have an adverse impact on the wolverine populations. And I think that we have ample public -- or written testimony that supports the people from this area -- that they support this idea.

We also heard from the Wrangell-St. Elias Resource Commission which are all users of that area and they are also in support of this. So I am going to support this proposal.

CHAIRMAN LOHSE: Tom.

MR. BLOSSOM: Mr. Chair. I'm going to support it for a little different reason. I heard the testimony that we could have incidental lynx caught in the wolverine sets and that'll hurt the lynx population and for that reason, I think separating them is desirable because as I look at all this, the wolverine is fairly stable in what they're catching and the lynx could crash and that change of season, so it should be a separate season and you manage the species according to their biomass.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I remember when my mom and dad used to go out and trap. They really didn't catch that much wolverine. So I don't think it had much of an impact.

CHAIRMAN LOHSE: Any other comments, discussion, questions. Ricky.

MR. GEASE: I too will vote in support of this proposal. Listening through the discussion, I did hear the conservation concerns for lynx trapping or

for wolverine trapping during the low cycle of lynx to justify the need for the special providing.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Thank you, Mr. Chair. And likewise from the local comments and discussion here, I think this would be detrimental to subsistence users, so I'll support the proposal.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: No further discussion. Question's been called. All in favor of WP10-34 signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. And I will try to carry the Council's opinions to the Board and ignore some of the things I've said in the past and some of the things.....

(Laughter)

MR. CARPENTER: And contradict yourself.....

CHAIRMAN LOHSE: .....and contradict myself, yes.

(Laughter)

MR. CARPENTER: They'll understand, Ralph.

CHAIRMAN LOHSE: Okay. We're going to WP10-36. 35 is a time sensitive one for 1:00 o'clock this afternoon.

MR. KRON: There's three in one. 36, 37, 41.

CHAIRMAN LOHSE: This is WP10-36, 37, and 41. It's all on wolf hunting, wolf trapping in

Unit 13D and 14C, so.....

MR. KRON: And we move to take no action before we hear the Staff analysis.

CHAIRMAN LOHSE: Sure. So we'll put WP10-36, 37, 41 on.

MR. KRON: Mr. Chair. Members of the Council. Proposals WP10-36 and 37 were submitted by the Defenders of Wildlife in conjunction with the Alaska Wildlife Alliance. WP10-41 was submitted by the Alaska Wildlife Alliance. The analysis for these proposals begins on Page 147 of your Council book.

Proposal WP10-36 requests that the wolf trapping season in 13D be changed from October 15th through April 30th to November 1st through March 31st. Proposal WP10-37 requests that the wolf hunting season in Unit 13D be changed from August 10th through April 30th to November 1st through March 31st and that the harvest limit be reduced from ten wolves to five. Proposal WP10-41 requests the wolf hunting be closed in Unit 14C to provide for more wildlife viewing opportunities.

The wolf populations in Units 13D and 14C are likely stable. The wolf populations in these units are thought to be regulated more by natural factors than by hunters and trappers. Wolves are an important subsistence resource in these units.

Proposals WP10-36 and 37 would make the Federal subsistence wolf trapping seasons shorter than the State seasons. WP10-37 would make the Federal subsistence wolf hunting harvest limit lower than the State regulations. The proposed closure of wolf hunting in Unit 14C would make the Federal subsistence regulations more restrictive than the State regulations.

The OSM preliminary conclusion is to oppose Proposals WP10-36, 37, and 41.

Thank you, Mr. Chair.

I'd be happy to take any questions.

CHAIRMAN LOHSE: Do we have any questions. Chuck.

MR. LAMB: Is 13D -- is that part of predator control area out there?

MR. KRON: Mr. Chair. I'm seeing the Department nodding no. Thank you, Mr. Chair.

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

MR. PAPPAS: Thank you, Mr. Chair. George Pappas, Department of Fish and Game. I'll be summarizing for our comments on Page 155.

Contrary to the proponent's claim in Proposal No. 36, WP10-36, trapping is not an effective predator control method when the objective is to reduce wolves to low densities. Long seasons, a lot of traps take wolves when they encounter them on their lines and to make sets when it is appropriate.

The value of the hide depends on who the trapper intends to sell it go and what it's to be used for. Proposal WP10-37 incorrect use, Federal subsistence wolf hunting seasons and bag limits were established to benefit prey species. The Federal subsistence wolf hunting season open and closure dates are traditional, allowing Federal subsistence hunters the opportunity to take wolves for subsistence on Federal lands under ANILCA provisions while hunting other big game in both spring and fall and the hide value depends on what the wolf will be used for.

Wolf numbers in 13D are not controlled under the Predator Management Program and wolf numbers are stable. In 13D -- Unit 13D was not included in the Predator Control Program because it's heavily timbered which makes airplane base management very difficult. However, wolves are an important predator in 13D with sheep and moose numbers low enough to be impacted by wolf predation.

Since 2001, the average annual take of wolves in 13D has been about 23 percent, ranging from 9 to 38 percent. It is well documented that this range is sustainable and that long season dates provide maximum opportunity for trappers to have no impact on population -- excuse me -- provides maximum opportunity for trappers and have no impact on population health in 13D.

At present harvest levels in 14C and with the existing refugia provided by Chugiak State Park, there are no conservation concerns. As to apportion issues, differences in Federal and State regulations resulting from adoption of these proposals will create apportion issues in areas of mixed landownership and apportion for seasons with long trap lines running through both Federal public lands and non-Federal public lands by both Federal subsistence and non-Federal subsistence trappers will be very difficult.

And the Department opposes this proposal -- these three proposals. Thank you, Mr. Chair.

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STATE OFFICIAL WRITTEN COMMENTS
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Alaska Department of Fish and Game
Comments to the Regional Advisory Council

Wildlife Proposal WP10-36:

This proposal shortens the federal wolf trapping season in Unit 13D by 47 days with season dates changed from October 15 through April 30 to November 1 through March 31.

Wildlife Proposal WP10-37:

This proposal shortens the federal subsistence wolf hunting season in Unit 13D by 113 days with season dates changed from August 10 through April 30 to November 1 through March 31.

Wildlife Proposal WP10-41:

This proposal prohibits wolf hunting on federal public land, Chugach National Forest, located in the southwestern corner of Unit 14C.

Introduction:

Contrary to the proponent s claim in proposal WP10-36, trapping is not an effective predator control method when the objective is to reduce wolves to low densities. Long seasons allow trappers to take wolves when they encounter them on their lines and to

make sets when it is appropriate. The value of a hide depends on who the trapper intends to sell it to and what it is to be used for. Proposal WP10-37 incorrectly assumes federal subsistence wolf hunting seasons and bag limits were established to benefit prey species. The federal subsistence wolf hunting season opening and closure dates are traditional, allowing federal subsistence hunters the opportunity to take a wolf for subsistence on federal lands under ANILCA provisions, while hunting other big game in both the spring and fall. Hide value depends on what the wolf will be used for.

Based on an aerial survey in 1995 and anecdotal reports, the department estimates Unit 14C has at least 25-30 wolves in 4-5 packs. One pack uses the Twentymile River drainage in the southeastern corner of the subunit, which is in Chugach National Forest. The territory of a second pack from the Kenai Peninsula may occasionally include the Twentymile River drainage. Fur sealing records indicate 37 wolves were sealed from Unit 14C during 1984 2007. Eleven of these wolves were harvested in the Twentymile River drainage. Nearly half of the wolves (16/37) were taken by hunters and 6 of these wolves were shot in the Twentymile River drainage. Thus, in the past 24 years an average of 1.5 wolves per year were reported harvested by all methods, including 4 killed by vehicles, in Unit 14C. A wolf population of 25-30 individuals will not be reduced by annual harvest rates of 1.5 wolves (5-6%). Since statehood, there has been no effort to reduce wolf populations in Unit 14C under the state s predator control programs. Wolf hunting and trapping is prohibited in adjacent Chugach State Park and on the local military reservations, which provide a refugium for one of the subunit s packs and partial refugium for at least two other packs.

Impact on Subsistence Users:

Adoption of proposal WP10-36 reduces federal subsistence opportunity to trap wolves. Proposal WP10-37 would shorten the wolf hunting season from 263 days to 150 days per year, reducing some opportunity for federal subsistence hunters. If adopted, the federal subsistence wolf bag limit would be reduced by 50% to five wolves. Regarding WP10-41, it is not clear how many of the 6 wolves shot in the Twentymile River drainage in the past 24 years were taken by subsistence hunters.

Opportunity Provided by State:

In Unit 13D, the state provides an October 15 through April 30 trapping season and harvest is not limited. The state provides an August 10 through April 30 hunting season and harvest is ten wolves. The state wolf hunting season for Unit 14C remainder, outside of more restrictive special management areas, is August 10 through April 30 with a harvest limit of five. The state wolf trapping season for Unit 14C remainder, outside of more restrictive special management areas, is November 10 through February 28, and harvest is unlimited. Most wolves are taken in the Peters Creek, Knik River, and Lake George areas.

Conservation Issues:

Wolf numbers in 13D are not controlled under a predator management program and wolf numbers are stable. Unit 13D was not included in the predator program because it is heavily timbered which makes airplane based management very difficult. However, wolves are important predators in 13D, with sheep and moose numbers low enough to be impacted by wolf predation. Since 2001, the average annual take of wolves in 13D has been 23% (range = 9% 38%). It is well documented that this range is sustainable. The long season dates provide maximum opportunity for trappers and have no impact on population health in 13D. At present harvest levels in Unit 14C and with the existing refugium provided by Chugach State Park, there are no conservation issues.

Enforcement Issues:

Differences in federal and State regulations resulting from adoption of these proposals will create enforcement issues in areas with mixed land ownership. Enforcement of seasons along traplines running through both federal public lands and non-federal public lands by both federal subsistence and non-federal subsistence trappers would be very difficult.

Other Comments:

It is unlikely that all adults would be taken out of a pack by the hunting or trapping addressed in these proposals. Adults have learned to

avoid man through experience and are the most difficult pack members to take, while pups are the most vulnerable pack members to harvest. Pup starvation is unlikely even if some adults are taken. Wolves have evolved and thrived under natural conditions where adult mortality occurs regularly through intraspecific competition. Also, older adults kill large prey, thus are subject to injury and death. In cases of natural adult mortality, the pack social structure provides support to pups.

Subsistence trappers know their lines and wolf movements so should be allowed to choose the time to set the line provided there are no conservation concerns.

Recommendation:

Oppose.

CHAIRMAN LOHSE: Any questions for the Alaska Department of Fish and Game. Ricky.

MR. GEASE: Would adoption of any of these proposals improve the conservation of wolves?

MR. DELFRATE: Short answer's no.

MR. GEASE: Thank you.

CHAIRMAN LOHSE: The other question I have is, is there any conservation concerns for wolves in these areas.

MR. DELFRATE: Again the short answer is no, but I should probably just put a little more on the record there. Currently the population in 13D is probably considered stable with the existing regulations in place. We don't anticipate that the wolf population will increase or fall to levels that we would have conservation concerns and likewise in 14C, there's at least one wolf pack in the 20-mile drainage on Federal lands and maybe another pack or two that venture over from Unit 7 and those numbers have fluctuated due to hunter and trapper effort, but they've always persisted. So that's -- basically I don't think we would have a conservation concern there.

If a pack would happen to be completely removed, it's generally quickly replaced by disbursers

from other areas. Thank you.

CHAIRMAN LOHSE: Thank you. Any questions for Alaska Department of Fish and Game.

(No comments)

CHAIRMAN LOHSE: Thank you. Any Tribal Agency comments, Federal Agency comments, or other State Agency comments?

(No comments)

CHAIRMAN LOHSE: How about InterAgency Staff Committee comments.

(No comments)

CHAIRMAN LOHSE: Subsistence Resource Committee comments.

(No comments)

CHAIRMAN LOHSE: Fish and Game Advisory Committee comments.

(No comments)

CHAIRMAN LOHSE: Summary of written public comments.

MR. MIKE: Mr. Chair. There is one written public comment regarding Proposal 10-35 from the AHTNA Subsistence Committee supporting Proposal 35 to allow a winter hunting seasons.

Pardon me, Mr. Chair. 36 and 37, the AHTNA Subsistence Committee oppose 36 to shorten the wolf trapping season of Unit 13D from October 15th through April 30th to November 1 to April 30th. A longer wolf trapping season is needed in Subunit 13D to harvest more wolves by trappers. There isn't a Predator Management Control program Subunit 13D to protect the calves of moose. The moose probably needs to increase in Unit 13 and a longer trapping season would aid in the recovery of the moose population.

On Proposal 37, the AHTNA Subsistence Committee 37 to shorten the wolf hunting season from August 10th to April 30th to November 1 to March 31 in

Subunit 13D with a reduced bag limit of ten and take of five wolves. We oppose the five wolf bag limit which is a reduction down from ten bag limit.

The written public comments are in your Council book. Proposal 36, 37, Page 157, the Alaska Professional Hunters Association opposed the proposal. We have a very high level of respect for Alaska's wolf population and believe that they're integral in the fabric of Alaska. However, they have -- have to have population control measures that will prey species to leave within bounds of what the habitats will provide. Wolves have to be included into the management process in enough manner to provide maximum human benefit from the prey species.

This type of management provides the best stewardship possible for the prey species as well as all people who depend or enjoy the benefit of high density population equilibriums. Thus the Federal Subsistence Board is mandated with providing subsistence hunting opportunities in the scope of these proposals take away from that objective.

We encourage the Board not to pass these proposals.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. Do we have any public testimony.

(No comments)

CHAIRMAN LOHSE: Hearing none, a motion to put WP-36, 37, and 41 -- to accept.....

MR. CARPENTER: So moved

CHAIRMAN LOHSE: .....Proposals WP-36, 37, and 41.....

MR. GEASE: Second.

CHAIRMAN LOHSE: .....is in order. So moved.

MR. GEASE: Second.

CHAIRMAN LOHSE: Second. Discussion.

Ricky.

MR. GEASE: Through testimony, it is conservation concerns for the continuity of wolves that justifies shortening of seasons is not demonstrated.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. Likewise with no -- the wolf populations appear to be stable. This will have a severe adverse effect on subsistence users. The restrictions are more severe than State seasons. There's reasonable cause that there will be enforcement problems enforcing the different seasons and there's not written public support and I call for the question.

CHAIRMAN LOHSE: Question's been called. All in favor of WP-36, 37, and 41 signify by saying aye.

(No aye votes)

CHAIRMAN LOHSE: All opposed signify by saying nay.

IN UNISON: Nay.

CHAIRMAN LOHSE: Motion fails unanimously.

MR. CARPENTER: Mr. Chairman.

CHAIRMAN LOHSE: Yes.

MR. CARPENTER: Just a point of order and I'm not sure if we've ever done this, but in regards to Proposal 38 which we're going to deal with now, my opinion is that the information that we're going to hear from the State OSM, reading through the public comments, without objection from the Council, I would move that we take no action on Proposal 38 in lieu of the information that we've already heard.

CHAIRMAN LOHSE: Is that -- Polly, is that a legitimate thing to do? Or would we be better just to take action on it.

DR. WHEELER: I've been whispered to. I was -- sorry. I was thinking about the smell of gasoline. I don't know if you've all noticed it, but

I've asked them to -- I know. I've asked them to deal with it. Apparently the people mover buses out there that are -- and the wind is blowing this way, but we'll see what we can do about it. If at any time people feel faint or something, please walk outside. But it is bad right here. So.....

MR. CARPENTER: Is that why I'm thinking irrationally.

(Laughter)

DR. WHEELER: No. You're thinking outside of the box. My recommendation, Mr. Chair, just for the clarity of the sake of the record is that you do take action on it. I know that it's -- Mr. Kron can reference some of the previous comments and in your comments, you can reference some of your previous comments, but I would note that the Eastern Interior Regional Advisory Council did take action on this proposal separate from 36, 37, and 41. So it would probably be in your best interest to take action on it, Mr. Chair, although as always, you guys can do -- this Council can do what it feels most appropriate.

MR. CARPENTER: Then I withdraw my motion.

CHAIRMAN LOHSE: Okay. Okay. With that, we put -- we're going to hear the information on WP10-38. And if you can reference -- if anything is similar to the time before, just reference it.

MR. KRON: Mr. Chairman. I will make this short. WP10-38 was submitted by the Defenders of Wildlife in conjunction with the Alaska Wildlife Alliance. This proposal affects both the Eastern Interior and your Council and, you know, it has -- was reviewed by the Eastern Interior Council. Two weeks ago, they opposed it.

The analysis for this proposal begins on Page 158 in your Council book. The proposal requests that wolf hunting not be allowed in Units 11 and 12 in the months of August, September, October, and April. The wolf populations in Units 11 and 12 are thought to be healthy. The populations in these units are thought to be regulated more by natural factors than by harvest by hunters and trappers. Wolves are an important subsistence resource in these units.

While only a small part of the wolf harvest occurs in the months of August, September, October, and April, the opportunity for hunters to take wolves in these months is important to the Federally-qualified users that participate in the harvest at that time. This proposal would make the Federal subsistence wolf hunting seasons in Units 11 and 12 shorter than the State seasons. OSM's preliminary conclusion is to oppose Proposal WP10-38.

Thank you, Mr. Chair.

I'd be happy to answer any questions.

CHAIRMAN LOHSE: Any questions.

(No comments)

CHAIRMAN LOHSE: George. Did you have a question, Ricky.

MR. GEASE: I was just curious why Defenders of Wildlife and Alaska Wildlife Alliance weren't also seeking a reduction in the number of wolves that could be taken. It's not clear here.

CHAIRMAN LOHSE: That I don't think anybody here can answer.

(Laughter)

CHAIRMAN LOHSE: Okay. Alaska Department of Fish and Game.

MR. PAPPAS: Thank you, Mr. Chair. George Pappas. I'll be summarizing briefly from Page 165 from our comments.

This proposal incorrectly assumes Federal subsistence wolf hunting seasons opening August 10th are solely for predator control. August openings are traditional allowing Federal subsistence hunters the opportunity to take a wolf while hunting other big game. Hide value depends on what the wolf is used for. Adoption of this proposal would unnecessarily restrict the opportunity to take wolves for subsistence while big game hunting.

Currently the season bag limit for wolf in Unit 11 have virtually no impacts on wolf numbers.

Since '99 an average of two wolves per year have been taken. Hunting usually accounts for 10 to 20 percent of the wolf taken in Unit 11. Wolf numbers and total harvest can be relatively stable -- have been relatively stable in Unit 11 for many years and there's no conservation concerns.

At this time, Department opposes this proposal. Thank you, Mr. Chair.

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STATE OFFICIAL WRITTEN COMMENTS
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Alaska Department of Fish and Game
Comments to the Regional Advisory Council

Wildlife Proposal WP10-38:

This proposal would shorten the federal subsistence wolf hunting season in Units 11 and 12 by 113 days with season dates changed from August 10 through April 30 to November 1 through March 31.

Introduction:

This proposal incorrectly assumes federal subsistence wolf hunting seasons opening August 10 are solely for predator control. August openings are traditional, allowing federal subsistence hunters the opportunity to take a wolf while hunting other big game. Hide value depends on what the wolf will be used for.

Impact on Subsistence Users:

Adoption of this proposal would unnecessarily restrict the opportunity to take a wolf for subsistence while big game hunting.

Opportunity Provided by State:

The state provides an August 1 through April 30 hunting season with a bag limit of 10 wolves.

Conservation Issues:

Current season and bag limits for wolf hunting in Unit 11 have virtually no impact on wolf numbers. Since 1999, an average of 2 wolves per year

have been taken. Hunting usually accounts for 10 20% of the total wolf take in Unit 11. Wolf numbers and total harvests have been relatively stable in Unit 11 for many years, and there are no current conservation concerns.

Fall wolf population estimates in Unit 11 ranged from 78 to 122 since the mid 1990s. For the size of the unit, this represents a very low natural density of wolves. The annual harvest rate since 2001 has averaged 19% (range = 12-24%), well within the range of sustainability regardless of the long hunting and trapping seasons. This stable low density pattern is due to the low density dynamic equilibrium predator/prey situation among wolves, moose, caribou, and sheep in the area.

The proposer incorrectly suggests that adjacent Unit 13 has a very low wolf density due to active predator management. While wolves have been reduced in Unit 13 in recent years, it was not by 80% as the proposer suggests. For comparison, the controlled wolf density in Unit 13 is actually higher than the current Unit 11 density. The most recent spring density of wolves in Unit 11 in 2008 was 2.2 wolves/1,000 km2, considerably lower than in adjacent Unit 13 (3.8 wolves/1,000 km2). Shortening the wolf hunting or trapping season in Unit 11 at this time would have no effect on the conservation of wolves.

Enforcement Issues:

Differences in federal and state regulations resulting from adoption of this proposal will create enforcement issues in areas with mixed land ownership.

Other Comments:

It is unlikely that all adults would be taken out of a pack by the hunting addressed in this proposal. Adults have learned to avoid man through experience and are the most difficult pack members to take, while pups are the most vulnerable pack members to harvest. Pup starvation is unlikely even if some adults are taken. Wolves have evolved and thrived under natural conditions where adult mortality occurs regularly through intraspecific competition. Also, older adults kill large prey, thus are subject to injury and death. In cases of natural adult mortality,

the pack social structure provides support to pups.

Recommendation:

Oppose

CHAIRMAN LOHSE: Thank you. Any questions for George. Ricky.

MR. GEASE: Do you see adoption of this aids in the conservation of wolves and is there a need for conservation in this area?

MR. PAPPAS: Through the Chair. Mr. Gease, no.

MR. GEASE: Thank you.

CHAIRMAN LOHSE: Any other questions? Thank you, gentlemen. Subsistence Resource Commission comments.

MS. CELLARIUS: Thank you, Mr. Chair. The Wrangell-St. Elias unanimously opposes the proposal. The proposal would adversely affect subsistence users by reducing subsistence opportunity and there's not a conservation concern. Although hides are not necessary prime during the months in question, they can still be valuable for the harvester. The hides of wolves harvested in April, for example, may not -- may have less undermat, however, they are not rubbed and confused by skin sores.

CHAIRMAN LOHSE: Thank you. Any questions for Barbara. Ricky, got a question.

MR. GEASE: (Shakes head negatively)

CHAIRMAN LOHSE: Okay. Fish and Game Advisory Committee comments. Donald.

MR. MIKE: Mr. Chairman. The Upper Tanana Fortymile Advisory Committee on Proposal 38, they oppose the proposal. This is not good for hunters. Currently hunters have an opportunity to hunt wolves from August 10th to April 30th. This severely reduces hunter opportunity for wolves. There is no valid reason to do this. Current populations are healthy and surviving. Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. And written public testimony.

MR. MIKE: Mr. Chair, you'll find your written public comments on Page 167 from Kieth Rowland, oppose the proposal. Please do not shorten the wolf hunting season. I live in the McCarthy area and utilize subsistence resources. Wolves prey heavily on moose and sheep in my area leaving less opportunity for local residences. Please keep wolf hunting as liberal as possible.

The Alaska Professional Hunters Associate opposed the proposal. We have a very high level of respect for Alaska's wolf population and believe they are integral to the fabric of Alaska. However, they have population control measures that will enable prey species to live within bounds of what their habitats will provide. Wolves have to be included into the management process in an active enough manner to provide maximum human benefit from the prey species. This type of management provides the best stewardship possible for the prey species as well as all people who depend upon or enjoy the benefit of high density population equilibriums. As the Federal Subsistence Board is mandated with providing important subsistence hunting opportunities and the scope of these proposals takes away from that objective, we encourage the Board not to pass these proposals.

The AHTNA Subsistence Committee opposed the Proposal 38 to shorten the wolf hunting season in Unit 11 and portion of Unit 12, not part of the State's Predator Control Program from August 10th to April 30th to November 1 to March 31.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Public testimony, do we have any.

MR. MIKE: No.

CHAIRMAN LOHSE: Okay. A motion to put WP10-38 on the table is in order.

MR. CARPENTER: So moved.

CHAIRMAN LOHSE: It's been moved to put.....

MR. HENRICHS: Second

CHAIRMAN LOHSE: .....WP- -- to accept WP10-38. Do I hear a second.

MR. BLOSSOM: Second.

MR. HENRICHS: Second.

CHAIRMAN LOHSE: It's been moved and seconded that we accept Proposal WP10-38 as written. Ricky.

MR. GEASE: As we heard again from Fish and Game, there is no conservation basis for these proposals.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. Mr. Chairman. Thank you. Once again no conservation concerns. The wolf populations appear to be stable. This will have an adverse effect on subsistence users. It will cause to be different bag -- seasons for Federal users versus State users, will cause enforcement problems. There's no written public support and I call the question.

CHAIRMAN LOHSE: Question's been called. All in favor of WP10-38 signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: Let me do this again. All in favor of WP10-38 signify by saying aye.

(No aye votes)

CHAIRMAN LOHSE: All oppose signify by saying nay.

IN UNISON: Nay.

CHAIRMAN LOHSE: Motion fails unanimously. Okay. Do we want to break for just a second. Anybody else want to go get a cup of coffee or get rid of one. Okay. We're going to go onto WP10-39, another controversial one.

(Off record)

(On record)

CHAIRMAN LOHSE: Okay. We are ready to go back into session. We're looking at WP10-39 and we're ready for our presentation.

MS. BROWN: Good morning, Mr. Chair. Members of the Council. Cole Brown again with OSM. The analysis for this proposal begins on Page 168 of your book.

Proposal WP10-39, submitted by the Alaska Department of Fish and Game requests that the Federal subsistence regulations be clarified to show the requirements for harvest salvage, reporting and sealing for Dall sheep in Units 11 and 12. The proponent also states that if these rams are not brought in to be sealed valuable information such as detailed size measurements, age, and genetic material is not collected. These data are used to assess population health and dynamics through monitoring of the age structure of the harvest and as well to support ongoing genetic research by the U.S. Geological Survey in the Wrangell-St. Elias Park and Preserve.

The Federal regulations have dealt with Dall sheep horn salvage requirements. Section 6 state that any Federally-qualified subsistence user must possess and comply with the provisions of any pertinent permits, harvest tickets or tags required by the State unless any of these documents or individual provisions in them are superseded by the requirements in subpart D of this part.

So there is existing Federal regulations that are on the books as well -- in Section 6 as well as in Section 26 which is the subsistence taking of wildlife and that already states that a subsistence take of Dall sheep is restricted to a ram. You may not possess or transport a harvested sheep unless both horns accompany the animal. However, both of these regulations have not been consolidated into one location in the public booklet of the Federal regulations, the Handy-Dandy, which may make it difficult for Federally-qualified subsistence users to know the requirements.

Therefore it would be helpful to the Federally-qualified subsistence user to add a sentence in the public booklet that states that Dall sheep horns

must be sealed unless not required through unit specific regulation. However, changing Federal regulation to incorporate additional language would be redundant and would not provide additional clarification to the Federal subsistence user. Therefore OSM preliminary conclusion is to take no action but to revise the Federal regulation public booklet accordingly to give clarity to the Federal subsistence regulations for sealing requirements of Dall sheep horns in all relevant units, including Units 11 and 12. The recommended text in the public booklet would read as follows:

A person who takes a Dall sheep ram under these regulations in the Unit 7, 9, 11 through 16, 19, 20, and 23 through 26 must possess a State harvest ticket and comply with the requirements of that ticket including any sealing requirements.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. Questions. Mr. Henrichs.

MR. HENRICHS: What does the law read now?

MS. BROWN: Mr. Chair. Mr. Henrichs, the Federal regulation that currently exists is Section 6 and it reads a Federally-qualified subsistence user must possess and comply with the provisions of any pertinent permits, harvest tickets, or tags required by the State unless any of these documents or individual provisions in them are superseded by the requirements in subpart D of that part.

So it is quite confusing. It makes the Federally-qualified subsistence user have to understand what subpart D means, has to understand if there are any Federal regulations that are unit specific that supersede the State requirements. So we understand where the proponent is coming from -- where the Alaska Department of Fish and Game wants clarity provided by these regulations. Our conclusion is that they do exist and because of the lengthy time that it takes to change the Federal regulations, it wouldn't be beneficial to the Federally-qualified subsistence user.

What would be more beneficial would be to provide language in the public booklet that they

could read that is in plain English and that they could see that they need to comply with those regulations. Thank you.

CHAIRMAN LOHSE: Thank you. Does that answer your questions, Mr. Henrichs?

MR. HENRICHS: Yes.

CHAIRMAN LOHSE: Okay. Any questions. So basically from what I understand and I think that everybody else understands is this requirement is already in place. It's just not codified into the Handy-Dandy.

MS. BROWN: That's correct.

CHAIRMAN LOHSE: And this applies only to harvest salvage. This doesn't apply to sheep horns that have been salvaged inside the Federal reserve areas, in other words, sheep horns that were found. This is strictly a hunting taking one.

MS. BROWN: Yes, sir.

CHAIRMAN LOHSE: Okay. Any questions for -- no. Alaska Department of Fish and Game.

MR. DELFRATE: Thank you, Mr. Chair. I'll be quick. The Department's comments are embedded in our original proposal. This proposal was put together when it was unclear between hunters and Department Staff and even Federal Staff last sheep season that this requirement was actually in effect. We -- at the same time we made the proposal, there was I think an internal review that is what you have right now and it's pretty clear right now we support the Federal Handy-Dandy being edited so that it reflects that and we can get our sealing information from rams harvested.

Thank you.

CHAIRMAN LOHSE: Thank you. So do you feel that what the Staff is proposing would address the problem.

MR. DELFRATE: Mr. Chair. Yes. Yes.

CHAIRMAN LOHSE: Okay. Thank you. Any

questions.

(No comments)

CHAIRMAN LOHSE: Thank you. Do we have Subsistence Resource Commission comments?

MS. CELLARIUS: Mr. Chair. The Wrangell-St. Elias SRC took no action on this proposal consistent with the OSM recommendation, but I do want to add that the previous meeting, this issue did come up. There had been some confusion about whether the horns needed to be sealed or not and clarifying the language in the Handy-Dandy would be very helpful.

CHAIRMAN LOHSE: Okay. Any Fish and Game Advisory Committee comments.

(No comments)

CHAIRMAN LOHSE: Written public comments. Donald, do we have any.

MR. MIKE: Thank you, Mr. Chair. The AHTNA Subsistence Committee supports Proposal 10-39 to salvage Dall sheep horns and that a person may not possess, transport, or export from the State the horns of a Dall sheep ram taken in any hunt where there is a horn configuration bag limit or a ram only bag limit in Southcentral unless the horns have been permanently sealed by a Department representative within 30 days after the taking.

The Department of Fish and Game gathered better detailed size measurements and genetic information by salvaged Dall horns by the Federally-qualified subsistence users hunting in Unit 11 and Unit 12 for Dall sheep. Now, the Eastern Interior opposed Proposal 10-39. The Council determined that this proposal is unnecessary because they already -- the sealing requirement on the harvest permit.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Okay. So they just opposed the proposal because it's already required. Right?

MR. MIKE: I'm sorry. Mr. Chair. Clarify. The Eastern Interior took no action on

Proposal 39.

CHAIRMAN LOHSE: They took no action. Okay. Okay. There is no public comments.

MR. MIKE: No public comments.

CHAIRMAN LOHSE: Okay. A motion to accept or take no action or defer whatever on WP10-39's in order.

MR. CARPENTER: Mr. Chairman. I move we take no action on WP10-39 in lieu of OSM's recommended language that they will add to the public booklet as read into the record by OSM Staff.

MR. HENRICHS: Second.

CHAIRMAN LOHSE: It's been moved and seconded. Any discussion. Judy.

MS. CAMINER: Mr. Chair. I certainly support the motion. I think the information as written and as proposed by OSM to put in the booklet will be good information to hunters so that they can follow the rules.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Yes. And also seeing that the proposer concludes or agrees with taking no action. Thank you.

CHAIRMAN LOHSE: Okay. So we have a motion on the table to take no action. If there's no further discussion, question's in order.

MR. ENCELEWSKI: Question.

CHAIRMAN LOHSE: Question's been called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. Okay.

I believe the next ones are on -- is the next one in our area or is the next one in -- it is in our area. Okay. Or is 14C part of Eastern Interior. South. Okay. Okay. Let's go to WP10-40.

MS. BROWN: Thank you, Mr. Chair. Members of the Council. Cole Brown again with OSM. The analysis for this proposal begins on Page 172 of your book. Proposal WP10-40, submitted by the Alaska Department of Fish and Game, requests that the wolverine trapping season in Unit 14C be changed from November 10th through February 28th to November 10th through January 31st and that the harvest limit be changed to two wolverines.

In 2009, the Alaska Board of Game closed wolverine trapping in the Chugach State Park and returned the trapping season to November 10th through January 31st from December 15th through January 31st due to increasingly successful harvests and reduced wolverine refugiums in the area. Due to concerns over the population, the proponent believes that the Federal subsistence trapping season and harvest limit should be aligned with the State trapping season, November 10th through January 31st, and harvest limit to change from no limit to two wolverines.

Wolverines have a polygamous mating system with males overlapping territories with several females. The reproductive rate for wolverines is much lower than other furbearers due to the delayed maturity and frequent recruitment failure. Predictably as with other species, the main component of viable wolverine populations is the survival of reproductive females. Therefore maintaining enough suitable habitat for refugia for reproductive females to successfully den and rear kits without making excursion into trapping areas is paramount. The peak of parturition for wolverines in Alaska and the Yukon occurs predominantly from mid-February through March. Females will often move from sites used for natal dens to maternal dens and continue to forage over long distances which may increase the number of harvest during February if parturition occurred in January.

Alaska Department of Fish and Game completed two aerial surveys to estimate densities of wolverine in Unit 14C, an estimated 4.8 and 4.9 wolverines per 1,000 square kilometers in 1995 and 2008 respectively. By adding the harvest for that winter,

the wolverine population for the entire unit was estimated at 18 wolverines in 1994 and 22 wolverines in 2007.

From 1979 to 1993, the main annual harvest was 1.1 wolverines with 25 percent females which increased from 1994 to 2008 to 3.5 wolverines with 44 percent females. While the annual number of wolverines harvested within Unit 14C is small, it represents a substantial proportion of the population within the unit.

From 2006 to 2008, eight out of the ten wolverines harvested in Unit 14C were females, two of which were harvested in February. For a 19-year period from 1985 to 2004, the Federal harvest has been primarily in the months of December which was 35 percent and January, 49 percent.

If the proposal is adopted, it would reduce the Federal wolverine trapping season by one month and reduce the harvest limit to two wolverines. The harvest limit of two wolverines in the shortened season should not have significant effects on the Federally-qualified users since the majority of trappers -- and that was a sample of 20 -- harvested only one to two wolverines. One trapper did harvest three wolverines in 2008 of which two of those were female. So they only harvest one to two wolverines despite there being no harvest limit on wolverines for Federally-qualified subsistence users.

The shortened season would allow higher likelihood of suitable refugia which allows females to successfully den and rear kits without having to make excursions into trapping areas. Allowing the harvest through February puts female wolverines in denning areas at risk for harvest. In addition, the high harvest of females in recent years -- as was stated, eight of the ten wolverines trapped between 2006 to 2008 were females -- coupled with the low reproductive rate of wolverines due to delayed maturity and frequent recruitment failure could be critical to the recruitment rate for the wolverine population in Unit 14C and is a conservation concern.

Therefore OSM preliminary conclusion is to support Proposal WP10-40. Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. Any

questions.

MR. CARPENTER: I have a question.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: You said eight out of ten wolverines that were harvested -- I didn't catch when you said it was that they were actually -- there were females, 80 percent.

MS. BROWN: Yes. So that was between 2006 and 2008. In 2008, there was one trapper that trapped three wolverines, two of which were females, in the month of February.

MR. CARPENTER: Thank you.

CHAIRMAN LOHSE: Any other questions.

(No comments)

CHAIRMAN LOHSE: I have some questions, but I think I'll ask the Fish and Game.

MR. DELFRATE: Thank you, Mr. Chair. The Department does not have prepared comments on this because it is a Department proposal.

However, I guess I would like to reiterate that we do have conservation concern. As we spoke briefly earlier, this is one of those areas where we may be losing any or all of our good refugia for wolverine numbers and so what we have is a small population of wolverine with a very high harvest on these animals. It's probably not sustainable if it were just that population. The only reason it's been as high as it has been is probably because of the refugia providing additional disbursers into the area.

And I think that the only other additional information -- I believe that prior to the Department going -- there was a change in season about six or eight years ago where the Department lengthened the season to February 28th, given that there was just a small area open, and I think the Federal Subsistence Board followed suit with that and then when our season got returned back to January 31st, we now have that discrepancy.

And some years, it's not that big of a deal, but we do have at least one Federal trapper that's very interested in trapping in February and has been pretty successful down in the Twentymile area. So I think I'll just answer questions from here out.

Thank you.

CHAIRMAN LOHSE: Thank you. I've got a couple. You did state that because of the area there you do have conservation concerns. You have a lot higher population of recreational users in that area, don't you?

MR. DELFRATE: Yes. That's correct. And because it's on the road system, we've even found that we have some illegal take that's been going on not so much in the Federal side of this, but this winter we encountered some young trappers that were trapping above Anchorage and specifically targeting wolverine. So it's adding to the concerns.

CHAIRMAN LOHSE: Trapping inside Chugach Park?

MR. DELFRATE: Yes.

CHAIRMAN LOHSE: And that's a closed area, right?

MR. DELFRATE: Yes. Actually the place that these folks were caught were on military lands. They were caught by military police.

(Laughter)

CHAIRMAN LOHSE: One other question I have, I can see the shortening of the season as having an effect on trapping, but I have a problem with bag limits unless this is a recreational trapping area mostly and the recreational trappers will quit after two. But if you have somebody that's setting traps, it's -- you and I were just talking about, maybe I can turn -- I can turn a lynx loose. I have yet to figure out how to turn a wolverine loose. I mean there's no -- you know, there are some animals that don't adapt to being turned loose very easy and, you know, I can understand the shortening of season addressing a conservation concern. I just have a problem with bag limits if there's something else open. If there's

nothing else open, a person can quit after two. But if there's other trapping open, you're going to have incidental caught wolverines as we've talked before. Maybe not as many as I think, but you're going to have some and -- so you don't have an effect on the conservation concern that way that you would have with a shortened season.

MR. DELFRATE: I think I would get chastised if I use the term recreational trapper and I think that it's fine that you do, but we've had that situation in the past. Because most of our trappers trap from their vehicle and they go home at night and they -- you know, they have the ability -- their trap lines are much shorter. They have the ability then to stop after they take one or two animals. It's I think a little bit more of a management tool that can be used in this situation as opposed to a guy that has a hundred mile long snowmachine trail that may have, you know, a dozen or 20 wolverine sets out and -- you know, and have that ability to take more than two.

In most cases, most of our trappers don't catch more than one or two animals and I think they're pretty tickled when they do that. So I think it's going to be maybe this Board's or this Committee's prerogative with regards to that bag limit because, you know, it -- I think we would like to see the bag limit of two that would maybe help encourage the folks that might be good trappers to maybe pull off and leave some for next year.

MR. CARPENTER: I have a question.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: In the written information, it said that some aerial surveys were done and you estimated that in 14C you had an average of like 4.4 to 4.5 wolverines per 1,000 kilometers or whatever. What does that compare with to the rest of Unit 14? Is that way lower per -- you know, just generally speaking.

MR. DELFRATE: Yeah. I think there's a list within that -- within the proposal that shows the range of wolverine densities and typically they're listed because they're research projects. They're listed in number of animals per thousand square kilometers and we do the same thing with bears.

We have, you know, four -- approximately four wolverine per thousand square kilometers is very similar to what we've seen on the Kenai where we've done the same type of density. I believe we're trying to get another density estimate there this winter. It's also very similar to what we've seen in portions of the Chugach and also portions of the Talkeetna Mountains. It's lower than a similar survey that was done out in Yukon Territories and I think they saw nine or so which is a super high density and I think we may have a few areas in the State where we have those kind of densities, but it's nowhere on the road system.

MR. CARPENTER: Thank you.

CHAIRMAN LOHSE: Any other questions. Alaska Department of Fish and Game.

(No comments)

CHAIRMAN LOHSE: Thank you. Okay. Wrangell-St. Elias doesn't have a comment on this one here. Are there any Alaska Fish and Game Advisory Committee comments.

MR. MIKE: No comments.

CHAIRMAN LOHSE: Do you have any written public comments.

MR. MIKE: There are no written public comments no this proposal, sir.

CHAIRMAN LOHSE: And no public testimony.

MR. MIKE: None.

CHAIRMAN LOHSE: None. Then a motion to put WP10-40 on the table is in order to support WP10-40.

MR. CARPENTER: So moved.

CHAIRMAN LOHSE: Do I hear a second.

MR. GEASE: Second.

CHAIRMAN LOHSE: Okay. Discussion.

MS. CAMINER: Mr. Chair.

CHAIRMAN LOHSE: Yes.

MS. CAMINER: I also serve on the Chugach State Park Advisory -- Citizens Advisory Board and so we heard a lot of information over the last couple years about the wolverine population in the Park and worked kind of long and hard with Fish and Game and were successful with the Board of Game at closing the season there because of conservation concerns. And I also attended the Anchorage Fish and Game Advisory Committee when they were talking about a similar proposal that they sent to the Board of Game. So they were in favor of reducing the season because of the conservation concerns.

CHAIRMAN LOHSE: Thank you, Judy. James.

MR. SHOWALTER: Yes. Now they want to reduce it to two wolverine. What have they been catching in the past?

CHAIRMAN LOHSE: Well, let's see.

MS. BROWN: For the most part out of 20 trappers within the past 20 years, they have only harvested one or two wolverines. There's only been one Federally-qualified subsistence user that has trapped three wolverines and that was in 2008 and two of those were females. So for the majority -- the vast majority, they only trap one or two anyway.

CHAIRMAN LOHSE: Then from that standpoint, the impact on the trapper is low, but also the impact on the conservation concern is also extremely low. I mean if -- you're not really changing anything. If the average is one or two and you put a two limit, you really haven't improved your conservation concern.

You haven't impacted the trapper either though.

MS. BROWN: Yes, sir. I would think that for the most part because these wolverines were females and they did occur in February that that's the main reason to make it at the end of January. While you're not having an effect on the vast majority of the

Federally-qualified users, there has been evidence that it has shown a conservation concern in very small amounts and maybe taking away that opportunity would have an effect because we're looking at a small population anyway. So taking two female wolverines could actually have a good effect on the population. Thank you.

CHAIRMAN LOHSE: So basically what you're saying is the biggest effort is the shortening of the season and not the limit. The limit has very little effect on trappers in this case.

MS. BROWN: It appears to be so, yes.

CHAIRMAN LOHSE: Chuck.

MR. LAMB: Do you know if they were targeted wolverine or if they were bycatch from something else?

MS. BROWN: No, I'm sorry, I don't know.

MR. DELFRATE: Thank you. I think that for the most part, most of these wolverine are caught as targeted animals. There is some incidental catch, but in most of 14C, the lynx trapping is not a big issue and likewise, wolf trapping is not a big issue, so folks that are actually catching wolverine are out targeting them.

CHAIRMAN LOHSE: Can I ask you a question while I've got you up here. That's one of the things I was going to ask you is in that area, you said there was some illegal trapping, but aren't Conibears the trap of choice in that area? I know that for people who target wolverines, Conibears and bait and tunnels seem to be the trap of choice and you can't release anything from Conibear.

MR. DELFRATE: Mr. Chair. I'm not -- I can't -- I haven't talked to the trappers and with the wide variety of trappers that we have, I thinks some of these trappers are more inclined to use what they have in their garage than what they -- what's most effective.

CHAIRMAN LOHSE: Okay. Thank you. Doug.

MR. BLOSSOM: Mr. Chair. While we got you up there, shortening the season, would that accomplish your objective and that way we still leave a subsistence qualified user the chance to not have a limit?

MR. DELFRATE: Mr. Chair. Mr. Blossom, I think that the season change is probably the more important part of that proposal.

CHAIRMAN LOHSE: Any other questions. Thank you for being willing to come back. Discussion. Have we got it on the table.

MR. CARPENTER: Yeah.

CHAIRMAN LOHSE: We got on the table. Tom.

MR. CARPENTER: I'll just make a couple comments. I'll support this proposal. I think it's justified at this time. The numbers of the eight of ten wolverines that were trapped in 2006 and 2008 that were females, that seems pretty -- extremely high especially on a vulnerable population. Understanding there's not a lot of trapping activity, but, you know, when you look at 14C the way it's changed over the years, the habitat that is around still for the wolverines is diminishing and it's probably going to continue to diminish. It's obvious that the Board of Game has taken some steps to try and control that and maintain a somewhat stable population because their season's closed.

I notice that the -- in 14C in the Federal regulations that the lynx season closes on January 31st also. So I think at this time, it's -- it's still going to give some opportunity to Federally-qualified users to harvest something in 14C which is good, but it will also help control the population.

CHAIRMAN LOHSE: Any discussion from somebody else. Judy.

MS. CAMINER: Mr. Chair, I guess just to support that, I believe this reduction in time will be consistent or is consistent with recognized principles of fish and wildlife conservation.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Mr. Chair. I guess in what I'm hearing, I would like to strike the two wolverine limit though and leave the no limit in while shortening the season to the January 31st time.

CHAIRMAN LOHSE: Is that an amendment? Is that a motion for an amendment?

MR. BLOSSOM: Yes.

CHAIRMAN LOHSE: Okay. We have a motion for amendment to strike the two wolverine limit but to leave the shortened season in. Do I have a second from anybody.

MR. SHOWALTER: Second.

CHAIRMAN LOHSE: It's been seconded by James. So we have an amendment on the table. Would you -- anybody like to speak to the amendment.

MR. BLOSSOM: Yeah. Mr. Chair. In asking the Department, it seems that shortening the season would take care of the conservation concerns that they had and this still leaves a little better chance for the qualified subsistence user to harvest.

CHAIRMAN LOHSE: I have a question that. I don't know whether I should -- who I should ask because I don't know that country real well, but the fact that you've got this big increase in females makes it look to me like you've had a substantial increase in access to the high country. And I know that current snowmachines are capable of going places where we never thought of going and is the high country in 14C accessible? Is it extremely rugged? Do you feel like there has been an increase in access to it or have we got such a big population of wolverines, which the figures don't show that, that the females are coming down. Any Fish and Game or whoever -- anybody can answer anything on that.

MR. DELFRATE: Yes. Thank you, Mr. Chair. I'm not aware that our trappers are -- my understanding that the trappers are not necessarily going towards the high country to do this, but I could be completely wrong on that. I do know that the snowmachine access to this country is all completely wide open and you do see snow machines. You know, it's a very high recreational area as well for maybe not

necessarily for trappers and that sometimes is even maybe bad for trappers because people tend to follow other people's trails.

But, you know, it is accessible -- the high country is accessible and when you get to the top of the ridge in the Twentymile area, you're looking into Prince William Sound, so you're out of 14C and into Unit 6 and at least on the southern end of 14C. For the other remainder part of 14C, you get up -- you can pretty much access just about every one of those drainages by foot and most of that's not open to snowmachine I don't believe because it is all state Park, but it is all very accessible.

CHAIRMAN LOHSE: Okay. So there is very little refugia -- very little area that people can't get to.

MR. DELFRATE: Yes. We believe the remaining refugia for the wolverine that are occupying 14C are probably from other GMUs, whether it's Unit 11 on the north and Unit 6 on the -- what would be the eastern side.

CHAIRMAN LOHSE: Okay. Thank you. Okay. We have an amendment on the table. Ricky.

MR. GEASE: Typically when there -- if there wasn't a conservation concern, I'd support the amendment, but I think we have a situation where there's -- over time there's an increasing access to all parts of 14C with snowmachine and other use and I just feel that it's wiser to keep the limit at two at this point.

CHAIRMAN LOHSE: Any more discussion on the amendment.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called on the amendment. All in favor to the amendment to support the proposal without the two bag limit, signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed to the amendment, signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: I think we better have a show of hands. Okay.

(Laughter)

CHAIRMAN LOHSE: Donald, you want to make a roll call on it or we could just have a show of hands. We don't need a roll call. Okay. All in favor of the amendment raise your right hand.

All opposed to the amendment raise your left hand. Okay. So it's up to the Chair to decide on the that one. That was a five/five and I'm going to have to vote against the amendment because of what we've heard about the refugia and the access. So I'll leave the amendment -- the amendment fails.

Okay. With that we have the unamended proposal on the table.

MR. CARPENTER: Mr. Chairman. I'll call the question on the motion.

CHAIRMAN LOHSE: All in favor of the motion signify by saying aye.

IN UNISON: aye

CHAIRMAN LOHSE: All opposed to the motion signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries.

MR. CARPENTER: Mr. Chairman.

CHAIRMAN LOHSE: Yes. Tom.

MR. CARPENTER: I understand we have a couple of proposals we're going to do after lunch -- Southcentral proposals. I believe that we're finished with them all except for those. We have six crossover proposals and I guess before we dive into those, in the past, this Advisory Committee has deferred to the home region on crossover proposals and I guess my suggestion is without objection from any member of the Advisory Council, I would suggest that we defer these proposals

to the home region unless there is obvious concern or an individual on the Advisory Committee wants to bring up one of these. I think that's the best way to approach this.

That's my suggestion.

CHAIRMAN LOHSE: Any comment from anybody else. Gloria.

MS. STICKWAN: I would like to go over the one that has to do with 104.

CHAIRMAN LOHSE: With 104?

MS. STICKWAN: And.....

MR. CARPENTER: Just 104, Gloria?

MS. STICKWAN: I'm trying to look.

MS. CAMINER: Mr. Chair.

CHAIRMAN LOHSE: Yes. Judy.

MS. CAMINER: I mean I know there's time concerns about getting done, et cetera, but I also think that discussions and recommendations from this Council are valued and appreciated. So I guess I'd ask to balance that with perhaps our time constraints, but I definitely support hearing 104.

I think that's an important one.

CHAIRMAN LOHSE: Okay. 104. Any other one that people have concerns about that they figure that we should weigh in on. I know that in the past we have basically if are adjoining Council has an application to their land, we've pretty much left.....

MS. STICKWAN: 103 too.

CHAIRMAN LOHSE: 103 too. Okay. Doug.

MR. BLOSSOM: Yeah. Mr. Chair. Isn't 87 one of them too. Or not.

CHAIRMAN LOHSE: That's a general regulation. I suppose we should go on that because that's not -- that's for Units 25, 20, and 12.

That's.....

MR. BLOSSOM: The reason I bring that up though is because the State just made black bear a furbearer in their latest meeting, so that has changed from what it was in the past.

CHAIRMAN LOHSE: Well, do you want to -- would you like to look at 87?

MR. BLOSSOM: Well, I just -- just bringing it to the Council's attention. It's now considered a furbearer in the State of Alaska, so whether the Federal people want to do about --

CHAIRMAN LOHSE: You say it's not considered a furbearer.

MR. BLOSSOM: It is. They just changed it.....

CHAIRMAN LOHSE: It is. Okay.

MR. BLOSSOM: .....and made it a furbearer.

CHAIRMAN LOHSE: Okay.

MR. BLOSSOM: At their last meeting in Fairbanks.

CHAIRMAN LOHSE: Wow.

MR. CARPENTER: Mr. Chairman.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Maybe a suggestion would be out of respect for the concerns of the members of this Committee have brought up, maybe we should defer all proposals on the crossover proposals except 87, 103, and 104. If that's acceptable.

CHAIRMAN LOHSE: What does the rest of the Council think on that. You can make that as a motion.

MR. CARPENTER: So moved.

CHAIRMAN LOHSE: Okay. Do we have a

second.

MR. BLOSSOM: Second.

CHAIRMAN LOHSE: Okay. Now we can have discussion on it. Okay. We're looking at the crossover proposals and at this point in time, we have a motion on the table to look at No. 1, No. 5, and No. 6, WP10-87, WP10-103, WP10-104, but to honor the Advisory Committee for Units -- for the Eastern Interior on WP10-90.....

MS. STICKWAN: I guess 102 would affect 103 as well.

CHAIRMAN LOHSE: What?

MS. STICKWAN: 102 would affect 103 as well.

CHAIRMAN LOHSE: 102 affects 103? Okay. So they're tied together. Okay. Let's -- is -- would the maker of the motion be willing to add 102.

MR. CARPENTER: No problem.

CHAIRMAN LOHSE: Okay. And second does too.

MR. BLOSSOM: (Nods affirmatively)

CHAIRMAN LOHSE: Okay. So we'll look at 1, 4, 5, and 6 and I'm just trying to figure out what time it is right now.

MR. CARPENTER: 10:15.

CHAIRMAN LOHSE: 10:15? Okay. So we have time sensitive ones scheduled for 1:00 o'clock, so let's get right one with these right here. We'll close at noon. Take a break at noon and then come back at 1:00, if we're done with these, so.....

MR. CARPENTER: I was going to call the question on the motion to defer.....

CHAIRMAN LOHSE: You're right.

MR. CARPENTER: .....No. WP10-90 and WP10-97, 98, 99, and 100.

CHAIRMAN LOHSE: Okay. Question's been called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. Okay. Polly.

DR. WHEELER: Just for clarify of the record, that motion was defer to the home region, not defer -- but defer to the home region.

CHAIRMAN LOHSE: Deferring to the home region, right.

DR. WHEELER: Okay. Just making it clear.

CHAIRMAN LOHSE: We're not deferring action on it. We're just -- I guess I said give honor to the home region I guess is.....

DR. WHEELER: I just wanted to make sure the record reflected accurately. Thank you.

CHAIRMAN LOHSE: Thank you. Thank you for clarifying that, Polly.

MR. GEASE: Ralph.....

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Can I just raise this one point on WP10-90. Even though it was made by the Eastern RAC, it's actually in our region. 13B and 13C.

CHAIRMAN LOHSE: You're right.

MR. GEASE: So wouldn't it give more administrative record strength if we actually take up that proposal?

CHAIRMAN LOHSE: Make a motion, include it, and we'll go back and include it.

MR. GEASE: I make a motion that we include WP10-90 because it's in our region where the change in C&T is being requested.

CHAIRMAN LOHSE: Do I have a second.

MS. CAMINER: Second.

CHAIRMAN LOHSE: It's been moved and seconded. Any discussion or should we call the question.

(No comments)

MR. GEASE: Question.

CHAIRMAN LOHSE: And I see where you see it. I didn't catch that, that it is in our area even if it affects their -- so okay. The question's been called. All in favor of including WP10-90 signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. So the only ones we're dropping 97, 98, 99 and 100. Okay. And we are deferring that to the home region. So let's go on with WP10-87. Okay. Thank you. Are you ready?

MS. KENNER: Good morning, Mr. Chair. Members of the Council. I'm Pippa Kenner with the Office of Subsistence Management and Proposal WP10-87 is found -- begins on Page 178 of your books. It was submitted by the Eastern Interior Council and it requests that black bear be added to the species list for furbearers in Units 12, 20, and 25.

The proponent states that this action was submitted for a number of reasons including currently there is a loss of opportunity to harvest black in Units 12, 20, and 25 because trapping black bear is not legal.

Trapping black bear was a traditional harvest practice across a wide area of Alaska. Being

listed as a furbearer will allow harvesters to sell the hide and will provide income that will help cover the cost associated with other subsistence activities. Adopting the proposal will provide additional opportunity for subsistence uses and once again permit people to use traditional trapping methods for black bear and finally adopting the proposal will increase the high rate of bear -- will decrease the high rate of bear predation that currently limits moose and caribou populations in important hunting areas in the Eastern Interior Council Region.

Those were the proponent's statements of why they submitted the request. The Federal Subsistence Management Program's policy is not to validate proposals for the stated purpose of predator control. However, the proposal also requests that trapping a black bear be legalized. So I continued with the analysis.

It's important to note that Federal subsistence regulations specifically do not allow the harvest of bear with a trap and if this proposal were adopted, Federally-qualified users would not be allowed to harvest black bear with a trap on Federal public lands unless the proposed regulation was added to unit-specific provision for Units 12, 20, and 25.

There's extensive history of regulation on this issue and it's included in Appendix A in the analysis and it's summarized in the body of the analysis. Currently the Federal and State black bear hunting seasons in Units 12, 20, and 25 are open year round and the harvest limit is three black bear per person each regulatory year. Since the analysis for this proposal was written, the State of Alaska Board of Game has adopted a regulation change parallel to this request. Black bear was added to the species list for furbearers statewide in State wildlife regulations.

No trapping season or harvest limit was adopted and it continues to be illegal to trap a black bear under State wildlife regulations except in predator control areas. The effect of the change is that most parts of a legally harvested black bear may be sold; however, the sale of black bear trophies and gallbladders is still illegal. Because of the State Board of Game's action last month, all parts of a legally harvested black bear may be sold except black bear trophies and gallbladders. this is applies to

black bears harvested on Federal public lands except for two situations: one, when Federal public lands are closed to the harvest of black bear by non-Federally-qualified users; and, two, when a Federally qualified subsistence user is hunting with a Federal black bear permit on Federal public lands.

Currently I don't -- I can't think of a situation where either of these two applies. In these two situations, Federal subsistence wildlife regulations require that the hide and meat of black bear be salvaged for human use and cannot be sold. However, if this proposal is adopted, Federally-qualified users would be allowed to sell the raw fur or tanned pelt of black bear legally harvested on Federal public lands in Units 12, 20, and 25.

If this proposal is not adopted, no effects are anticipated. Federally-qualified users would continue to harvest black bear under Federal and State hunting regulations which have year-round seasons and three bear per person harvest limits.

The OSM preliminary conclusion is to oppose this request. There's already significant opportunity to harvest black bear in Units 12, 20, and 25. The hunting season is year-round and the harvest limit is three black bear per person. It does not appear that those limits are being reached and the addition of trapping as a method of harvesting black bear does not appear necessary to increase harvest levels at this time.

Trapping black bear was not commonly described in ethnographic descriptions of Athabascan hunting activities. Black bears have low reproductive rates when compared to other furbearing animals and trapping is highly efficient harvesting method.

Using the larger traps and snares necessary to harvest black bear would also allow the trapping of sows, cubs, and ungulates which at this time is illegal. Factors such as these have led to black bear being classified as big game in Federal subsistence wildlife regulations limiting the harvesting method to firearms.

I'm available for questions. Mr. Chair. Thank you.

CHAIRMAN LOHSE: Thank you. I have one question and this proposal does not request a trapping season for black bear. It just requests that they be classified as furbearers. If that's -- if I understand you correct, that's what the State did in their last Board meeting and as furbearers are black bears currently allowed to be sold under State regulations?

MS. KENNER: Mr. Chair. Yes, except for as trophies and gallbladder.

CHAIRMAN LOHSE: Okay. So if we pass -- I mean if the Board passed this, they would just be paralleling the State's latest action and there would be no advantage to a subsistence user because they concurrently do everything that this proposal asks for.

MS. KENNER: That's right. Mr. Chair. Except in the two situations I mentioned which I do not believe exist in the State at this time, when somebody's hunting with a Federal permit or -- black bear with a Federal permit or when Federally -- Federal public lands are closed to nonsubsistence uses and therefore Federal regulations apply.

CHAIRMAN LOHSE: Any questions. That's interesting. I missed that. I'm going to have to ask the State -- ask George some questions on this.

(Laughter)

CHAIRMAN LOHSE: Thank you.

MR. PAPPAS: Thank you, Mr. Chair. Department of Fish and Game, George Pappas. Unfortunately I have the outdated comments and since the Board of Game had made change recently and also I lost more of my Staff support. So if you look at our comments, be on Page 194, they are outdated.

I attended the Eastern Interior RAC meeting and they made the comments on record. Yeah. They didn't ask for a trapping season. They wanted a definition and wanted modification of the -- modification of both the Department comments and there was some analysis to reflect such as the Federal Subsistence Board which you brought up that point.

And if it's adopted, Federal -- I'll stay away from the trapping. Currently the use of

traps to take black bears under State regulation is restricted to current control -- excuse me -- control -- excuse me -- is restricted to control programs only. These programs are restricted to use of bucket foot snares and other tightly controlled guidelines including provisions for releasing brown bears in control area for the purposes of being as selective as possible and to eliminate or diminish the likelihood of taking nontarget species.

In the absence of specific procedures required and control programs, general trapping of black bears could result in conservation concerns including nontarget species. Also under the proposed regulation, it would be necessary to allow the take of cubs and females with cubs. Excuse me. I apologize. I just had the outdated comments. I should have brought the newer ones there.

As mentioned earlier, the Board of Game did adopt the proposal as an ACR. The proposal was also -- was submitted by the Eastern Interior RAC to the Board of Game and it parallels this proposal and they adopt it to allow -- to redefine black bears as furbearer.

I wouldn't have any more comments besides this.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Okay. Maybe you can answer this then, George. The fact they classified it as a furbearer does not require a trapping season, does it?

MR. PAPPAS: No. Mr. Chair. As I understand, it is defined now as a furbearer and only simply apply to Board of Game approved seasons which they have not done and that'll be site specific, area specific, and as identified or brought forth is problematic for different communities in areas that are -- there are problems that have developed because of population of black bears and as I understand, they'll have to come forth with proposals from the public.....

CHAIRMAN LOHSE: Okay.

MR. PAPPAS: .....from the Department -- Agencies.

CHAIRMAN LOHSE: But having classified it as a furbearer, then the -- like she said, the sale of all black bear parts except trophies and gallbladders are now legal in the State -- statewide in the State of Alaska even if there are no specific seasons that apply to taking of the black bear. So a black bear that's taken under current legal methods and means can be sold.

MR. PAPPAS: Partially correct. Mr. Chair. As I understand this will begin July 1.

CHAIRMAN LOHSE: Yeah.

MR. PAPPAS: And the question that was asked to the Eastern Interior -- by the Eastern Interior RAC is what about previously harvested animals. Well, that would include previously harvested animals.

CHAIRMAN LOHSE: It would include previously harvested animals.

MR. PAPPAS: Yes. Mr. Chair.

CHAIRMAN LOHSE: Thank you. Okay. Doug.

MR. BLOSSOM: Mr. Chair. I guess my question is because now in State lands black bears are a furbearer, Federally it's still illegal to sell black bear hides and the like of that, isn't it?

CHAIRMAN LOHSE: Don't State regulations apply to Federal regulations if they're more lenient than the Federal regulations on Federal land?

MR. PAPPAS: As I understand State regulations apply on all lands in Alaska unless superseded. Thank you, Mr. Chair.

MS. KENNER: Except those two situations that I outlined in my presentation.

CHAIRMAN LOHSE: Mr. Gease.

MR. GEASE: I'm unclear on the Board of Game. So was that statewide or is it just specific for 12, 20, and 25?

CHAIRMAN LOHSE: Statewide.

MR. GEASE: Would the Department then have any objection if this motion was amended to be a statewide motion?

MR. PAPPAS: Mr. Gease through the Chair. I assume the Department appreciates proposals that -- or excuse me -- regulations that are identical between the State and Federal system to prevent user confusion and reduce enforcement concerns.

CHAIRMAN LOHSE: Thank you. Any other questions. Polly, can I ask a question. Because the proposal to open up black bear as a furbearer in these units is before us, are we under -- under current regulations, are we capable of modifying that proposal to include all areas of the State?

DR. WHEELER: I would have the same response as I had yesterday with the one proposal and the number's escaping me right now, but the proposal was submitted by the Eastern Interior Regional Advisory Council. The information in the analysis is specific to Units 12, 20, and 25. So it's a question before the Regional Advisory Council, if you have enough information to expand it to the whole State based on the analysis in front of you and that's the call of the Regional Advisory Council.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Mr. Chair. And I would just say to that, number one, I particularly don't like statewide proposals in general because very area of the State's different. I believe that each region should bring proposals forward to deal with their concerns. I mean I understand that the State has changed these regulations statewide and I think the Federal Board -- the Federal Board itself when seeing this proposal, I guess they have the option to do that themselves and maybe they will do that. I don't know, but I don't see -- I just can't see that this Council needs to -- and maybe we're debating right now, but needs to start generating statewide proposals based off of a proposal that's not even in our region.

CHAIRMAN LOHSE: Thank you, Tom. We face that also with -- you know, when we're dealing with customary trade and sale of bear parts. Many

different areas of the State have different cultural values placed on that and probably as a Federal system, we should apply by those cultural values. Doug.

MR. BLOSSOM: Mr. Chair. I got a question for Polly. Unit 15C is a subsistence -- it's a Federal land area and Ninilchik is subsistence. The changing in the regulation like can they shoot a black bear on the Federal land down there and call it a furbearer?

CHAIRMAN LOHSE: State regulations, yes.

MR. BLOSSOM: Federal land. Just making clear.

CHAIRMAN LOHSE: Yeah. Because State regulations supersede Federal regulations unless the Federal regulations have a specific prohibition, right?

MS. KENNER: In a nutshell, no, it's a bit more complicated than that.

CHAIRMAN LOHSE: Ah-ha. Okay.

DR. WHEELER: To answer your question, Mr. Blossom, through the Chair. Yes, you could do that because it's -- because there is a season and it's not closed to Federally-qualified -- to non-Federally-qualified users.

MS. KENNER: Thank you, Polly.

CHAIRMAN LOHSE: Okay.

MS. KENNER: Just to clarify.

DR. WHEELER: And, Mr. Chair. I just wanted to add one point to -- with regard to your -- the question about expanding this Eastern Interior Proposal to the whole State. The only councils have addressed this proposal have been the Eastern Interior Council and then this Council. So if it were expanded to the whole state, the Federal Board would look to the Regional -- the Chairs of the Regional Advisory Councils to weight in, but they haven't dealt with it either. So that would be another point to consider.

CHAIRMAN LOHSE: Okay.

MR. GEASE: Mr. Chair.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: When then maybe I should modify that to specific to the units in our region here. Is there anything that prevents us from taking up this issue in light of the State's action of changing the definition so that it just applies to Game Management Units in our region here?

CHAIRMAN LOHSE: Polly.

DR. WHEELER: This is where the wisdom of the Regional Advisory Council members come into play and if the Council were to do that, then it would be appropriate for the Council to put on the record information that they have in support of doing -- about black bears in support of modifying the proposal to include the Game Management Units in your region. Mr. Chair.

CHAIRMAN LOHSE: Thank you. Tom.

MR. CARPENTER: I understand where you're going, Ricky. The only real problem I have with that is that when this book was published, the general public looked at this proposal and what it's dealing with in Unit 12, 20, and 25. It didn't look at 6, 7, 14, 15, and I don't think that the general public as a whole would have the opportunity to come forward and comments in regards to us making that change. I think if we feel that it's appropriate, we could draft a proposal and have staff put it in the wildlife proposals for the next RAC cycle and then the public would have the ability to comment on it.

CHAIRMAN LOHSE: We can get to that when we get on to discussion and we can either put in an amendment or not in at that point. Donald.

MR. KOMPKOFF: Yeah. Mr. Chair. I just want to say that I could still remember my dad using death falls for hunting bears. Used to pile a bunch of rocks up and help my dad when they built this trap for the bear and that was in the '50s. I could still remember doing that, you know, and would we be able to do that yet.

CHAIRMAN LOHSE: Not necessarily unless

some kind of a season was made that way. Not under this regulation. Okay. Shall we go onto -- we've had Alaska Department of Fish and Game. Do we have any other Agencies to comment.

(No comments)

CHAIRMAN LOHSE: Public testimony. Wilson, when we get to it. We're not quite there yet. Oh, you're going to do it as a Tribal Agency?

MR. JUSTIN: Yes.

CHAIRMAN LOHSE: Oh, good.

MR. JUSTIN: Thank you, Mr. Chair. Good morning. Wilson Justin. I am employed by Mount Sanford Tribal Consortium, but all of my public testimonies unless I indicate otherwise are on behalf of Cheesh'na Tribal Council is Chistochina. I -- personally I have some serious issues with the inclusion of trapping and harvesting black bears. The position and stand we're going to take is to oppose 87, but I'd like to add to the discussion that we do consider black bear as furbearing and always have and I would like to also add to the discussion that the issue of using black bear as a resource in the communities I come from is -- they're highly valued not only for the fat -- for rendering fat down for use but also the meat and also the hide for handicrafts and also for pants.

So the issue in my mind is not really whether or not this black bear should be a furbearing animal. The issue is how to make the black bear a furbearing animal without using traps. The issue in trapping is that the only effective way to trap black bear is to create bait stations and to localize black bears in a way that you're treating them as a trenched-in animal as opposed to a wild animal. So there's no ethical way in my mind we can accept trapping of black bears as furbearing, but on the other hand, black bears have always been furbearing to people of my tradition.

And I should add that my father, Old John of Nabesna, was a predator control agent for the Federal Government for almost 18 years and the primary methodology he used -- he died in 1952 when I was very young. The primary methodology he used was snaring because by the time the Federals took over predator control after World War II, there were plane cables

around that was used for snaring. But predating that, death falls was the preferred way of dealing with bears along with spears and pits.

I wanted to add that to the discussion and I appreciate the opportunity to testify on behalf of Cheesh'na.

CHAIRMAN LOHSE: Any questions. Bob.

MR. HENRICHS: So you oppose this proposal as it's written, right?

MR. JUSTIN: As it's written.

CHAIRMAN LOHSE: Thank you, Wilson. I'll share something with you that I want to give you one of these days. My father-in-law found an old magazine that has an article from up in your country on bear spearing and preparing the spear for bear spearing and I've got it saved back in Cordova and I thought you'd probably be interested in that some day.

MR. JUSTIN: I'd be very interested. My family had up until the mid '60s a four-foot copper spear that was used by my father for -- or -- well, actually my Uncle Chisana Joe for the purpose of finishing off a bear in a pit.

Thank you.

CHAIRMAN LOHSE: Okay. With that, we have no Fish and Game Advisory Committee comments. Donald -- oh, Doug.

MR. BLOSSOM: Mr. Chair. I sit on the Central Peninsula Advisory Committee as well as Greg Encelewski. We talked about this proposal at length. We unanimously supported it. So one area in the Southcentral RAC did work on this proposal at length and we supported it unanimously.

CHAIRMAN LOHSE: Donald, do we have any written public comments.

MR. MIKE: Yes. Mr. Chair. The Upper Tanana Fortymile Advisory Committee supports Proposal 10-87, making black bear a furbearer is much needed. The AHTNA Subsistence Committee on Proposal 10-87, we do not support WP10-87 to add black bear to the

definition as a furbearer in Unit 12. This will enable black bears to be trapped in the winter trapping season. It is not a practice of the AHTNA people to trap black bears during the winter months. We support predator control management. We do not support this unit for black bears.

The Eastern Interior took action on this Proposal 10-87 supporting -- in support of the proposal. There was testimony at the meeting that the Alaska Department of Fish and Game has plans to submit a trapping proposal at the November Board of Game meeting. Recent action by State Board of Game defined black bears as furbearers statewide to allow sale of hides and other parts except for gallbladders. Council determined that supporting this proposal would align Federal and State regulations and would benefit subsistence users.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. And I see that I skipped the Subsistence Resource Commission.

MS. CELLARIUS: Thank you, Mr. Chair. First, on behalf of Wrangell-St. Elias as a general rule, State general hunting and trapping regulations do not apply on those lands designated as National Park. So I don't think that was in Pippa's list -- I'm sorry if it was -- of places where this would not apply.

CHAIRMAN LOHSE: And is that -- that's not Park and Preserve lands. That's hard Park?

MS. CELLARIUS: That's -- yes. Not -- the State general regulations apply in the national preserve but not in a National Park. And then on the Wrangell-St. Elias, SRC did have a comment on this proposal. The SRC opposed the proposal. The vote was zero in favor, six opposed, and one abstention. With only a few units being affected, there is a risk that people would illegally try to sell hides from outside the region under the proposed provisions.

The SRC members also expressed concerns about disturbing bears during the winter and that snaring or trapping of bears could be hazardous both for the trappers and for others who might be in the area.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Yeah. Mr. Chair. Did they take this action before the State made black bear a furbearer or afterwards?

MS. CELLARIUS: This was after the Board of Game meeting where the State approved the statewide -- or the Board of Game approved the statewide provision.

CHAIRMAN LOHSE: Any other questions for Barbara.

(No comments)

CHAIRMAN LOHSE: Do we have any other public testimony.

MR. MIKE: None, Mr. Chairman.

CHAIRMAN LOHSE: Okay. Let's go to Regional Council deliberations. In other words, we need a motion to put WP10-87 on the table.

MR. CARPENTER: So moved to approve.

MR. HENRICHS: Second.

CHAIRMAN LOHSE: It's been moved and seconded that we approve WP10-87. Discussion, amendments, whatever, anybody have anything they'd like to add or say on this or whatever. Again this -- the proposal as written applies to Eastern Interior. Eastern Interior voted in favor of this proposal.

Mr. Henrichs.

MR. HENRICHS: No, he had his hand up.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Yeah. Mr. Chair. I guess -- you know, I spoke before that our area supported it and in here it doesn't ask that it be trapping in the way it's worded. It just makes it -- lists it as a furbearer which is the same as the State and we've got two instances where it would make a difference, so I will still support it.

MS. CAMINER: Mr. Chair.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: I have a question perhaps for Pippa on the analysis, Page 185, effect of the proposal. It says if this proposal is adopted, Federally-qualified users would be allowed to sell the raw fur or tanned pelt. I heard you say that is already in place; is that correct?

MS. KENNER: Judy through the Chair. I'm not going to try your last name. In.....

CHAIRMAN LOHSE: State regulations.

MS. KENNER: That is the case in State regulations; that's correct. And that would apply on most Federal public lands.

MS. CAMINER: How about our current Federal regulations?

MS. KENNER: Our current Federal regulations, it's illegal to sell any part of a black bear except as modified in certain situations where modified in the handicraft.

MS. CAMINER: So -- and I know you can't answer on behalf of the proposers. Is a lot of economically driven then?

MS. KENNER: Judith through the Chair. There's a long history behind this proposal and I think somebody might have already mentioned that in 2002 there was another proposal similar to this that was statewide and included brown bear.

I think initially this discussion -- the issue for me is that there's not a lot of discussion on record about these proposals for the Eastern Interior specifically and at the time that these -- the first proposal in 2002 came forward, the person who proposed it then left the RAC and was out of the country for a while and people would always refer to that person as the person who wanted this and the impression you get is that it had more to do with selling skins than necessarily trapping. However, in the recent times and in the genesis of this proposal itself, there was much more talk of what I would call

predator control as being an issue also.

CHAIRMAN LOHSE: Polly.

DR. WHEELER: Thank you, Mr. Chair. Member Gottlieb -- sorry -- Caminer. Sorry about that. Old habits die hard. If you look on Page 19 of the Handy-Dandy, it talks about what you can do with bears currently under Federal regulation and I think where you might have been thinking is well, we can do handicrafts with the pelt, so it talks about the handicrafts and it says you may sell handicraft articles made from the skin, hide, pelt, or fur of a black bear including the claws, and then it goes on to describe things.

But right under that first -- under sales and handicrafts, it says you may not sell fish or wildlife or their parts taken under these regulations except as provided below: raw fur and pelts from furbearers. You may sell the raw fur or tanned pelt from a legally harvested furbearer with or without claws attached. So if this regulation were passed, if it were supported, then that would be a unit-specific regulation that would be an exception that to general regulation if that makes any sense.

So currently you can't sell the -- since a bear -- a black bear isn't classified as a furbearer, you can't sell the raw pelt. But if it's made into a handicraft -- if any of its parts are made into a handicraft, except for the gallbladders -- if the parts are made into a handicraft, they can be sold. So I think that gets at your question. Yeah.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Mr. Chair. Polly, but if this passes, then you can sell, right?

DR. WHEELER: If this proposal were supported as written, then there would be an exception to that general regulation in Units 12, 20 and 25.

MR. BLOSSOM: And in most other areas of the State, the State regulation would cover it so it would be legal there also.

DR. WHEELER: With the exceptions as noted by Pippa and also by the Park Service.

MR. BLOSSOM: But if we pass this, then it really covers every area. It's a furbearer everywhere then.

MR. CARPENTER: No. Just in those three units.

MS. KENNER: Mr. Blossom through the Chair. In those three units, it would be a furbearer no matter what the situation except for Park Service lands where it may or may not be. I think that's what you were asking. Would we cover everything, but it would only be in those three units though.

CHAIRMAN LOHSE: Under Federal regulations.

MR. KOMPKOFF: Mr. Chair.

CHAIRMAN LOHSE: Yep.

MR. KOMPKOFF: I just want to point out, down in Chenega, we still go in the dens and get bears in their den in the wintertime, February month when they're sleeping and then that's their custom. We've been doing that for years and the smallest person would be the one going in, you know, and I -- sometimes I'd get picked most of the time.

(Laughter)

MR. KOMPKOFF: My dad was the smallest -- really the smallest one, but he's the one that used to go in and get the bears and sometimes there'd be three of them in there and -- but that was our custom down there and we used the bear claws for necklaces. They make necklaces out of it and stuff like that.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Mr. Chairman. This discussion we're having is kind of why I wanted to defer to the home region on this proposal in the first place because it only deals with 12, 20, and 25. And I would assume that this proposal was written before the State Board of Game took action on a statewide issue. Understanding that State regulation will now apply to almost all lands, there is opportunity right now on almost all lands for this to take place.

My thought would be that -- my comments to the Eastern Interior in regards to this would be that this proposal should almost be deferred and another proposal be written to deal with aligning the Federal guidelines in accordance with what the State Board of Game has done to simplify the regulations for subsistence users because a proposal like this is just going to -- it's just going to be starting to be more and more confusing and it's already -- you almost got to be a lawyer to interpret these two books anyway.

So that was kind of my idea from the onset. That's all I got.

CHAIRMAN LOHSE: Thank you, Tom. Gloria.

MS. STICKWAN: This proposal affects our area, Unit 12, Unit 20A, and I heard public testimony from Wilson and the C&T Committee voted against it. We opposed it. It's not our customary and traditional way to trap bears and so I would be opposed to it.

CHAIRMAN LOHSE: The thing to remember, Gloria, this is not.....

MS. STICKWAN: Yeah, I know. I'm just saying.....

CHAIRMAN LOHSE: .....a proposal to trap bears like Justin said. This is a proposal to make a bear a furbearer which now he said was traditional in at least up in your area, right, Wilson?

MR. WILSON: We were always considered furbearers and the (indiscernible-away from microphone).

CHAIRMAN LOHSE: Okay. Well, do we want to -- I'm glad we had all this discussion. I think we have a motion on the table right now. I think that we should go through with this motion. We're dealing -- again we're dealing with something that a Council from out of our area has dealt with and -- but like Gloria said, it does apply in our area also, so.....

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called. All in favor of WP10-87, making black bear a furbearer in Units 12, 20, and 25 and only in Units 12, 20, and 25 under Federal regulations. Okay. Are we ready for the -- the question's been called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

IN UNISON: Nay.

UNIDENTIFIED SPEAKER: I abstain.

CHAIRMAN LOHSE: And I abstain because I also don't think we need to deal with it. Okay. So now let's have show of hands. All in favor signify by saying aye.

Okay. Three in favor. All opposed signify by saying nay.

IN UNISON: Nay.

CHAIRMAN LOHSE: One, two, three, four nays and two abstentions. Are you a nay?

UNIDENTIFIED SPEAKER: I'm abstaining.

CHAIRMAN LOHSE: Three abstentions. Okay.

UNIDENTIFIED SPEAKER: Four.

CHAIRMAN LOHSE: Four. Four abstentions. Okay. Four abstentions, four against, three for. Motion fails.

UNIDENTIFIED SPEAKER: That should teach you something.

CHAIRMAN LOHSE: Basically what it shows is that this is being handled under another thing and should be handled a different way I think. Okay. We've had a discussion on it. At least we see what's going on in the rest of the State. Yes.

MR. HENRICHS: Under Robert's Rules of

Order, don't abstentions turn into yes votes?

CHAIRMAN LOHSE: Yep. I just remembered that. Under Robert's Rules of Order, abstentions count as a positive vote.

MR. HENRICHS: Well, who's our expert.

MR. MIKE: Mr. Chair. Mr. Chair. I think that to make it clear on the record, we need to do a roll call vote. I think that'll be easier way. Thank you, Mr. Chair.

REPORTER: Hands don't show well on the record.

CHAIRMAN LOHSE: Huh?

REPORTER: Raising the hands don't show on the record.

CHAIRMAN LOHSE: Oh, raising the hands don't show on the record.

(Laughter)

CHAIRMAN LOHSE: Okay. Okay. I guess we have to do a roll call vote because raising the hands don't show on the record.

MS. STICKWAN: Can we clarify what abstention means?

CHAIRMAN LOHSE: Okay. Before we go, let's clarify what an abstention means. Does an abstention go with the majority or does an abstention go with the positive?

UNIDENTIFIED SPEAKER: Positive.

(Pause)

CHAIRMAN LOHSE: Okay. The abstention works in both directions depending on which side has a majority and not a majority of the votes but a majority of those present voting. In other words -- I'll read it and then everybody can tell me whether I'm right or wrong.

Can an abstention affect the result of

a vote. Yes. When the vote is qualified in some way, such as when a majority of those present or a majority of the entire membership is required. If the majority is determined by those present and 20 people are present, a majority is 11. If ten vote in the affirmative, nine vote in the negative, and one person abstains, the motion is lost because it takes 11 voting affirmative to adopt the motion. In this case, the abstention helps those voting no.

And in our case, we had three for the vote, four against the vote, and four abstentions. So the vote lost. Do I understand that? The motion failed. It was not adopted.

MS. STICKWAN: But we didn't know that, so shouldn't we revote and.....

CHAIRMAN LOHSE: Do we want to revote since we know that? No. Okay. Motion fails. We did not adopt WP10-87. Okay.

DR. WHEELER: Mr. Chair, if you could do a roll call vote because the court transcriber pointed out to me that the record can't reflect the -- the record doesn't see hands. So if we could do a roll call vote for the sake of clarity of the record, that would be helpful.

Mr. Chair.

CHAIRMAN LOHSE: Okay. Okay. Let's just start with a roll call vote. Donald.

MR. MIKE: Mr. Chairman. This is a roll call vote on Proposal 87 as stated in the motion. This is roll call vote for the members present. Mr. Robert Heinrichs.

MR. HEINRICHS: Nay.

MR. MIKE: Mr. Ricky Gease.

MR. GEASE: Abstain.

MR. MIKE: Mr. Doug Blossom.

MR. BLOSSOM: Yes.

MR. MIKE. Mr. Greg Encelewski.

MR. ENCELEWSKI: Yes.

MR. MIKE: Ms. Judy Caminer.

MS. CAMINER: No.

MR. MIKE: Mr. John Lamb.

MR. LAMB: Yes.

MR. MIKE: Ms. Gloria Stickwan.

MS. STICKWAN: I guess I oppose. I guess that's a no vote; is that right?

CHAIRMAN LOHSE: Uh-huh.

MR. MIKE: Mr. Donald Kompkoff.

MR. KOMPKOFF: Nay.

MR. MIKE: Mr. James Showalter.

MR. SHOWALTER: Abstain.

MR. MIKE: Mr. Ralph Lohse.

CHAIRMAN LOHSE: Abstain.

MR. MIKE: Mr. Tom Carpenter.

MR. CARPENTER: Abstain.

MR. MIKE: Mr. Chairman. You got four voting no, three voting yes, and four abstaining and we have two Council members absent.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Okay. We leave the record stand as it is. My -- from my understanding, the motion has failed. Okay. Okay. Now, the next one that we -- let's take a break for just a second or two. We have time to do another one I'm sure before lunchtime, but I have to take a break.

Five minutes.

(Off record)

(On record)

CHAIRMAN LOHSE: At this point in time we're going to WP10-90.

MS. H. ARMSTRONG: Thank you, Mr. Chair. Members of the Council. Helen Armstrong, OSM. Proposal WP10-90 can be found in your book on Page -- the analysis begins on Page 197. This proposal was submitted by the Eastern Interior Council and it requests addition of Unit 12 residents of the Tok Cutoff Road between milepost 79 and 110 to the customary and traditional use determination for caribou in Units 13B and 13C.

The Eastern Interior Council states that the residents of this area have subsistence patterns similar to those of Slana and Mentasta Lake which are included in the determination for caribou in Units 13B and 13C and that the residents of this area harvest other subsistence resources in the Copper River Basin and find it confusing to have a customary and traditional use determination for moose in this area but not for caribou.

And I'd like to refer you to the map on Page 198, and I wasn't here yesterday to present the previous Proposal 29 and 30, I think it was, for this -- that also included the -- was a request for the Tok Cutoff Road, but you can see from milepost 79 to 110 that there are in Unit 12 and how close they are to Mentasta Lake and to Unit 13. So they really are a border area.

Previously when the Board did the C&T determinations and this was one that as Mr. Gease was asking questions about, Unit 12 was done earlier on in this program and they did do a comprehensive holistic look at Unit 12 a unit. And the C&T determination for Unit 12 including residents of the proposed area for caribou in all parts of Units 11, 12, 20D, and 20E. So this area, because they're part of Unit 12, they have C&T. So the question really isn't should they have C&T or not. It really is focused on where they should have C&T.

The ADF&G harvest ticket data was searched for harvest information for the proposal area, but hunters from the proposal area could not be identified because their households are dispersed along

the road system between communities and their mailing addresses only indicate communities in which hunters picked up their mail, not where they actually lived. So you can't really glean from the database where these people have hunted.

There was a study done in 1987 of these households and at that time, there were 11 households living in the area. I did ask at the Eastern Interior Council how many people lived there now and the Chair of the Eastern Interior Council who lives in this area said there continue to be about 11 households. We're not talking about very many people.

When the Board looked at this C&T for Unit 12, they based their information on the traditional use area of the people of Unit 12 which the people on the Tok Cutoff Road don't feel like they are really -- that their uses are similar to those. Those are the traditional use area of the Athabascans and they see themselves as being -- of having uses that were more similar to the people in Slana and Mentasta Lake in Unit 13, that they're in close proximity to that area, and that they should be included in the C&T determinations similar to Slana and Mentasta Lake.

The OSM preliminary conclusion is to support Proposal WP10-90 because they are in close proximity to those communities and that their uses should be recognized. Although we don't have information on what the people in that area are doing, we looked at it that they're in close proximity and so therefore we can conclude that their uses are likely to be the same and that's what they've actually told us.

And that's similar to other parts of the State. We don't -- we have communities where we don't have any information and we have to look at what are the uses of the communities closest to them.

Thank you, Mr. Chair. That concludes my presentation.

CHAIRMAN LOHSE: Thank you, Helen. Any questions.

MR. CARPENTER: I got a question.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. Helen, thanks. I'm trying to -- a couple years ago, I think the meeting -- I'm not sure if it was the one in Homer and I believe it was when Voznesenka was trying to get a C&T for a moose or something on the Kenai Peninsula. And part of the rational there was that most -- their mail is actually picked up in Homer, so even though, you know, one might consider that community rural based on its, you know, geography and characteristics compared to Homer and they couldn't -- you couldn't really show a pattern of harvest because of certain, you know, problems with getting that information. How does that situation where a C&T was denied compare with this situation where you're comparing in a similar situation, but the OSM is finding that they should qualify?

MS. H. ARMSTRONG: Good question. Good memory too. And that was to give them C&T or to make them rural? It was C&T

MR. CARPENTER: I believe it was to give them -- I may be incorrect. I can't remember. I thought it was to give them C&T for moose. I believe that's what the proposal was.

MS. H. ARMSTRONG: Well, you know, I -- we have a flexible program and sometimes situations -- the Council recommends one way and other times they recommend another way and I can't really quite remember why we did -- why the Federal Board addressed that in one direction there and I'm trying to remember because I did work on that. So I don't really want to speak to that one, why that would have been different without having checked the record.

MR. CARPENTER: Well, my recollection was, is that a lot of the harvest information for -- there was two communities. There was that community and another community.

MS. H. ARMSTRONG: Fritz Creek I believe.

MR. CARPENTER: And they were asking for C&T for moose.

MS. H. ARMSTRONG: Right.

MR. CARPENTER: And part of the

discussion was, was that because their mail was delivered in Homer and a lot of their harvest information would have also been included in a nonrural community of Homer that it didn't show that there was any harvest pattern over a period of time to justify giving them a C&T. I'm not saying that I'm necessarily against this proposal. I'm just trying to think if we vote to give these -- you know, it's a very small number of households. We need to be consistent in our recommendations to the Federal Board because if we can't justify or if OSM can't substantiate that there's been any harvest because they can't really prove it, how are we going to justify our position to the Board when we did the exact opposite in another area.

MS. H. ARMSTRONG: It's coming back to me now. It took me a second. I think the problem we had with that one was we tried very hard to get ahold of the proponent and find information because we didn't have information and we wanted to ask more, how much are you harvesting, where are you harvesting, and we wrote a letter. I left numerous phone messages and never got a response. And so I believe the Council felt like well, they just -- they haven't responded. You know, they're not -- they didn't come forward and that's happened in other situations with this Council when no one came forward from the community to testify at all.

In this situation, I think what's different is the Chair of the Eastern Interior Council lives in this area and she has provided information. So it's not -- I think you could say it's a different situation in that case.

MR. CARPENTER: Okay. I just wanted to make that clear for the record so that there was some sort of -- something on the record to substantiate what we might do. So thank you for that.

MS. H. ARMSTRONG: Sorry it took me a while to dig it out of my brain, but it came forward. Thanks.

CHAIRMAN LOHSE: Thank you, Helen. Thank you for your memory and Tom's memory. Ricky.

MR. GEASE: If I'm not mistaken, WP10-29 and 30 were very similar to this one with the same residents and didn't have information, so Tom's point

on this also harps back to 29 and 30.

MS. H. ARMSTRONG: Mr. Chair. If I could through the Chair. That's correct. The one difference between 29 and 30 besides being a different resource is that 29 and 30 also included the Nabesna Road between mileposts 25 and 46 and this one only includes Tok Cutoff Road mileposts 79 to 110. So it's actually a smaller group of people.

I also -- I don't want to put Park Service on the spot, but Barbara Cellarius might have additional information as well, if you wanted to talk to someone else about the area.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Quick point of clarification. So does -- along the current regulations where it says along the Nabesna Road, so is that currently included in the general description? Or should that just have been.....

MS. H. ARMSTRONG: The current regulation says residents of Units 11 and 12 along the Nabesna Road, but that's the Nabesna Road in Unit 12 which you can see from the map on Page 198. Part of the Nabesna Road is in Unit 12 and the part that was in 29 and 30 was the part that's in Unit 11.

CHAIRMAN LOHSE: In 90, the Nabesna Road portion of Unit 12 is already included and automatically the first part of the Nabesna Road would be included because it's part of Unit 11. So in Proposal 90, it says residents of Unit 11. That's the first half of the Nabesna Road or a little bit more than first half and Unit 12 along the Nabesna Road. In other words, what it's saying is the ones along on Nabesna Road in Unit 12 have C&T in Unit 11.

MS. H. ARMSTRONG: So in other words, the Nabesna Road is included already.

CHAIRMAN LOHSE: Right.

MS. H. ARMSTRONG: So the -- because it's already included, the whole Nabesna Road.

CHAIRMAN LOHSE: Okay. Barbara, did you have.....

MS. CELLARIUS: Mr. Chair. That's mostly what I was going to explain was that the -- where it says Unit 12 in the current regulations, only that portion of Unit 12 along the Nabesna Road is included in the current C&T which is a different one from the bear case we looked at earlier.

The one other thing I was going to mention, you know, Helen talked about how we don't have recent harvest assessment data, but if you look at a map and if you look at the proximity of the Federal land in 13C to the land at -- you know, where -- sort of where the segment of road is, it does to me make a certain amount of sense that people would be hunting caribou there for the 13C portion. I can't really speak to 13B.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: I was going to ask Barb -- sorry. You left so quickly -- if both Mentasta and Tok are resident zone communities. I know for this proposal the Park isn't very much affected, but -- and what does a resident zone community mean then.

MS. CELLARIUS: Sure. Under Park Service regulations, in addition to the concept of customary and traditional use determinations, we have a second way of looking at eligibility for hunting in those lands that are designated as National Park. We talked a little bit earlier about how the lands that are designated as National Park have some slightly different rules, and so the Park Service has gone through a process to look at what communities have customarily and traditionally harvested resources in a National Park and we use the term resident zone community to talk about those communities. And Tok, Nabesna, Slana, Mentasta Lake are among the 23 resident zone communities for Wrangell-St. Elias.

MS. H. ARMSTRONG: And aren't -- in other words, these households also don't they have individual or -- I mean because they're not -- are they considered part of the -- are they considered part of those communities then so that they have.....

MS. CELLARIUS: We don't have -- for the majority of the resident zone communities, we have no boundaries.....

MS. H. ARMSTRONG: Okay.

MS. CELLARIUS: .....for the communities. It's a different case in the Upper Tanana communities that were added in about 2000, 2002 to the resident zone, but we don't have boundaries between the communities. So we tend to treat households that lie between these communities that have ties to one of the communities within the residence zone and there are -- I mean there are a few folks around who have the -- well, there's a few folks around with individual C&T, but there's also a few folks around that have a subsistence eligibility permit, sometimes referred to as a 1344 -- 1344 permit.

CHAIRMAN LOHSE: Okay. Does anybody have any more questions for Helen.

(No comments)

CHAIRMAN LOHSE: Alaska Department of Fish and Game, no comments. So we probably go all the way to Subsistence Resource Commission comments. Do we have any comments from them.

MS. CELLARIUS: Thank you, Mr. Chair. On Proposal 90, the SRC unanimously supports the proposal for the reasons stated in the justification for the OSM preliminary conclusion.

CHAIRMAN LOHSE: Okay. That wasn't what I was hoping -- I was hoping for more information than that.

(Laughter)

CHAIRMAN LOHSE: Do we have a summary of written public comments.

MR. MIKE: Mr. Chair. The Upper Tanana Fortymile Advisory Committee supports Proposal 90 for -- to have all species C&T. The AHTNA Subsistence Committee on Proposal 10-90, we support WP10-90 to grant a positive C&T determination to the residents of Tok Cutoff Road, mileposts 79 to 110, Mentasta Pass with the exclusion of Ft. Greely. They have used our resources and meet the eight criteria of the C&T determinations. The Eastern Interior took action on this proposal, supporting the Proposal WP10-89. The residents of Ft. Greely do not demonstrate

characteristics of communities with subsistence of fish and wildlife. Ft. Greely is now a missile base with transient workers. Residents working on a base generally do not live on a fort but live in nearby communities.

Ft. Greely has been determined to not have customary use of moose in 13B. Thank you, Mr. Chair.

CHAIRMAN LOHSE: What mile is Ft. Greely at? So there's no -- Ft. Greely is not on the Tok Cutoff.

MS. H. ARMSTRONG: No, it's not. If you look at the map on Page 64 of your reg book, you can see the Delta Controlled Use Area. It's in that area, if I'm not mistaken. I don't think it's even on the map here, but it's up there. It's not on the Tok Cutoff Road. It's ways away.

CHAIRMAN LOHSE: Okay.

DR. WHEELER: Mr. Chair. It was -- I think they were -- those comments on Proposal 90 were tied to their comments on Proposal 89 which was to exclude Ft. Greely from a C&T determination and I think it just carried over probably in error.

Mr. Chair.

CHAIRMAN LOHSE: Oh, Eastern Interior. You just read Eastern Interior, right? Okay. So the Ft. Greely was just put in there. It's not because it's on the Tok Road. Okay. On the Tok Cutoff.

Okay.

So Eastern Interior which is made up of people who live in that area and AHTNA both support it. Okay. Oh, this is the Upper Tanana Fortymile Advisory Committee. Okay. We didn't ask for that. Fish and Game Advisory Committee comments.

MR. MIKE: Mr. Chair. I read that as part of the written public comments.

CHAIRMAN LOHSE: That was part of the -- okay. As your written public comments. Okay. Gloria and I must have missed that. We were

concentrating on the Eastern Interior, trying to find a copy of that. Okay. So -- and do we have any other public testimony?

MR. MIKE: No.

CHAIRMAN LOHSE: Okay. So now we need a motion to put WP10-90 on the table.

MR. HENRICHS: I'll make the motion.

CHAIRMAN LOHSE: It's been moved that we accept. Wilson. Tribal comments. Please. My fault. I missed it.

MR. JUSTIN: Thank you, Mr. Chairman. Wilson Justin. There's probably a lot of history in this particular proposal that doesn't need to be gone over. I would like to add a couple of comments to the issue. You probably won't find any discernible background use and take of resources for these particular locations.

At the time that a lot of the C&T determinations were being made in the '80s and the '90s, these were fairly new folks, so people who had commercial interests who split their time between that particular area and other places. I cannot tell you whether or not since then they've gotten to the point where they can claim C&T. That's beyond my capabilities. They're distant neighbors. I know them and they know me and presumably they've established residency on a year-round basis for any number of years, but I can't tell you that and I don't think anybody can really tell you that in a neighborhood unless somebody comes there and says all right, John Doe and Jane Doe have been there since 1987.

My primary comment is that a lot of these issues that crop up in this manner leaves me a little bit, I guess, feeling like I'm not a very good neighbor because in many cases, particularly with Dot Lake and other resident zone areas, those people who wanted to get C&T determination for use in particular areas came to Chistochina Tribal Council and said look, this is what we want to do. We're going to alert you to the fact that we'd like to apply for C&T determination in advance. And many cases where those happened, we discussed the historical ties and we discussed how things work in terms of dynamics of

traditional use of the resources.

In these cases where you're looking at the small communities that never happened. So whether or not we were just bad neighbors or whether or not the people who assume that they were going to apply to C&T that we would be against it, I don't know. I can't tell you. But it does give me a little bit of pause when it comes right down to it that nobody came along and said hey, Wilson, you've always been fair and objective in your C&T ups with these in all of the zone areas for the National Park, Unit 11, Unit 12, and Unit 13. We'd appreciate your comments. That didn't happen, so that kind of gives me a little bit of a pause. And I just wanted to bring that on record.

Thank you.

CHAIRMAN LOHSE: Thank you, Wilson. Tom.

MR. CARPENTER: So, Wilson, that's interesting. So generally speaking do you generally support this?

MR. JUSTIN: I see no problems with it as it's being written, but I have a little bit of a -- you know, a little bit of an alarm bell ringing somewhere in the back of my.....

MR. CARPENTER: Sure. No. I can understand that. Thank you.

CHAIRMAN LOHSE: Thank you. Any other questions for Wilson.

MR. HENRICHS: Yeah.

CHAIRMAN LOHSE: Mr. Henrichs.

MR. HENRICHS: So are you saying that these people might be bad neighbors too.

(Laughter)

MR. WILSON: Well, I wouldn't say that they're bad neighbors. They might consider me a bad neighbor but.....

CHAIRMAN LOHSE: Thank you.

MR. WILSON: Thank you.

MR. KOMPKOFF: Mr. Chair.

CHAIRMAN LOHSE: Yes, Donald.

MR. KOMPKOFF: Yes. I just want to point out something that -- I was reading the subsistence resource part about the Russian Aleuts coming up there and we have artifacts in Chenega that we found that was jade, the people from Chenega traded with the AHTNA people and they found jade and adds and stuff like that in the -- where we were doing the search, you know, and I just want to say we were neighbors too.

(Laughter)

MR. JUSTIN: I would add to that the 'Alts'e'tnaey Trail or the Nelchina 'Alts'e'tnaey Trail which stretched between the Sanford River and the Canadian border ran actually to quite a few communities include Knik. The control of the trail boiled down to three clans and one of those clans was 'Alts'e'tnaey, which is my mom's people, so I know a lot about the trail and the stories about the ancient trade systems and it's been something -- we've never put it on record, but we're slowly getting there.

CHAIRMAN LOHSE: Good.

MR. JUSTIN: Thank you.

CHAIRMAN LOHSE: Thank you, Wilson. Okay. So do we have WP10-90 on the table. Did we have a motion to accept it and a second.

MR. CARPENTER: I don't know. So moved if they didn't.

CHAIRMAN LOHSE: Okay. It's been moved to put WP10-90 on the table -- to accept.

MR. HENRICHS: We already have a motion.

CHAIRMAN LOHSE: That's what I thought, but I wasn't sure. Then I wasn't sure that we broke that off to get Wilson's testimony. So.....

MR. HENRICHS: No. Don seconded it and I made the motion.

CHAIRMAN LOHSE: Okay. So we have it on the table. Discussion on it. Gloria.

MS. STICKWAN: I support this proposal. Those people have used the resources and Wilson Justin didn't have a problem with it. It's just being bad neighbor. I guess he didn't have communication with them, so he -- I guess he supported it. He just didn't have communication.

CHAIRMAN LOHSE: Any other discussion, comments on it. This is again one that is -- we're dealing with people that are in Unit 12 that are also are asking to use resources in our unit. Judy.

MS. CAMINER: Mr. Chair. Thank you. I think this is similar to what we addressed before where you have people living on the road between two communities that have a C&T already. We do have good information here to support the proposal and from the testimony and comments we've heard, I'll support the motion also.

CHAIRMAN LOHSE: Okay.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called. All in favor of WP10-90 signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All oppose signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries unanimously. With that, I'm going to call a break for lunch because we've got probably 12 minutes left before lunchtime and we have specific -- we have 31 and 35 to be taken up right after lunch and then we still have 102, 103, and 104 to be taken up after that. And unless there's an objection, I'm going to close this -- I'm going to call a recess for lunch right now. Till 1:00 o'clock. We have time specific proposals for 1:00 o'clock, so we need to be here at 1:00.

(Off record)

(On record)

CHAIRMAN LOHSE: Let's all turn to Proposal 31, WP10-31, so we're ready when we're ready to go.

MS. H. ARMSTRONG: Thank you, Mr. Chair. Helen Armstrong, OSM. Proposal WP10-31 is on -- I think it's Page 87. Yeah. It starts on 88. Make sure I have the right number. It was submitted by Kevin Mayo of Healy and it requests an individual customary and traditional use determination for moose and caribou in Unit 13E. In areas managed by the National Park Service where subsistence uses are allowed, customary and traditional use determinations may be made on an individual and Barbara Cellarius talked about that system a little bit earlier.

Mr. Mayo has a history of customary and traditional use of moose and caribou in Unit 13E of Denali National Park. He also holds a National Park Service subsistence use permit, called a 1344 permit, as well. Mr. Mayo and his family are from Cantwell which is a resident zone community of Denali National Park. He is unable to harvest moose and caribou because he now resides in a rural community, Healy, which does not have a positive customary and traditional use determination for moose in the Park.

If a person has a 1344 subsistence eligibility permit, lives in the Park, or lives in a resident zone community, that person must also live a community or area that has a customary and traditional use determination for the desired species and harvest area. So if a person has his 1344 permit without a customary and traditional use determination for the species they wish to hunt, they may submit a proposal to the Federal Subsistence Board for an individual customary and traditional use determination and that's the case for Mr. Mayo.

I'm not going to go through all the eight factors. These are found in the analysis in your book. I'll just highlight some of the information.

Mr. Mayo's subsistence uses in Denali National Park and Preserve were derived from personal communication with Mr. Mayo and those interviews were

done by Amy Craver who's on the line from Denali National Park. So we worked closely with her to develop this analysis.

The Mayo extended families have depended upon moose in the Cantwell area as their primary source of subsistence for four generations and have regularly and consistently hunted in Unit 13 for 45 years. Mr. Mayo's great grandfather, Alan Smith, came to Alaska in 1937, left the State during World War II, and then returned after the war. In 1964, he moved to Cantwell, married into a local Native family, and since then multiple generations of his extended family have lived in Cantwell and harvested caribou, moose, firewood, fish, and berries in the ANILCA addition of the Park.

Mr. Mayo and his extended family continue to hunt moose together every hunting season in the Cantwell Creek and Foggy Pass area. The Mayo family's camp is on State land near Cantwell Creek and the Foggy Pass area in Unit 13E right at the border of the ANILCA addition of the Park. There are traditional subsistence harvest areas within the ANILCA addition. Mr. Mayo began to hunt moose when he was 14 years old and continues to hunt with his father, brother, and extended family.

He was an eligible subsistence user who resided in Cantwell his entire life prior to moving to Healy in 20A -- Unit 20A in 2004 where he and his family continue to reside. Prior to 2004 with the exception of 2001, 2002, when he was out of the State for training, Mr. Mayo routinely received Federal subsistence moose and caribou permits for Unit 13E. Mr. Mayo is currently not qualified because he resides in Healy which I said earlier. He continues to actively participate in his family's moose and caribou hunting traditions by helping with the butchering, packing, and processing of moose and caribou.

The Mayo family travels to their hunting area to hunt moose by foot, tracked vehicles, and off-road vehicles. They have not used airplanes for hunting. Mr. Mayo uses -- the most recent generation of the Mayo family has hunted in areas since 1971 and established their current camp in 1985. Mr. Mayo's grandparents learned how to hunt in the Cantwell area and passed this knowledge on to their decedents. Before he shot his first moose, Mr. Mayo accompanied

his father and mother and other relatives on moose hunts long before he actually was old enough to hunt himself.

Mr. Mayo continues to harvest moose and caribou with his family thereby passing the skills to his children. Hunting, trapping, berry picking, and fishing are significant resources they depend upon. It is the Mayo family custom to share moose and caribou. The extended family typically harvests one moose per hunting season or two caribou each season. Wild food is on the table at least four days a week. Moose and caribou were and continue to be the Mayo family's primary source of meat. The family harvests a variety of subsistence resources such as berries, bear, ptarmigan, fish, and furbearers including beaver, martin, fox, wolf, and lynx. These resources fulfill the social and nutritional needs of the family.

Moose and caribou hunting are a significant social and family effort. The OSM preliminary conclusion is to support Proposal WP10-31. Thank you, Mr. Chair. That concludes my presentation.

CHAIRMAN LOHSE: Thank you, Helen. One question on this -- what you just read at the end and I was just wondering about this. It said to pass his traditional subsistence lifestyle to his children. If Mr. Mayo is recognized as customary and traditional in this area, will his children be recognized as customary and traditional or will they have to put in a separate application?

MS. H. ARMSTRONG: Well, I would rather leave that to a Park Service person. Amy, I'm putting the mic close to you. Do you want to answer that? Did you hear the question, Amy?

Okay. Maybe somebody from the Park Service can come up and answer that question.

MS. CELLARIUS: This is Barbara Cellarius from Wrangell-St. Elias and I believe that individual C&Ts are for the individual to the best of my knowledge and so it would only be for the individual. The 1344 permit applies to everyone in the household, but that's a different kind of thing.

CHAIRMAN LOHSE: Thank you, Barbara. Any questions for Helen. Doug, I can see you're

thinking of one.

MR. BLOSSOM: Through the Chair. Now this individual has moved from a subsistence area to a nonsubsistence area; is that what I'm hearing?

MS. H. ARMSTRONG: A community that does not have C&T. That's Healy.

MR. BLOSSOM: They are not a subsistence area.

MS. H. ARMSTRONG: Well, they don't have C&T.

MR. BLOSSOM: They're nonrural

MS. H. ARMSTRONG: Oh, no -- no, no, no.

MR. BLOSSOM: So they do have rural designation.

MS. H. ARMSTRONG: Yes, but they don't have C&T for Denali National Park.

MR. BLOSSOM: Okay. I just -- because, you know, I've got two sons that are just madder than heck. We're four generations too and they've moved from a subsistence area into a nonrural area and -- I just wanted to make sure what we're talking about.

Okay.

MS. H. ARMSTRONG: No. Healy's rural. Amy, are you there?

MR. MIKE: Excuse me. Mr. Chair. If we can have a couple minutes to fix the technical details here. We'll get.....

CHAIRMAN LOHSE: Technology always takes fixing. Go ahead and fix it.

(Pause)

MR. MIKE: Mr. Chair. I understand the technical difficulty's on the other end not ours, so if we need to move forward, we can do so -- the Council can do so. Thank you.

MS. H. ARMSTRONG: The Park Service phones went dead and she's trying to call back in, so we should just probably go forward for the time being I think.

CHAIRMAN LOHSE: Any questions for Helen. Ricky.

MR. GEASE: Yeah. Sorry. This is the first time I've heard about individual C&T, so can you explain the difference between the Federal Subsistence Board regulations and the Park Service regulations just to clarify it a little bit better.

MS. H. ARMSTRONG: I'd rather have a Park Service person explain it. Thank you.

MS. CELLARIUS: Individual C&T is related to this concept of resident zone that I talked about a little bit earlier. With the National.....

MS. CRAVER: Amy's back.

MS. H. ARMSTRONG: Hi, Amy. We're -- sorry you got cutoff. We're at the point of we've done the analysis, presented that, and now we're -- we've just started questions. We were trying for a little bit to figure out what had happened. So that's where we are. The Council's asking questions.

MS. CELLARIUS: And this is Barbara and I'm responding to a question -- one of the questions that we got about Park Service versus Federal subsistence regulations. So I'll give it a shot and then you want to add anything, that'd be great.

So in addition to the idea of C&T, we have what we call the resident zone and that is those communities that have been identified as customarily and traditionally using resources in the National Park, sometimes called the hard Park, and you have to live in the resident zone in order to hunt in or, you know, engage subsistence use in the Park.

The other thing I would point out about the Park -- National Park land is that general State hunting and trapping regulations do not apply on those lands, so the only way that you can access those lands is if you have resident zone status or you have a 1344 permit which recognizes the individuals and families

who customarily and traditionally use Park resources but have moved out of the area.

And so we -- I guess I should just bring this to a close and say that we have this additional layer of eligibility and because the only way to access the National Park lands is if you're part of the resident zone or have one of these permits, you can't hunt under the general Park regulations. That's part of why we have this concept of individual C&T which specifically applies to National Park lands.

MR. GEASE: So clarify the difference in this proposal in front of us. Is it parts of Unit 13E that are just in the National Park or is it all of 13E?

MS. H. ARMSTRONG: This is Helen Armstrong. If you look at the map on Page 64, you'll see that 13E with the exception of the Park is State lands or non-Federal lands I'll call it. The only part in 13E that -- where Federal subsistence regulations apply is in that corner. Do you see that on the map?

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Mr. Chair. I guess just also to add in answer to Rick's question, individual C&T is in the Federal Subsistence Program's regulations and it can apply to Park Service and actually says possibly Fish and Wildlife lands too. It's not only a Park regulation. It is part of this program, so that's why it's coming in front of the program.

CHAIRMAN LOHSE: Barbara, before you run off. Okay. I lost something there in your explanation and it's probably my fault not yours. The 1344?

MS. CELLARIUS: (Nods affirmatively)

CHAIRMAN LOHSE: Okay. 1344 -- in order for him to use his 1344, he would have to live in a resident zone community.

MS. CELLARIUS: (Shakes head negatively)

CHAIRMAN LOHSE: No? Or in a community that has C&T?

MS. CELLARIUS: So the -- in order to hunt in the National Park -- and again sometimes we refer to -- it's sometimes referred to as the hard Park, but not the preserve. In order to hunt in the National Park, you have to meet one of three criteria. You need to live in the Park's resident zone, you need to live in the Park itself, or you need to have this 1344 permit. However, having the 1344 permit does not get you around the requirement to have C&T. So he has a 1344 permit, but he -- given his change of residence, he still lives in a rural community, but he doesn't live in a community that has C&T.

CHAIRMAN LOHSE: Okay. Tom.

MR. CARPENTER: Yeah. I guess, Barbara, maybe you an answer this or maybe somebody else and maybe you're only familiar with the Wrangell-St. Elias, but you use that as an example. Of individuals that have 1344 permits, let's say in the Wrangell-St. Elias, how many people live in a community which they moved to that is either not resident zone status or is not a community with customary and traditional use where the Federal Subsistence Board has granted that permit -- or granted that individual in an instance like this. Do you have any examples?

MS. CELLARIUS: (Indiscernible-away from microphone)

MR. CARPENTER: Okay.

MS. H. ARMSTRONG: Yeah, I think that's a good idea. Amy, the -- did you hear the question?

MS. CRAVER: Could you repeat it one.....

MS. H. ARMSTRONG: The question is how many people have individual use permits to hunt moose and caribou in the Park. So how many people in the same situation as Mr. Mayo.

MS. CRAVER: Well, we have people from McKinley Village and the Cantwell area, I think probably have approximately ten. In a case that's similar to Kevin Mayo, we had a gentleman that -- I can't -- maybe about ten years ago or so, he got an individual C&T after he moved to Healy for 13E, but then he lost that individual C&T when he moved to

Palmer because he went to a nonrural community. So we don't have any current examples of similar situation as Mr. Mayo currently.

MR. CARPENTER: So there has been precedence for this in the past.

MS. CRAVER: Correct.

MR. CARPENTER: Okay. Thank you.

CHAIRMAN LOHSE: Any other questions for Helen.

(No comments)

CHAIRMAN LOHSE: Or Amy. Ricky.

MR. GEASE: Is there -- just -- there are other National Parks in Alaska. So are there other areas where -- I guess we asked that, but that related to Denali, but are there other areas where this has happened?

MS. CELLARIUS: For Wrangell-St. Elias, we had three or four individual C&Ts. Most of those individuals actually life in a resident zone community, but were -- had a pattern of use in units that they didn't have C&T. So for example -- and I would have to look at the reg book to get this totally right, but there's some folks who live up near Tok who don't have C&T. I believe it's for goat in the southern portion of Unit 11 and so they requested an individual C&T and were granted that. Is that -- is goat the one where -- like Tok doesn't have C&T.

We also have quite a number of people who have been granted -- there'd -- these 1344 permits, 20 or 30 maybe. A large number of those people were in the Upper Tanana communities that were added to the Park's resident zone in 2002. It was quite a lengthy process to change the Federal regulation to add these communities to the resident zone. So while we were going through that process and actually it's part of the process of documenting the use patterns in those communities. The Park did interviews with residents of those communities and those households that were determined to be eligible or granted these permits.

There's a few other folks as well who

-- there are a few people who don't fall in that category who also have 1344 permits.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Clarifying question. So when the resident zone for Denali was established, what was the rationale for Healy not being in the resident zone versus -- I don't even know who's in the resident -- just Cantwell or -- or McKinley Village?

MS. CRAVER: This is Amy. When they determined the resident zone communities around Denali, at the time (indiscernible-telephone static) they drew sort of a three-mile boundary from the post office and the -- it was determined at that time that the majority of the people in that three-mile boundary utilized the Park and that was very different demographics than in Healy or McKinley Village because when they did sort of -- did the analysis, Healy -- people didn't really necessarily use the Park and nor did that many people at McKinley Village.

So the concentration of subsistence users using the Park when they determined the resident zone in Cantwell was a lot more concentrated than in Healy or McKinley Village.

CHAIRMAN LOHSE: Any questions for Helen.

(No comments)

CHAIRMAN LOHSE: Amy, can I ask you a question.

MS. CRAVER: Sure.

CHAIRMAN LOHSE: Now, Mr. Mayo has a 1344, right?

MS. CRAVER: Correct.

CHAIRMAN LOHSE: Okay. That extends to him and his family, right.

MS. CRAVER: It's just for him.

CHAIRMAN LOHSE: Just for him then. Okay.

MS. CRAVER: Yes.

CHAIRMAN LOHSE: Okay. And what benefits does he have in having a 1344 if he moves out of the Park?

MS. CRAVER: So right now he's got a 1344 permit and being a resident of Healy, he can -- basically he can trap and hunt under Federal regs for everything except for moose and caribou.

CHAIRMAN LOHSE: Okay. So he can hunt or trap for everything that doesn't have a C&T.

MS. CRAVER: Right.

CHAIRMAN LOHSE: And that's because he lives in a rural community, so he's classed as a Federal subsistence -- eligible as a Federal subsistence user, right?

MS. CRAVER: Yes. That's correct.

CHAIRMAN LOHSE: But if he would do like we were just talking about before and move to Palmer, then all of that would be canceled, right?

MS. CRAVER: Yes.

CHAIRMAN LOHSE: Okay. And if he moves into a resident zone community, then their C&T extends to him.

MS. CRAVER: Correct.

CHAIRMAN LOHSE: But because of this, he is outside of a resident zone community, but he's still a rural -- he's still a Federally-qualified rural resident.

MS. CRAVER: Yes.

CHAIRMAN LOHSE: Okay. I know somewhere along the line I had the idea that the 1344 extended to his immediate family also. Barbara.

MS. CELLARIUS: Mr. Chair. My understanding of a 1344 permit -- and I was consulting with Clarence Summers is while -- from our regional office. And my understanding is it applies to all

resident -- all permanent residents of the household. So there's an individual's name on the permit, but people -- the other people living in that household, the permit would also apply to them.

If you think about what a 1344 permit is, it's the individual or their family has a pattern of use. So it recognizes that -- that particular permit recognizes that it's a family pattern of use, so it makes sense that it would apply to the household.

CHAIRMAN LOHSE: But just like the C&T we're talking about, if he gets a C&T, this does not apply to his children and if his children leave his household, his 1344 does not apply to them either.

MS. CELLARIUS: Those are both correct.

MS. CRAVER: This is Amy. Sorry for the miscommunication. I -- yeah. I was thinking just the household and if that person -- we've had several examples at Denali where the individual and the household have received the 1344 permit and somebody moves out of that household and then they're no longer eligible under that household. Sorry. I sort of misunderstood the question.

CHAIRMAN LOHSE: Okay. Thank you. Any other questions for Amy or for Helen or for Barbara. Doug.

MR. BLOSSOM: Mr. Chair. I'm going to do a Ricky hypothetical question. So Greg Encelewski lives in a rural area. He has C&T for moose. He moves to Hope which is now a -- or will maybe probably be a rural area. Can he apply then for this C&T to come back and hunt moose or is it a different situation? That's what I'm trying to make sure of -- different than.....

MS. H. ARMSTRONG: Helen Armstrong. It's different because this applies to the Park Service regulations. It's only hunting in the Park.

MR. BLOSSOM: Okay. I just want to make sure.

MS. STICKWAN: I thought you said that it applies -- it's in U.S. regulations in the booklet. said something.

MS. CAMINER: Well, just looking at our regulations -- and this was our Federal subsistence regulations. It was a little bit of a surprise to me. It says Federal lands and it mentions that the Park superintendent or the Fish and Wildlife Service would be keeping a list of anyone granted an individual C&T. I think in your example, Doug, I mean talking about forest service lands and you're talking about an area that may be already granted to hunt, but go ahead, Polly.

CHAIRMAN LOHSE: Polly.

DR. WHEELER: Mr. Chair. Member Caminer. My understanding of these regulations -- and you're referring to the -- on Page 83 of the Council member handbook. I think that it's the Fish and Wildlife Service would -- and the local NPS superintendent would.....

MS. CAMINER: Oh, okay.

DR. WHEELER: .....maintain the list of individuals having customary and traditional use on National Parks and Monuments, the reason being is that the Fish and Wildlife Service is the administrative body for the Federal Subsistence Management Program not that the Fish and Wildlife Service does individual C&Ts. It's just we're the administrative body and are implementing regulations for the Federal Board and that's why we would keep that list as well. So this is specific to Park Service.

CHAIRMAN LOHSE: It specifically applies to Park Service land.

DR. WHEELER: That's correct. And Fish and Wildlife Service is only listed in there because we're the administrative body for the Federal program.

CHAIRMAN LOHSE: Okay. Is that clear to everybody. Okay. Any other questions. Ricky.

MR. GEASE: So is the reason that it's coming before our Board is because it's quicker to do Federal regulations than just having the Park Service change its regulations to account for this situation?

MS. H. ARMSTRONG: I don't believe it's -- I believe it's the way it has to be done is because

it has to come from the Federal Subsistence Board to do individual C&Ts. It's the way it's been done.

CHAIRMAN LOHSE: I don't think the Park Service can -- I mean it's not -- the Park Service doesn't change its regulations. This process is in place in the Park Service making use of the Office of Subsistence Management to grant C&Ts in these cases.

MR. GEASE: Okay.

MS. H. ARMSTRONG: And the Federal Subsistence Board, yeah.

CHAIRMAN LOHSE: Yeah. Am I correct, Polly?

DR. WHEELER: You're correct. Mr. Chair.

CHAIRMAN LOHSE: What do you know.

DR. WHEELER: Good job.

CHAIRMAN LOHSE: Okay. Any other questions for Helen or Amy or Barbara or anybody else that we keep dragging up here and asking questions of.

(No comments)

CHAIRMAN LOHSE: Okay. With that we'll go on with our regular procedure. Does the Alaska Department of Fish and Game have any comments.

(No comments)

CHAIRMAN LOHSE: No. Are there any Tribal Agencies that have comments.

(No comments)

CHAIRMAN LOHSE: No. Any other Federal Agencies like Park Service that has comments.

(No comments)

CHAIRMAN LOHSE: No.

MS. CRAVER: I'll just say Denali Park National Park Preserve supports the proposal.

CHAIRMAN LOHSE: Denali National Park Preserve supports the proposal. Okay. Thank you, Amy. Subsistence Resource Commission comments. Do we have any, Barbara, or is this in the other Park.

MS. CELLARIUS: Amy.

CHAIRMAN LOHSE: Amy. Are you making comments for the Subsistence Resource Commission too?

MS. CRAVER: Yes. At the November 4th, 2009, meeting, the Denali Subsistence Resource Commission unanimously supported this proposal.

CHAIRMAN LOHSE: Thank you. Are there any Fish and Game Advisory comments.

(No comments)

CHAIRMAN LOHSE: Do we have written public comments, Donald.

MR. MIKE: Mr. Chairman. We have one written public comment received from the AHTNA Subsistence Committee. We oppose WP10-31 to grant an individual C&T determination for moose and caribou in Unit 13E to the Kevin Mayo family. We do not support individual C&T determinations. We oppose individual C&T determinations because in our opinion they do not meet the criteria of the customary and traditional use determinations of the resources.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Mr. Henrichs.

MR. HENRICHS: Who was that, Donald?

MR. MIKE: The AHTNA Subsistence Committee at Glennallen.

CHAIRMAN LOHSE: Okay. Do we have any public testimony lined up.

MR. MIKE: No.

CHAIRMAN LOHSE: No public testimony. At this point in time then, WP10-35, a motion to put it on the table is in order.

MR. CARPENTER: So move.

CHAIRMAN LOHSE: It's been moved. Do we have a second.

UNIDENTIFIED SPEAKER: It's number 31.

CHAIRMAN LOHSE: Oh, my fault. With the consent of the person who moved, could we change that to WP10-31, a motion to accept.

MR. CARPENTER: Yes.

CHAIRMAN LOHSE: Okay.

MS. CAMINER: Second.

CHAIRMAN LOHSE: Moved and seconded to accept WP10-31. Discussion. Questions.

(No comments)

CHAIRMAN LOHSE: I recognize that AHTNA's objection to this is a philosophical objection to the whole -- that whole type of program and I can honor that, but we have to decide whether it's inside of our process that we go along with the process or not. Mr. Henrichs.

MR. HENRICHS: Well, even though that guy doesn't live there anymore, it sounds like he still takes part in the hunt with his family, but he just can't shoot that and if they're sharing meat with everybody, I'm sure he's still getting meat out of the deal. And they probably haul it out with their tracked vehicle. So I don't know. I'm not going to support this at all.

CHAIRMAN LOHSE: Chuck.

MR. LAMB: I don't know Kevin. I think I might know him, but his -- she just got appointed to the McKinley Park thing a couple meetings ago. That's his cousin and so I know the family's really involved in it. I know Connor's family. I know Herman's, Carlson's, most of them, and they're really involved. They all do hunt that way and that's how they live. So if Kevin's the one I think he is, then I do know the family and they are involved.

MS. CAMINER: Mr. Chair.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: It appears like we have a very good analysis here. Amy and others have talked to the individual involved. The Board did grant similar requests for an individual C&T. Individual C&T is within our own regulations and one of the options of how someone can gain customary and traditional use.

Thank you.

CHAIRMAN LOHSE: Gloria's next.

MS. STICKWAN: I think I heard because he has 1344 and he has ties to the community, he used to this there, that he should be granted C&T based on his previous family's history of using that area. So I would support this.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Well, I was just going to say being a stickler for granting C&Ts for time and place for communities and if Park Service regulations under the Federal Subsistence Board regulations allow for individual consideration of that, the Park Service has done a very good job of documenting that this individual who is applying for C&T has shown a consistent pattern of use for moose and caribou in the region of Federal lands that is being requested and considering that we have passed C&T determinations in this same meeting with less evidence of a consistent pattern of use, I will be voting for this.

CHAIRMAN LOHSE: If there's no further discussion, the question's been called. All in favor of WP10-31 signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

MR. HENRICHS: Nay.

CHAIRMAN LOHSE: Motion carries, not

unanimously, one against. Okay. With that we go on to WP10-35. And is Amy here for this one too?

MS. H. ARMSTRONG: Yes, she is. Mr. Chair. She's still there. Thank you, Amy. I'm -- Cole's coming up here now.

MS. BROWN: Mr. Chair. Members of the Council. Cole Brown with OSM. WP10-35, the analysis for this proposal begins on Page 139 of your book.

And talking with Amy yesterday, there have been some new developments regarding this proposal. So when this proposal was submitted, it was well before the AHTNA community hunch and I'm going to present the proposal as it was analyzed at that time with that information and then we can -- I'll bring forward the new information from talking with Amy yesterday and put that out for everybody and then we can kind of discuss where we want to go from there.

Proposal WP10-35 submitted by the Native Village of Cantwell requests that the harvest limit of one antlered bull moose for Unit 13E be extended to Traditional Use Areas in Denali National Park and an additional harvest season be established from December 1st to January 15th. And as we've previously discussed and heard from the Park Service, Cantwell is a member of the resident zone and also has C&T. There are four villages that have resident zone within the Park Service, but Cantwell is the only one that has C&T for this Traditional Use Area.

The proponent requests that a winter season be established to allow for moose harvest via snowmachine in the Denali National Park. In 2008, the Denali National Park and Preserve placed limits on off-road vehicle use within the Park and restricted off-road vehicle use to four routes within the Cantwell Traditional Use Area. The new regulation does not affect the use of snowmachines for subsistence use within the area, but the season for moose in Unit 13E is prior to snowfall.

The proponent requests a winter moose season from December 1st to January 15th with the superintendent of Denali National Park having delegated authority to close the hunt via emergency closure when a quote of ten moose for both the fall and winter season is reached to allow managers to have adaptive

management to maintain conservation goals.

In 2008, the National Park Service conducted aerial surveys in the fall to acquire composition data and population trend data for the Cantwell area and estimated the moose density at .61 moose per square mile. In the Cantwell survey area, that calf-cow ratio was 28 to 100 cows and the bull-cow ratio was 400 -- I'm sorry -- 40 to 100 cows and that was out of 255 moose.

The managers, the wildlife biologists for the National Park Service estimated that 4 percent of the Cantwell population would allow a harvest of around ten antlered bull moose which is a conservative percentage for sustained harvest for moose populations. The State general harvest season is from September 1st to September 20th in Unit 13 and it is the predominant source of moose harvest.

Currently Federally-qualified subsistence users harvest on average four bull moose during the fall season within Unit 13E which would allow on average six bull moose to be harvested in the winter season if approved. As previously discussed, there is new AHTNA community harvest from August 10th to September 20th with a limit of one bull per hunter and has been established for residents of AHTNA villages of which Cantwell is one. This has an upper harvest limit of 15 any bull moose with an unlimited spike/fork 50 inch or four brow tine moose within Unit 13E.

Any harvest for this proposal change would count against this upper limit. Since 2008, the National Park Service put off-road vehicle access restrictions on the Cantwell traditional use portion of the Denali National Park due to resource damage from off-road vehicle use. This reduced the ability for Federally-qualified subsistence users to harvest moose during the fall season. However, snowmachines are still allowed and it would allow the subsistence users the opportunity to utilize snowmachines to harvest moose after snowfall. It would also establish a winter season which would provide an additional 45 days of opportunity for Federally-qualified subsistence users.

Because the winter season would be managed through a quota that encompasses both the fall and winter seasons, the additional opportunity in the

form of hunting days would have limited effect on the moose population in 13E. The OSM preliminary conclusion was to support Proposal WP10-35 with modification to clarify the regulatory language and remove the quota of ten bull moose to allow managers flexibility in setting a sustainable harvest depending upon annual moose population fluctuations.

So talking with Amy yesterday to find out if the Native Village of Cantwell, what their thoughts were after the report from the AHTNA community hunt, at the Board of Game meeting, there was discussion about AHTNA's management of it and whether it was actually going to be satisfying the Federally-qualified subsistence user's need for moose within that area.

Amy, maybe it might be appropriate rather than me regurgitating what you told me yesterday if you kind of let the Council know what your polling of the village has resulted in.

MS. H. ARMSTRONG: I think she just got cut off. The phone line.....

MS. BROWN: Okay. So when I talked to her yesterday, Amy said that she had polled the Village of Cantwell. She had gotten 13 responses. Amy, are you back?

MS. CRAVER: I'm back.

MS. BROWN: Okay. Where'd we lose you?

MS. CRAVER: You were just talking about that you spoke with me about -- on the Village of Cantwell was currently.....

MS. BROWN: Okay. Would you like to let the Council know then what we discussed yesterday, please.

MS. CRAVER: Well, I'll just -- so basically you just want me to tell a little bit about the history of this proposal in terms of Cantwell submitted it?

MS. BROWN: Sure. That'd be a good way to start and then also the results from you polling the village and the discussion about their concerns with

the winter hunt and the AHTNA community hunt.

MS. CRAVER: Okay. All right. So initially this past summer, this was something that the Park Service -- Paul Anderson and myself went down to the Village of Cantwell to just talk about some of the -- just Park issues and one of the issues that was brought up was this winter moose hunt. And so the Village of Cantwell was kind of unsure really what they thought about a winter moose hunt and they wanted me to go back to the Park and get some numbers, what the sustainable yield from our biologists, which I did. And then they still were not certain that they were going to support this proposal. They just wanted to get additional information.

And then Gloria Stickwan worked with the Village Council to further develop the proposal. And so at that point, it was sort of in the village's hand and with Gloria working with them and then at our SRC meeting, the -- we were going to take up this proposal, our Council, and the SRC felt that they didn't have enough information to really make a determination about whether or not to support the proposal.

They heard -- we had two members of the -- from Cantwell. They sort of -- one of them felt that in general the community did not support the -- a winter moose hunt and the other person thought that some of the people that she talked to had supported the proposal. So I was sort of unsure really where we were at. And so the SRC asked me to poll the subsistence users in Cantwell.

And so -- and then to bring those results to our next Subsistence Resource Commission meeting. So I -- basically I had -- took all the names of people that applied for Federal subsistence use permits and -- in Denali and I received back -- or Ray Coombs received back 13 replies and 2 of those supported the winter moose hunt and 11 did not support the winter moose hunt.

And so based on those results, the SRC unanimously did not support the proposals. However, a couple of them did -- individually they thought it was a good idea, but they felt it was important to defer to the local users. And I think that part of -- sort of the change in the community has been they felt that

from the conversations that I've had with some of the Council members, they felt that the people were getting their quota from the AHTNA moose hunt and they also felt that -- that it's -- well, I'll just leave it at that for now.

CHAIRMAN LOHSE: Any questions for Amy. Tom.

MR. CARPENTER: Yeah. Just a couple questions. The Native Village put this proposal in. Is the village represented on the SRC? Do they have a representation on the SRC? And also I understand that you polled your community of Cantwell. I mean I'm not sure exactly how many people live there, but 13 responses -- you know, I guess if there's 20 people that live there, that's pretty high, but can you tell me what the population of the area or how many people are actually being affected in this area?

MS. CRAVER: Okay. I would say that there's probably about 35 people that are affected and you have to keep in mind that Cantwell -- we're only talking about the resident zone. There's a three-mile boundary from the post office. So those are the only people that are qualified. So you -- so it doesn't really necessarily matter how many people are living in Cantwell because those people outside of that three-mile boundary don't qualify.

So what I -- in terms of the people that I was polling, I -- approximately 35 people applied -- or received Federal moose permits and so I basically polled those 35 people.

MR. CARPENTER: And can you tell me is the Native Village of Cantwell the author of this proposal? Are they are represented well on the SRC?

MS. CRAVER: Well, we have one person from Cantwell that is a qualified subsistence user. He's not a member of the Native Village of Cantwell. And then we have another person who is a member of the Village Council.

MR. CARPENTER: Okay. And after -- let me ask you this. After -- did you contact the Native Village of Cantwell after the polling was done? I mean your polling shows kind of overwhelming -- that there's not very much support for this proposal there. The

SRC, you know, didn't support it. Did you contact the Native Village of Cantwell after that information was gathered to see if they still supported their own proposal?

MS. CRAVER: I talked with the previous President of the Village Council and, you know, he just -- based on the AHTNA community hunt and their concern about -- I think one of the main concerns that he had was if we have -- go with this winter moose hunt, then would the State increase the quota for moose on State land. And so they weren't sure how that was going to go. So based on just sort of evolving issues that he felt that -- I mean the conversations at the Village Council that they really support it.

MR. CARPENTER: Okay. Thank you.

CHAIRMAN LOHSE: Thank you. I've got a couple questions I'd like to ask if I can, Amy. Is the community or Village of Cantwell the only ones that are eligible to hunt in this Traditional Use Area?

MS. CRAVER: Yes.

CHAIRMAN LOHSE: And the State hunt takes place completely outside of the Park, doesn't it?

MS. CRAVER: Yes.

CHAIRMAN LOHSE: So what we're dealing with is -- if I understood the data right, we're dealing with 200 and some moose that are inside the Park that would have -- that you could have a 4 percent harvest on that would come out to about ten animals and that would have no effect on the State hunt because the State hunt takes place completely outside of the Park and the only people that would be eligible -- no other community is even eligible to take these animals with an AHTNA permit or without an AHTNA permit. I mean so what we're looking at is we're looking at a herd of 200 and some animals that if we don't have this hunt here, then they can still hunt them in August to September, right?

MS. CRAVER: Yes.

CHAIRMAN LOHSE: It's interesting to me that they wouldn't prefer a December hunt because I know we have a lot of the inside residents of Wrangell-

St. Elias that would give their eye teeth to have a winter hunt, but.....

MS. CRAVER: Well, it's an interesting quandary because talking with some of the old timers in Cantwell, they really feel strongly that they've never had a winter hunt that they know of and that it's not traditional and they feel that the meet is much more -- it's better in the fall and they also were concerned about just ethical behavior of some of the newer residents of Cantwell in terms of using snowmachines when moose are gathering up in the winter and the concern that then the herd would disperse and they'd be more vulnerable.

CHAIRMAN LOHSE: I think they have valid points on every one of those myself, so thank you, Amy, and thanks for that clarification because that -- some of those would be my same concerns if it was in Wrangell-St. Elias. Judy.

MS. CAMINER: Thank you, Mr. Chair. Amy, I guess -- I'm not sure sort of the origin of this proposal, but might it have to do with the Traditional Use Area and the restrictions that are placed on Cantwell people now in terms of using their ORVs in the fall that maybe previously they were able to hunt more easily by using the ORVs and now there is a restriction to the trails. And so perhaps this hunt was proposed as a way of providing other opportunity. I don't know if that's correct in.....

MS. CRAVER: Yes.

MS. CAMINER: Okay.

MS. CRAVER: That's exactly correct and it's -- and this winter moose hunt was one of the alternatives that was -- the Park Service offered up in the ORVEA and so for the Park Service's perspective, this really does provide an opportunity for people to -- you know, additional opportunity for them to hunt moose.

MS. CAMINER: But perhaps -- it sounds like people don't necessarily want that opportunity. It's kind of it's a good offer, but they may not want it.

MS. CRAVER: Yeah. And a lot of it too

is talking with people, I think that they sort -- they're blurring issues between this winter moose hunt and they feel like if they go and support this winter moose hunt, then they would lose their -- let's see. Then -- they want to pursue the opportunity with the Park Service to retrieve their moose with ORVs and the Park Service -- it will not be able to do that because we've already done the EA process.

CHAIRMAN LOHSE: Thank you, Amy. Okay. Now Tom brought up a good question to me. You want to bring it up and.....

MR. CARPENTER: Well, I mean I know we're not talking about a lot of people hunting, but, you know, there is a consideration that I don't know -- I mean I assume that the Park Service took this into mind when they were coming up with this or talking about this, but, you know, you are going to have bulls in late December and January that are antlerless then and you do have a probability of some antlerless animals being harvested.

Now granted, you know, somebody that's going to take the time to make sure that it's a bull that they're harvesting, that's one thing, but, you know, that is something that you need to take into consideration when you're having a winter hunt and I just wondered if you took that into consideration.

CHAIRMAN LOHSE: Gloria. Amy, did you hear Tom's question?

MS. CRAVER: I did and, you know, I can't really speak to that because I sort of defer to our biologists on that question and so I can't really provide specifics on that analysis.

CHAIRMAN LOHSE: Thank you, Amy. Gloria.

MS. STICKWAN: I was requested by people at AHTNA to help Cantwell to write this proposal and we wrote it not knowing what was going to happen to the AHTNA hunt because the court decision. And so I wrote it and I emailed it to the Village of Cantwell and they emailed me back and said in the email that they supported this proposal. It was okay the way it was written and to submit it. So that's what I did.

And then I talked to the previous President yesterday and he said that he was concerned about their village or -- the community of Cantwell's concern that their fall hunt might be affected by this winter hunt, that their fall hunt may be taken away from them if we pursue this winter hunt and he did mention about the community hunt, that it'll -- it's going to continue next year unless there's a court decision to overturn it. And they got almost all of their quota under 13E under the State. I think they got like 14 I think or something like that.

So I think that's why they're -- but my understanding of the community hunt doesn't really affect because -- the Federal hunt because the community hunt quota -- well, I guess it does. Sorry. It does affect it. Yeah. So I don't know. That's what happened. So I would support Cantwell's -- it was -- I didn't attend the meeting, the SRC's, so I don't really know what they said or -- I just know what the previous President said and what he and I talked to.

The main reason was because they're afraid of the fall hunt. That's what he told me. So that's why they changed their mind on this proposal.

CHAIRMAN LOHSE: Gloria, then do you feel like they have changed their mind on this proposal, that they don't support it as strong as they did before?

MS. STICKWAN: Yeah. They changed their mind because they don't want their fall hunt to be affected and because of the community hunt I guess. I'm not really sure about that part, but that's what the person told me and I think he pretty much represents the community when he says that because he's -- you know.

CHAIRMAN LOHSE: Thank you, Gloria. That was information that was good to hear. Ricky.

MR. GEASE: I have a question on the ORV. So I'm unclear what changes are happening right now with Denali in this area for ORVs. They don't want to have subsistence users use ORVs or.....

MS. CRAVER: Okay. So prior to the regulation -- okay. Last July -- I think it was last July, but they basically restricted people on ORVs on

four trails in the Park. Prior to that regulation going in, we were not enforcing. They were not supposed to be in the TUA with ORVs, but nobody -- we weren't really enforcing it. So now it's not necessarily that we're restricting it. We are just enforcing ORV use on the four trails.

CHAIRMAN LOHSE: Okay. And that handicaps them slightly for taking fall moose then.

MS. CRAVER: Yes. But it's important to note that prior to the regulation going into effect with -- making them keep their -- only using four trails, prior to that, we just were not enforcing it. They were not supposed to be using the ORVs in the TUA. So we reinforcing it.

CHAIRMAN LOHSE: Thank you. Ricky.

MR. GEASE: So is there any ORV use outside of going moose hunting or is it just for moose hunting?

MS. CRAVER: It's for subsistence purposes.

CHAIRMAN LOHSE: So ORVs are restricted to those four trails at all times.

MS. CRAVER: Yes.

CHAIRMAN LOHSE: Okay. Not just for moose hunting.

MS. CRAVER: That's -- yes.

CHAIRMAN LOHSE: Okay. Does that answer your question, Ricky?

MR. GEASE: (Nods affirmatively)

CHAIRMAN LOHSE: Okay. Judy.

MS. CAMINER: Mr. Chair. Maybe one more thought or question for Amy and Gloria. It sounds like there maybe needs to be more discussions with the affected users. Their concern about losing their fall hunt either numbers or opportunity and just maybe clarification. Is that your sense, Amy or Gloria, from talking to people there? Would more discussion with

the community be beneficial to firm up a proposal?

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: That's what I talked to the previous President. That's what he said. The community of Cantwell was against this was because they're afraid that if they have a winter hunt, they're going to reduce or take away their fall hunt for -- so they're concerned about that and I don't want to say what else they said because -- I don't know.

The other thing is the community hunt -- the quota for the Federal, it -- our community hunt and the Federal -- I don't know how to say it, but it -- the harvest take is together -- combined together and so when he says that he's concerned about the Federal hunt affecting the AHTNA community hunt. Do you understand what I'm saying? Their quota is the same, so he's concerned about that. That's.....

CHAIRMAN LOHSE: Chuck.

MR. LAMB: Yeah. I have a question. You said that they're within a three-mile radius of the post office; is that right?

MS. CRAVER: Yes.

MR. LAMB: Okay. The post office is on -- it's on the highway. Does that three miles go back into the Old Town site where the -- you know, where the grocery store and bar and Ray Atkins and all those are?

MS. CRAVER: Uh-huh. Yes.

MR. LAMB: Okay.

CHAIRMAN LOHSE: Okay. Do we have any more questions of Staff and Amy.

(No comments)

CHAIRMAN LOHSE: Alaska Department of Fish and Game, any comments on this. George.

MR. PAPPAS: Thank you, Mr. Chair. George Pappas, Department of Fish and Game. Our comments are on Page 146 and I'll do my best to summarize them.

The recent National Park Service regulations for Denali National Park were cooperatively developed with the residents of Cantwell to allow continued use of off-road vehicles on designated trails in the Park for Federally-qualified subsistence users to access traditional subsistence resources such as moose. The current Federal subsistence moose hunting season for Unit 13E is August 1 through September 20th for one antlered bull per household.

For impacts for subsistence users, a winter take of bulls by a portion of eligible Federal subsistence hunters could reduce the number of animals available to all subsistence hunters during the fall season. The State provides a community harvest for hunts administered by AHTNA in which the Native Village of Cantwell is a member. The bag limit is 100 any-bull moose in GMU11 and 13 plus an unlimited number of moose with an antler configuration spike/fork or antler spread of 50 inches or larger. Cantwell residents participating in the 2009 community harvest program harvested a total of 22 bull moose of which 11 were any-bulls which are not currently legal under general State regulations.

The residents of Cantwell harvested 24 percent of the 94 moose harvested during the community harvest program in 2009. Harvest quotas for moose will not be met during the 2009 moose hunting suggests that the current Federal and State subsistence hunts are meeting the needs of local rural residents.

There is a conservation concern with the winter moose hunts particularly when populations are relatively low. Moose movements to winter areas can easily result in overharvest and reduce fall hunting opportunity in future years. Also hunting during periods of deep snow add stress to the moose populations in wintering areas that could impact overall health and survival.

Winter hunts are not generally recommended unless moose populations are exceeding the caring capacity of an area and reductions need to be made. A portion of winter hunts is difficult because logistics and weather conditions and users' accountability diminishes as winter harvest reports are more difficult to acquire from the public. Before a winter hunt is established, it is always recommended that the movement patterns of the affected moose

population be studied.

The Department opposes this proposal. Thank you, Mr. Chair.

****
STATE OFFICIAL WRITTEN COMMENTS
****

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

Wildlife Proposal WP10-35:

This proposal would allow residents of the Native Village of Cantwell to harvest an antlered bull moose December 1 through January 15 on federal public lands in Denali National Park with a harvest quota of 10 bulls.

Introduction:

This community qualifies for federal subsistence, and this proposal would extend the federal subsistence season and increase allocation. The proposal indicates, incorrectly, that a winter hunt is being sought because the proponent believes off road vehicle use in traditional use areas was banned by the National Park Service in 2008 and it is easier to harvest and transport moose with snowmachines during winter in Denali National Park lands. Recent National Park Service regulations for Denali National Park were cooperatively developed with residents of Cantwell to allow continued use of off road vehicles on designated trails in the park for federally qualified subsistence users to access traditional subsistence resources such as moose. The current federal subsistence moose hunting season for Unit 13E is August 1 through September 20, one antlered bull per household.

Impact on Subsistence Users:

A winter take of bulls by a portion of eligible federal subsistence hunters could reduce the number of animals available to all subsistence hunters during fall season.

Opportunity Provided by State:

The state provides for a community

harvest hunt administered by Ahtna in which the Native Village of Cantwell is a member. The bag limit is 100 any-bull moose in GMU 11 and 13, plus an unlimited number of bull moose with an antler configuration of spike, fork, or antler spread of 50 inches or larger. Cantwell residents participating in the 2009 community harvest program harvested a total of 22 bull moose of which 11 were any bulls (not currently legal under general state hunting regulations). The residents of Cantwell harvested 24% of the 94 moose harvested during the community harvest program in 2009. Harvest quotas for moose were not met during the fall 2009 moose hunting season suggesting that current federal and state subsistence hunts are meeting the needs of local rural residents.

Conservation Issues:

There are conservation concerns with all winter moose hunts, particularly when the population is relatively low. Moose movements to winter areas can easily result in overharvests and reduce fall hunting opportunity in future years. Also, hunting during periods of deep snow adds stress to moose populations in wintering areas that could impact overall survival. Winter hunts are not generally recommended unless moose populations are exceeding the carrying capacity of the area and reductions need to be made.

Enforcement Issues:

Enforcement of winter hunts is difficult because of logistics and weather conditions, and user accountability diminishes as winter harvest reports are more difficult to acquire from the public.

Other Comments:

Before a winter hunt is established, it is always recommended that the movement patterns of the affected moose population be studied.

Recommendation:

Oppose.

CHAIRMAN LOHSE: Thank you. Any questions for George.

(No comments)

CHAIRMAN LOHSE: Thank you, George. Some of the things that you brought out were the -- oh, Doug.

MR. BLOSSOM: Yeah. Mr. Chair. I just want to make sure, you say that ten moose is a conservation issue.

MR. PAPPAS: Our comments indicate that -- you know, there's a conservation concern with all winter moose. It's not just a ten moose quota for this particular issue, sir. Excuse me. There can be. There can be conservation concern, sir.

CHAIRMAN LOHSE: Thank you, George. Some of the issues you brought out were the same ones that were brought out from people at Cantwell, so -- with the concerns that were expressed before.

(No comments)

CHAIRMAN LOHSE: Okay. Any questions. No questions for George. Do we have any Tribal Agency comments.

(No comments)

CHAIRMAN LOHSE: Other Federal Agency comments.

(No comments)

CHAIRMAN LOHSE: SRC comments.

MS. CRAVER: Denali National Park and Preserves supports WP10-35. The Park believes this regulation is the solution for the new subsistence user's hunting access as well as to address problems with environmental degradation from ORV use.

CHAIRMAN LOHSE: So, Amy, the Park supports it, right?

MS. CRAVER: Correct.

CHAIRMAN LOHSE: Okay. Okay. Now let's go to Subsistence Resource Commission.

MS. CRAVER: The Denali SRC unanimously opposed Wildlife Proposal 10-35 at their February 21st, 2010, meeting.

CHAIRMAN LOHSE: Okay. Thank you, Amy. Do we have any Fish and Game Advisory Committee comments on this one. Donald.

MR. MIKE: None, Mr. Chair.

CHAIRMAN LOHSE: Do we have any written public comment on this one.

MR. MIKE: Mr. Chair. We have one written public comment from the AHTNA Subsistence Committee. We support WP-35 to allow a winter hunting season for moose in Unit 13E with season dates of August 1 through September 20 and December 1 through January 15 on Federal public lands in the Denali National Park for one antlered moose with a quota of ten and emergency closure by the superintendent of Denali National Park. This will allow the Federally-qualified subsistence users an opportunity to hunt during the winter months and provide moose meat for their families. It is difficult to harvest a moose on Federal lands in the Denali Park with the regulation that ORVs had to be driven on existing trails.

Moose do not stay only on existing trails and it makes it hard to harvest off the trails in the hard Park.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Gloria, can I ask you a question. That written comment was written prior to the discussions that you were talking about having before, right?

MS. STICKWAN: I had asked them in -- I don't remember when, but I think if they could come back and make their comments they would agree with the Native Village of Cantwell in saying they would support Cantwell's position.

CHAIRMAN LOHSE: Which is to oppose.

MS. STICKWAN: Which is to oppose it.

CHAIRMAN LOHSE: That's what I thought.

I thought that written comments was made earlier. Okay. Do we have any public testimony.

MR. MIKE: None. Mr. Chair. Just for the record, this letter from AHTNA was dated January 4, 2010. Thank you.

CHAIRMAN LOHSE: Thank you. Okay. With that then we have a -- we need a motion to put WP10-35 -- to accept Proposal WP10-35 so we can discuss it.

MR. CARPENTER: So moved.

MR. ENCELEWSKI: Second.

CHAIRMAN LOHSE: It's been moved and it's been seconded to accept WP10-35. Discussion. Judy.

MS. CAMINER: Mr. Chair. I just wonder if we might take a minute to consider deferring this proposal. It leaves it open that way and has the possibility of the communication taking place with the community to see if there could be perhaps a better understanding of the real effects of hunting in the Park during the winter.

Just a thought.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Well, I don't necessarily disagree with the concept, July, I -- I don't know. I think I'm against deferring proposals because of what we've seen in the past five years. Some of those deferred proposals get left undealt with for long periods of time. At least that's my personal opinion. And I think that -- in my opinion as of right now, at least from what I've heard today, that there's been a change of the way the people in Cantwell and the Native village, the authors of this proposal feel about this. Now although I do feel it's ironic that the Park Service still supports it, but the SRC is opposed to it and I think maybe they just all -- we ought to just vote this down and have them come -- if they want to do it next time, that's fine. I mean that's something that they have ever right to do, but I think the deferred proposal will just sit there.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I guess in concept it's a good proposal and I know the AHTNA people have hunted moose in the winter, but because of the AHTNA community hunt, this changes this proposal. I don't want to see this deferred and the reason is -- it was my mistake that I didn't -- I should rewrite a letter for the AHTNA community saying they oppose this proposal now I guess because I know they would go along with Cantwell's position and so I don't want to see this to be deferred because it's going to affect the AHTNA community hunt for next year. It'll take away the quota from the villages under the AHTNA community hunt.

MR. KOMPKOFF: Mr. Chairman.

CHAIRMAN LOHSE: Donald.

MR. KOMPKOFF: I think I would oppose it because it would take away the subsistence hunts for one -- one antlerless bull would -- from each household. They're getting that now, aren't they?

MS. STICKWAN: Are you talking about Federal?

MR. KOMPKOFF: Yeah.

MS. STICKWAN: Are you talking about that Federal subsistence hunt? I don't know what you're talking about.

MR. KOMPKOFF: Denali, you see it says.....

CHAIRMAN LOHSE: That was one of the concerns, Donald.

MR. KOMPKOFF: Okay.

CHAIRMAN LOHSE: As a Chair, I would -- I'm going say -- I don't usually say what I'm going to do, but I'm going to oppose this and I would oppose deferring it also mostly for the reasons that were brought up in that -- and I deal with this all of the time when I'm talking to neighbors in the Wrangells and that's -- I -- unless it's absolutely necessary, a late winter hunt to me is not a good idea on moose.

I don't know -- just because they're too easy to hassle. And let's just say that a long, long time ago I ate moose that was taken on just about the 1st of January. It's not choice, but it's still protein. It's still makes food, but I just think that we have too much access today and with the current snowmachines and everything like that, it'd be just tendency like they said -- like the people from Cantwell said that that would give people an excuse to go hassle the moose looking for a bull and that could do a lot of damage to the cows. And so I'd just as soon not defer it. Let them come back with another proposal.

MR. KOMPKOFF: Mr. Chair, one more. I just want to add to that the winter season we had in Unit 13 years ago, that's when I used to get my moose, but right now you could count like 45 moose in the wintertime going down the road. They're so easy to access. I mean they're just right there. And that's why I really oppose the hunting in the wintertime.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called on WP10-35. If there's no further discussion. All in favor of WP10-35 signify by saying aye.

MS. CAMINER: Aye.

CHAIRMAN LOHSE: Was that an aye, Judy? No. That was a -- okay. We'll do it again. All in favor of WP10 -- in favor of WP10-35 signify by saying aye.

(No aye votes)

CHAIRMAN LOHSE: All oppose signify by saying nay.

IN UNISON: Nay.

CHAIRMAN LOHSE: Motion fails unanimously. Okay. We have 102, 103, 104. We have time for a five-minute break.

(Off record)

(On record)

CHAIRMAN LOHSE: I've had a request and I'll put it before the rest of the Council that possibly we would like to look at that ORV. We have about a 15-minute presentation on that ORV in the Wrangell-St. Elias National Park just in case we wanted to respond or direct somebody else to respond. And that would give us a little break from these proposals. If the rest of the Council agrees, we could do that now and then we could go on with our proposals and not have to wait for that presentation later. Rest of the Council, tell me what you want. Sound okay?

IN UNISON: Sure.

CHAIRMAN LOHSE: Okay. Okay. With that, we'll excuse you for a minute or two. We'll give him 30 seconds.

MS. CELLARIUS: While Bruce is coming up, I will direct your attention to the handout that we passed out this morning. I believe that it may have the Denali National Park report stapled to the front of it.

CHAIRMAN LOHSE: This one right here. There's a map on the back.

MS. CELLARIUS: So what we're going to be talking about now is the third, fourth, and fifth page in that handout. There's a printed sheet that's labeled Nabesna ORVEIS, something along those lines. There's a table and there's a map and so that's what we'll be referring to in the next several minutes.

CHAIRMAN LOHSE: Thank you.

MR. ROGERS: Thank you. Good afternoon. I'll try to make this brief, cram a lot of information into a very short period of time. I'm getting pretty good at it. But, yeah, what I would like to do today is give you an update on where we are with the Nabesna off-road vehicle environmental impact statement and what you got in your handout, there's kind of a brief synopsis of the project, the range of alternatives that are considered within the EIS and a general description of the EIS, but -- and then there's a map that shows the nine trails that are under consideration.

For those not familiar, it's in the

north portion of Wrangell-St. Elias National Park and the reason we're doing this environmental impact statement is the National Park Service was sued in 2005 and there was a settlement agreement done in 2006 and as a result of that settlement agreement, three of the nine trails were closed to recreational off-road vehicle use. They're still open for subsistence.

And another condition of the settlement was that we would do this environmental impact statement to consider the effects of off-road vehicle use. And it started out as being very focused on recreational off-road vehicle use and the scope has expanded to include the subsistence component and the reason that happened is because they're very much inseparable as far as the different uses on the nine trails.

Some of the trails had as much as 70 percent subsistence use on them and so we really couldn't address just recreational off-road vehicle use, but we've been through the general scoping for the project. We've developed a draft range of alternatives that we put out to the public to comment on and got comments and then changed things a little bit based on public comment and so now we have an internal draft EIS that's in the works and we're hoping by the end of April now and I think that date is a little different from what's in your package, but by the end of April to come out to the public with a draft environmental impact statement.

And so that will include a 60-day comment period -- once that comes out, that sets off a 60-day comment period and as you can see if it comes out at the end of April, it puts that comment period between your guys's meetings, so between this meeting and your fall meeting. So I wanted to give you an enough information today that if you want you can comment as a Council.

And once the draft comes out, there's 60 days to comment. We'll have five public meetings to kind of facilitate comment, but people are welcome to comment individually too and there will be lots of opportunities for that. And then we'll take comments and respond to them in a final EIS and the lawsuit settlement said that we had to get the final done by December of 2010. So things are moving right along finally.

So let me very quickly cover the alternatives that are considered in the draft EIS so you can get a sense of what they are and kind of where we're coming from and enough information that you can comment if you want. And this is all summarized in your handout too and the map is there to make things a little bit easier. But again I'm cramming a lot of information into a little bit of time, so I would welcome questions at the end.

But basically we have five alternatives. Number one is no action and no action describes conditions under the settlement. So three of the nine trails are closed to recreational off-road vehicle use. Subsistence use doesn't change. Subsistence users in Wrangell-St. Elias can -- they're not required to get a permit. They can use existing trails and they can go off existing trails with off-road vehicles. So that wouldn't change under alternative one.

And as well, we would not do any trail improvements under alternative one. Okay. So that's the basic gist of that one.

In alternative two, it kind of represents pre-lawsuit conditions, so recreational off-road vehicle use would be permitted on all nine of the trails just as they were before the lawsuit settlement. And again subsistence off-road vehicle use wouldn't change and we would not propose to do any trail improvements under that alternative. So that's alternative two.

In alternative three, we would not permit any recreational off-road vehicle use on any trail in the area. Subsistence off-road vehicle use really wouldn't change, but what we do under alternative three is we introduce monitoring that would basically look at the trails and if use with just the subsistence component resulted increased impacts and the monitoring showed that over time, then we would take actions to correct that.

Actions include spot maintenance, maintenance, seasonal closures, all the way up to full-on trail closures. Okay. So that's proposed under alternative three.

And then in alternative four, we would

fix most of the trails -- most of those nine trails that are shown. That's the first step in the process and then we would permit recreational off-road vehicle use on the improved trails in the Preserve but not in the Park. And that gets a little confusing and I think on your map, it differentiates on the map between the Preserve and the Park as shown. So there's basically three trails upon which we would not permit recreational use after improvement and that's Tanada, Copper Lake, and Boomerang.

Again subsistence use under alternative four really wouldn't change that much, but it would still be -- we would carry through this monitoring concept. So on unimproved trails, if things got worse over time before they were improved, we would take action with the subsistence component.

Okay. Alternative five fixes the trails and then it would permit both recreational -- well, it would permit recreational off-road vehicle use on improved trails in both the Park and the Preserve so on all the improved trails. And again with subsistence, it wouldn't change that much, except alternative five introduces the concept of in designated wilderness -- and so if you look at your maps, designated wilderness is shown as a crosshatch down in the southern portion of your map and under alternative five in designated wilderness, subsistence off-road vehicle users would be required to stay on designated trails.

Okay. And if you look at your maps, there's a -- you can see those trails. There's a label called Black Mountain and there's three different trails represented there. That would be one set of trails that would be designated and then south of Tanada Lake, there's two trails that go into the wilderness and those would be the other two trails that would be designated under alternative five for subsistence off-road vehicle users.

And of course recreational off-road vehicle users cannot go into the designated wilderness under any alternative. So that's a really quick summary of all the alternatives. I will say too that in three of these -- in the latter three alternatives, we consider some nonmotorized trail opportunities in the area, construction of trails and routes and things like that. That really doesn't affect the subsistence

component. So but it's -- that's part of this project.

So that's where we are and Barbara has worked up a nice little chart on -- this is out of the 810 analysis that she has done for this project and she talks about what we feel the effects would be from these different alternatives on subsistence, so she can chat about that a little bit and then we can open it up for questions.

MS. CELLARIUS: So this is the table that's in your handout and I just wanted to say a couple things before I got started on this. We're talking about parts of Units 11 and 12 just to bring us back to the Game Management Units that we've been talking about today. And even if an alternative doesn't change the how subsistence ORV use is managed, there are -- is the potential to have an impact on subsistence. So just because it says no change in subsistence ORV use, we still looked at other kinds of ways that subsistence activities might be impacted.

And then the last thing I would say is that what we've presented is we have a series of alternatives, but in the end if you chose to comment, it is possible to pick and choose from among the different components of the alternatives, kind of like you're in a cafeteria and you want this alternative for a salad and this alternative for dessert. You can pick and choose among the pieces. They are not set in stone that you have to have that combination of things if you're commenting. Sometimes that useful to keep in mind.

So I've basically gone through these alternatives and we analyzed three different categories of impacts when we look at the impact of a decision on subsistence and I guess I should back up and say when we talk about an 810 analysis, this comes from Section 810 of ANILCA. So it's something that's required under the provisions of ANILCA.

So the -- in terms of both alternatives one and two, they're pretty similar, so I'll just go over those two alternatives together in terms of the impact on subsistence. And -- so the first category we look at is the potential to reduce fish or wildlife populations or their habitats, so that basically the numbers and distribution of fish or wildlife -- important fish or wildlife or their distribution.

And the first two alternatives, what I have come up with is a minor negative -- oh, actually let me back up one thing. The top row on the page underneath kind of the title row is sort of how I predicted the different alternatives would impact the -- or have their various effects. So when you're looking at the potential to reduce fish and wildlife populations, I think changes in hunting pressure in response to trail conditions is going to be the primary thing that's affecting fish and wildlife populations and physical disturbances from the trail improvements and from ORVs are going to be a secondary impact. So the main thing is that they're going to actually be more hunter -- you know, there could be a change in how many hunters and how much hunting pressure there is.

In terms of subsistence access, the effects are largely related to trail conditions and in terms of competition, the evaluation is based primarily on projected trends in recreational ORV use. And in the draft EIS, we actually have some predictions based on historical trends I think and so the other factors as to what the ORV use might be in the future.

So alternatives one and two, we're seeing minor negative impacts on wildlife because we're not really expecting that much change in use levels. It says fish moderate; this is related to a small chinook population in Tanada Creek. It's sort of specific place.

Minor negative impact on subsistence user access, basically we're looking at no trail improvements. And the under increased -- or potential to increase competition, we're not expecting -- under alternative one, we don't expect a significant increase in competition and alternative two, we also don't expect much in the way of increased competition.

Looking at alternative three, where we're not permitting recreational ORV use on any of the trails and not really doing much in the way of trail improvements, what we're looking at is a negligible impact to wildlife and a minor negative impact to fish. And that has to do again with the -- some unimproved trail crossings of streams.

Minor improvements in terms of access under alternative three and we would anticipate a decrease in competition because there won't be

recreational ORV use on those trails.

Moving down to four and five, actually in terms of subsistence, have -- the analysis indicates pretty impacts to subsistence on those -- I'll do them together and talk a little bit about the one difference. So under four and five, we're predicting minor and temporary disturbances to wildlife from trail improvements, but the possibility for significant increase in ORV use and hunting pressure as the trail conditions is improved. So this would have a moderate negative impact on wildlife numbers and distribution.

Minor improvement for fish and that's basically the -- we're going to be improving some stream crossings and so there won't be stream crossings that have the potential to affect fish populations, at least in a negative way.

Access will definite -- would improve with the trail improvements. Under alternative five, as Bruce talked about, subsistence ORV use in wilderness would be restricted to designated trails, but we would do some improvement of those trails to -- and as well as the trails that would get you to the wilderness boundary.

And then in terms of competition, that's where I see some potential for an impact on subsistence. I think competition is going to increase. It's hard to predict the level of increase, but we don't expect that it will result in a significant restriction on subsistence activities and that's kind of the bar that we look at in the analysis.

The one other thing I would draw your attention to before I stop is at the bottom of the page, it talks about alternatives three, four, and five including monitoring of trail conditions and this could result in a closure of trails or areas to current subsistence ORV use if resource damage is documented. The closure is not necessarily the only thing in the toolbox. We're talking about specific places where damage if resource -- you know, if resource damage is documented and there are other alternatives that we would potentially employ trying to fix the trails if that's possible before they're closed.

This would affect subsistence access, but it's actually something that's within our current

regulatory authority. What we do in the ORVEIS is to explain how we're going to do the monitoring and what criteria we would use to figure out if there was damage occurring.

CHAIRMAN LOHSE: Thank you, Barbara. Does anybody have any questions to Barbara.

Ricky.

MR. GEASE: Yes. Could you explain to us who are not familiar with the lawsuit who brought the lawsuit and the reason why the lawsuit was brought and kind of how the settlement -- what was -- were these alternatives listed in the settlement or were you supposed to go through an EIS to make trail improvements?

MR. ROGERS: Sure. The lawsuit was brought by kind of a consortium of different groups, but the lead was National Parks Conservation Association and they were joined by -- Wilderness Society was another one and I can't remember the other that was in there, but mostly PCA, National Parks Conservation Association.

The settlement agreement only specified that we needed to do the environmental impact statement. It didn't present a range of alternatives, so -- and I would say that the crux of the lawsuit -- I mean it certainly had to do with the existing degradation of the trails out there on the landscape, but it -- the legal -- what they really used was that the NPS was not authorizing recreational off-road vehicle use correctly under the authority that NPS has to do that. The plaintiffs were saying we were doing that incorrectly. We had not done the necessary things that the authority to do that says we needed to do and that's why a settlement agreement was reached because we hadn't done those things.

MR. GEASE: Meaning an EIS basically?

MR. ROGERS: Well, the regulation calls for -- the superintendent of the Park has the authority to issue permits for recreational off-road vehicle use on existing trails if -- we have conditions with those permits if that use is subject to NEPA, which we had talked on, and if we do what's called a compatibility determination to show that that use is compatible with

Park purposes and values, which the Park had not done.

So on two out of three of those things, they kind of had us and so all of that is part of this EIS process.

MR. GEASE: Okay. Thank you.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Mr. Chair. Thanks. Bruce, I do have a few questions. First -- easy one. First of all on the map, the color at the end of Tanada Lake trail where it splits into two, what were you saying about the condition of the trail and wilderness there?

MR. ROGERS: That means we don't have the assessment information for those trails in the wilderness.

MS. CAMINER: Okay. And, Barbara, do you know how heavily that area is used? How heavily wilderness areas are used for subsistence?

MR. ROGERS: We know for Black Mountain. We've got a pretty good idea that set of trails, we figure they get 55 to 60 kind of round trips per year. The other two trails, it's lighter than that, but we don't have a great sense for how much lighter.

MS. CAMINER: Okay. Talk about improving trails and monitoring, clearly that would take quite a bit of money as you mention in your write-up. Is that anything the Park anticipates receiving? Requesting?

MR. ROGERS: Yeah. Always a great question and who knows. You know, the superintendent that we have at the Park now is very much committed to a trails program and he's been somewhat successful so far. We've got a base increase in the works that I thinks going to -- could come through, but they would be very expensive because we're talking trails that originally started as winter trails that have evolved into summer trails that are in bad places for trails to be and, you know, some of the solutions are technically very feasible, mostly when they involve reroutes to put the trails in better locations. Others, it would be a

lot of gravel or a lot of the Geoblock hardening kind of material which would be massively expensive.

So, you know, technically we could do it. They would be expensive and, you know, the services commitment to making those kind of improvements on say a Tanada trail that serves we estimate now, you know, 75 to a hundred people per year, you tell me. You know, I -- it can be done and we'll try aggressively to get it done, but I wouldn't -- if I was a betting person, I wouldn't stake my life savings on it.

MS. CAMINER: I guess, Mr. Chair, where I'm going with this and I'm sure you've thought of this already is if you don't get adequate funding, if you went with today's conditions, probably a lot of these trails could be closed. It would be.....

MR. ROGERS: Well, and that's the importance of the monitoring component of this thing and Barbara -- when Barbara talked about monitoring, she mentioned where there are any resource impacts, what we're really looking at is over time if the level of existing impacts increase, we don't want to see the footprint of that trail get any bigger than it is.

And that's what the monitoring is keyed in on is it's not keyed in on trail condition. It's keyed in on resource impacts associated with that trail condition and showing over time based on some fairly simply measurements whether that's getting worse or getting better.

MS. CAMINER: Okay. And just one last question if I could about Susulatna Creek, is that to be -- why is that an exception in a couple of these alternatives?

MR. ROGERS: For one thing because it's really a tough one technically. We have tried hard to find a good reroute location and they just don't exist. So that's one reason. It's a tough one to fix. And then another reason is it's a trail that serves as a conduit for people to go through the Park Preserve and out of the Park Preserve and there's really no destination spots within the Park Preserve that it serves and so it had a fairly low priority to -- for the staff.

CHAIRMAN LOHSE: Then if I understand right when I look at this and I see you have some very degraded, extremely degraded, and degraded trails, if they weren't fixed, they would be monitored. If they stayed in that condition, they probably would stay open even if they're degraded or very degraded, but if they went downhill or got worse in other words, there would be a possibility of closing them.

But now in the lawsuit, did the lawsuit object to giving permits on trails in the conditions that they currently are?

MR. ROGERS: It's hard to say, Ralph, because it challenged the authority and certainly the existing degradation that was on the landscape when the lawsuit was filed was mentioned in the lawsuit and most people, when they talk about this lawsuit, say, well, Park Service got sued because of how bad those trails are.

Well, technically that's not really true, but it was -- it's in there. It's kind of a part of, God, they're so bad, we need to do something about this, folks, and so, yeah, I think that was kind of basis for it and then they found a technical reason to hang their hats on.

CHAIRMAN LOHSE: Not being an ORV user and not having spent any time in there, I -- the only thing I have to go on what a degraded trail is is movie Chistochina -- that we say that Chistochina put out on life is a trail quite a while back. And it's interesting to me because from what I saw in that, it would look to me like in order to improve a trail that 50 to 75 people use in the course of the year would cost as much as to build -- probably build a road into McCarthy for lack of a better way to put it, you know.

(Laughter)

CHAIRMAN LOHSE: I know that's not true and that's an exaggeration on my part and I take that back. But even so, it -- it seems to me from having looked at this that if you don't do anything, then the only alternative in the long run's going to be to close all these trails because as long as they continue to be used, they're going to degredate farther than they are now.

I mean you can't draw an ORV through a mud hole without making the mud hole bigger. I mean that's basically what it boils down to and so, you know, the alternatives that you have there, you know, any of them with monitoring is going to -- the end result if going to be closing those trails. Maybe not today. Maybe not next year, but in the future.

And like you said, anything else is going to require a vast influx of stimulus money -- economic stimulus money in order to accomplish it, so -- I don't know if we need to make at this point in time -- what was your suggestion on this? Gloria, you had a suggestion.

MS. STICKWAN: The Wrangell-St. Elias SRC is working on -- we formed a working group to work on this and we're in the process of working on it and we're supposed to have a meeting on March 23rd to talk - future talk about this and we haven't come to make comments on it yet. So -- and this Council will not have an opportunity I guess after today to make comments on this and so I guess I'm just I'm asking this committee if they would just defer their support to the Wrangell-St. Elias SRC's subcommittee's comments and support their comments because I think the SRC Committee is looking to support subsistence uses there now in this area and they're trying to come to work on towards that and just not done yet, so.....

CHAIRMAN LOHSE: Well, I know for most of us that are on this Council this does not directly affect us like it does many of the members of the SRC. In fact I regret to say that having lived in Unit 11 40 some years, I've only been out the Nabesna Road once and I've never been on one of these trails, so I have no actual firsthand knowledge of them.

My comment would be I would like to see subsistence uses protected but not at the expense of the environment around it and I think Gloria's idea of having the SRC address it as a committee of people who actually are involved in it makes a lot of sense to me, but what does the rest of the Council -- I see I have a hand back there. Justin, you want to say something before we discuss it as a Council? The Chair will allow you because you're again another person that's from that area, has direct impact on it and direct knowledge of it which most of us don't.

MR. JUSTIN: Thank you. Wilson Justin again. I can fill in a few of the background blank spaces on the issue itself. Cheesh'na Tribal Council produced a documentary in 2000 and part of the documentary -- or the importance of the documentary was to do with the issue of 17B easement and subsequent destruction of trails outside of the Park, but by implication the same documentary also had a condemning tone for all trails in the AHTNA region that had suffered abuse and overuse.

By a series of accidents, the Wilderness Society among other organizations got a copy of the documentary and contacted Cheesh'na Tribal Council about the issue of what to do about existing fields within the Park and I was assigned the task of meeting with the representatives of the Wilderness Society and discuss the issue of a potential lawsuit or some legal mechanism whereby attention could be brought to the state of the trails and some manner fix them.

We spoke for several years, myself and the Wilderness Society, and at the end, I finally said the issue really is not whether or not we want to join in. We do. We really wanted to be a part of the legal process, but the issue boiled down to the fact that Cheesh'na Tribal Council already had an existing government-to-government relationship document signed with the National -- Wrangell-St. Elias National Park and it was my feeling that because of that particular document being in place, it would be unprofessional, probably unethical, and at the very least unneighborly to participate in a lawsuit of this type while at the same time, you got a signed government-to-government document with the Park.

So we declined, but we maintained a somewhat friendly overview of the lawsuit as it went through the motions over a period of years and I spoke frequently with the Wrangell -- not the Wrangell but the Wilderness Society's representative on the issue. And I would say that the motive for Cheesh'na's interest was not really trail degradation. It was the issue of the historical importance of these trails.

Nearly all of these trails outside of the Copper River one were historically clan trails or tribal trails. They had tremendous meaning to the tribal elders and the way they were used was really derogatory to the elders and that's one of the reasons

why Cheesh'na was so interested. But unfortunately we weren't able to join the lawsuit.

So today the landscape has shifted not so much from historical/cultural context of these trails but the kind of uses that recreational activities will bring to the trail which in turn impacts or diminishes subsistence uses. So we've switched considerably from where we started out years ago in terms of these trail uses to where the settlement language is really talking about recreational activities and impact of ORVs, which to me is within the scope and reach of our original interest, but we're a long ways from where we started out which is cultural context and historical value of these trails.

It's still our primary concern, but we're not in the lawsuit. We were not a part of the settlement and we're willing to meet the Park halfway on the issue of how to make these trails work for the communities and the subsistence activities.

But I wanted to fill the Council in on that aspect because I don't think very many people realize that Cheesh'na was actually more or less a catalyst for the lawsuit even though we didn't participate.

CHAIRMAN LOHSE: Any questions for Wilson.

(No comments)

MR. JUSTIN: Thank you.

CHAIRMAN LOHSE: Wilson, don't run off yet. Okay. Then from a Cheesh'na standpoint, these are historical trails that -- and I remember -- your movie basically had a pretty big impact on me. I remember seeing the degradation. As long as these trails are open to ORVs, that degradation's going to continue, but yet our -- would it be the concept of the Cheesh'na people that they would prefer that these trails stayed open to ORVs because they're currently using them also for subsistence with ORVs or would they like to see the trails revert back to their original condition?

MR. JUSTIN: What I have done in

several meetings with the National Park and other -- oh, well, Bruce was along. Bruce was kind enough to involve me early on and I really appreciate the fact. Bruce never made any effort other than to involve Cheesh'na and trail users in the process.

And what Cheesh'na has always said was that if the trails continue to be degraded by use -- and we're talking about weight and we're talking velocity of vehicles -- then the natural alternative would be to reroute the trails and that's where we -- we want to see that concept explored also as a part of this process. Because rerouting the trails -- and I've explained to Bruce that a number of these trails were put in for reasons that's not connected to subsistence or use of any kind. They were put in as kind of like direct access routes in competition with other users of other trails.

So my own thinking is that rerouting of trails should be a very viable component in this process, but the existing trails stay in place and are going to be continued to be used, then the only alternative we're really going to be looking at is either trail hardening or different types of use of -- different kinds of vehicles using the trail. Those are the viable alternative.

So there's a lot of complexity involved in these trails and I'd like to say there's an easy answer, but there's not.

CHAIRMAN LOHSE: What do you -- you know, like as a Council here, most of us which have had no involvement in this trail system -- and I don't know if any of you -- have any of you been on it -- you've been on it, Tom.

MR. CARPENTER: I've been on the Soda Lake trail about three times.

CHAIRMAN LOHSE: Okay.

MR. CARPENTER: Not on a four-wheeler though.

CHAIRMAN LOHSE: Walking?

MR. CARPENTER: I've been on it three times.

CHAIRMAN LOHSE: Yeah. But that's what I mean. It's so -- I'll leave it up to the rest of the Council what kind of comment we wish to make on it, but I was just interested in seeing what the -- you know, what the original idea behind it was and basically it sounds to me like you'd actually like to see the trails either maintained or rerouted in a way that they could be used but not degredated.

MR. JUSTIN: Absolutely. Those trails have -- some of those trails like the Tanada Lake trails on Nabesna Road does not have a cultural significance as the one that you would have going to Susulatna. Susulatna is an extremely -- very sensitive, important trail to people who are still living.

You have to remember that Susulatna Village, after it was abandoned, was looted in the late '50s, early '60s and cleaned out. And that trail that was put in place now today that covered part of the old Indian trail was the trail that was used to take out all of the -- there's a lot of Russian fences over there, a lot of ornaments that -- there's a lot of chiefs buried over there and consequently a lot of valuable artifacts were put along the grave sites or around the grave sites and those were all looted and that trail to Susulatna was put into place to do exactly that, to take stuff out, but it does follow and in many places cross over and is laid right on top of the old Indian trail.

That's actually a chief trail and it's supposed to be recognized as such. So there's mixed feelings about that trail, but nobody wants to see it closed down.

CHAIRMAN LOHSE: Do these trails -- for the local communities, do these trails have a lot of subsistence significant? Are they used for subsistence by the local people quite a bit?

MR. JUSTIN: In the case of the Susulatna trail, not that I know of. There's very few people that would use that trail for subsistence purposes. You would look at maybe the Copper River trail or the trail that goes down to Batzulnetas more for subsistence than you would see Susulatna.

Susulatna is really a -- kind of a

capital site for the -- our clan and most of the subsistence activities around Susulatna would be in the sheep country. That's over in Tetlin. Actually you cross the range, there's a big trail that goes from Susulatna Village over across on the other side of the mountains into the Tetlin Reservation.

CHAIRMAN LOHSE: Does that help anybody else? Anybody -- questions, Ricky.

MR. GEASE: So they go ahead with trail improvements, is there any ability to rank trails and put a timeline like in the next three years, we'll get these trails improved and next three years, we'll do these trails, or is it all going to be one shot? One summer we're going to go in and work on all these?

MR. ROGERS: It would be prioritized and done trail by trail. Some years we might be able to get one or two. You know, some of these, the technical solutions are much easier than others and I can see those happening within the next five years easily. Others they're not, and if you look at the EIS when it comes out in detail, we spent a lot of time and really we didn't want to just throw out potential solutions that were bogus. We wanted to look at realistic solutions and so a lot of what you see in there is based on the concept of doing reroutes.

And, you know, Wilson had some good suggestions that we followed up on and -- so it does rely heavily on reroutes. Even the one -- like alternative five suggests rebuilding Tanada kind of in place, but even that reroutes that existing crummy route in several different places off the existing, so -- yeah.

MR. CARPENTER: I got a question.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. It's kind of hard for -- you know, you look at that map and all those trails and without actually seeing the trails and seeing how bad they are and seeing how hard it's going to be to fix, it's kind of difficult to make a decision. And it's kind of hard at least for me to try and make a suggestion to the Park Service during a comment period on what suggestions or which alternative we think would be appropriate for which trail.

If you can -- you know, understanding what you said earlier that the lawsuit only demanded that you do the EIS. Well, you've completed that, so you've satisfied that portion of the lawsuit. Now, granted like what Judy was saying earlier, this is going to take a tremendous amount of money and time to do this in the proper fashion. Is it possible and has the Park Service considered taking a trail or two trails, figuring out which one of these alternatives you would prefer to put in place on those particular trails when you have a certain amount of money and then bring those proposals with your recommendation for which alternative you would like to use on those trails and then allow us to come in, instead of trying to have us do them all at one time. You see what I'm saying.

Is that a possibility, seeing how you've done the EIS, you've really met your requirement in regards to the lawsuit. I understand you would like to complete these projects, but it's kind of a -- to me unless you get a very large chunk of money, you're not going to be able to all these at one time anyway. So could you not prioritize, pick the two most used trails that maybe you could solve the problem with a certain amount of money, pick which alternative you want to use, then put it out for public comment for 60 days and then finalize your alternative and go ahead with the project.

MR. ROGERS: I'm not sure if I completely understand your question, Tom, but we can and we have kind of internally -- I don't know that it's presented in the EIS, but we've prioritized these trails and it's based on concerns other than just existing levels of degradation. There are some private land concerns with some of them. There's other factors that go in and then certainly the consideration of funding and how likely we might be to get funding. So that all -- it all plays into the equation, but I -- we'd be more than happy to kind of present that prioritization as a part of this EIS, maybe as an appendix or something that would make that clear to folks.

Because right now all you can see is kind of the -- our estimate of what it would cost to do these and people are going to look at that and go, huh, no way. But I think if you -- it's a good comment. If we break that out -- we'll break that out and present it in terms of priorities and that might help a

reviewer kind of get a better sense of where realistically things might get fixed faster than other places.

MR. CARPENTER: Just a follow-up. I mean for me if you had trails one through ten listed and then you as the Park Service would pick which alternative as the Park Service you feel that fits that particular trail and then had about how much it's going to cost to improve or reroute each one of those trails, you know, then by listening to some suggestions that Wilson or Gloria or the people -- the SRC that live there, we would be able to formulate a better opinion on how we feel supporting their ideas or the ideas or the suggested alternative by the Park Service.

But with just a list of five, with -- you know, it's hard -- it would be very hard for me to make that determination, but anyway. Thanks.

CHAIRMAN LOHSE: Thank you, Tom. Thank you, Wilson. Mr. Heinrichs.

MR. HENRICHS: I'm just curious, are any of these trails on any tribes -- Indian Reservation road system inventory?

MR. JUSTIN: No. None of them were every brought forward as an IRR. I wish we would have done several of them, but we didn't.

MR. HENRICHS: It might not be too late.

MR. JUSTIN: I think where there's a floater, there's a real distinct possibility.

MR. HENRICHS: You'd get a lot of money if you could get it on your inventory.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Just a question of clarity on alternative five, subsistence ORV users in wilderness must use designated trails. Is that the regulation now and is it only subsistence users in wilderness areas currently?

MR. ROGERS: Yeah. It's only subsistence users. Recreational off-road vehicle users

can't go into the designated wilderness, but no -- currently they can go off trail. So that's a switch. That would be a change.

MR. GEASE: So of the trails, it's the Copper Lake trail and the Tanada trail, those are the two that would be affected by the wilderness?

MR. ROGERS: Correct.

MR. GEASE: Okay. Thank you.

CHAIRMAN LOHSE: Thank you. One question, Bruce. Would it help if we made a comment on any of this or is this mostly for our information and if we went along with what Gloria was suggesting of letting the SRC which has direct contact with that area make suggestions back to us, would that still be applicable enough for what you need done at this point in time? You don't actually need an action from us at this point in time, do you? Or do you.

MR. ROGERS: Barbara could probably respond to that better but I would say I have a lot of confidence in what the SRC is doing. They're really looking at this thing close and they've got a copy of a drafty draft, chapter 2 of this thing and they're really digging into it and we're going to get together and hash this out and I'm real confident that they're going to make some recommendations that really represent concerns of subsistence users.

CHAIRMAN LOHSE: Thank you. For the rest of the Council, does the Council feel -- does anybody in the Council feel a need for us to make direct comment on what's been presented to us or would it be agreeable to the rest of the Council to leave our SRC -- representative on the SRC and the SRC do the commenting for us?

What would be the rest of the Council's feeling on this or do you have a strong feeling that you wish to make a comment on this? Ricky.

MR. GEASE: Just one more question before we get onto that one. On your budgets, you were talking about cost. Is most of your cost related to the materials necessary to improve the trail versus labor or is labor a major component of your cost?

MR. ROGERS: It depends on the solution, but I -- most -- we're dealing with most of the work being hardening either through gravel or Geoblock, some sort of geo-synthetic material. Yes, there -- the bulk of the cost is related to the materials.

In other places where we're doing say some reroutes on better ground, then the labor -- actually getting equipment in there to put this stuff in on a sustainable basis would be the better part of the cost and there just inherently you don't need the materials. So.....

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Mr. Chair. I mean I guess it's kind of safe to say that the Council would hope that whatever's decided upon continues to provide as much subsistence opportunity as possible and people don't want environmental damage, but kind of don't want to be set up as sort of the way Ralph was describing it, that you could leave things the way they are and don't have much money to make improvements, of course more use is going to degrade and get that into sort of a difficult cycle where that would mean no subsistence use.

MR. JUSTIN: Mr. Chairman.

CHAIRMAN LOHSE: Yes.

MR. JUSTIN: I could add one more comment to the issue. In 1996, I was in Cordova testifying on a series of proposals and at that time, I mentioned on the record about an extended drought that the area that I'm from had been going through since the mid '60s. And the level of most lakes had dropped three to five feet.

And during the course of this discussion with the Wilderness Society in the early 2000s, one of the things that I mentioned was that the rain pattern had changed and now our lakes were filling up again, which was a driving factor in the degradation of the trails and accelerated the degradation to the point where it became extremely noticeable from the air and from people who were using it.

And my caution to the Wilderness

Society was that we don't know about the long-term outlook on the weather pattern. We only know that from about 1965 to about, oh, I'd say 2005, thereabouts, we had a lot less rain in that first 20 years than we did -- we made up for a lot of rain in like three seasons -- you know, two or three seasons there.

But I still think that the issue of climate change and habitat issue also plays into any of these discussions, whether it's trails or whether it's subsistence activities or whether it's just the process of putting these things together.

CHAIRMAN LOHSE: Thank you, Wilson. Thank you. Okay. Council. Should we take this as an informational thing or do we want -- we should make a comment. Donald.

MR. KOMPKOFF: Yeah. Well, I just want to make a suggestion. The State could buy the gravel from the village and with the money.....

CHAIRMAN LOHSE: I think the State.....

MR. KOMPKOFF: .....and then fix the roads up.

CHAIRMAN LOHSE: .....Donald.

(Laughter)

MR. CARPENTER: Mr. Chairman.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. I would just make the comment I think that Bruce and Barbara have heard, you know, some good questions from the Council, maybe some possible suggestions, and it was very enlightening to me to know that Bruce felt that the SRC has a pretty good handle on this problem and is going to probably -- they're obviously going to look out for the subsistence users that will be impacted the most by these trails either being closed down or improved and I think that's ultimately at least what we should be looking out for is we're trying to keep the subsistence access as great as it can be and I think that's ultimately what the SRC's going to do. So I feel confident enough in letting them, you know, handle this and just having Bruce and Barbara taking our comments

and our questions, you know, back to them. Maybe they can use something that we've suggested, so.....

CHAIRMAN LOHSE: Ricky.

MR. GEASE: One of the reasons why I asked the cost for trails is I'm a proponent of access in trails when they could be provided. I think it's -- there are far too many places of Alaska that we're denied access to because of monetary resources. And one of the things I'll point out is many of the -- I would imagine that the groups that brought lawsuits are nonprofit organizations and can ask for volunteers across the country to come and have very -- lower the labor costs of some of these estimates, for example, the -- where I'm from, the Kenai Watershed Forum annually gets -- puts up a request for volunteer people to come up for three months during the summertime.

They provide room and board, but that's it. And the -- I think for the three applicant seats, they had over 60 applicants, so there is a desire for people to come up and it's a strategy to -- I would hate to see that just because we can't be creative in finding money or labor that that is a default solution not to do anything.

CHAIRMAN LOHSE: Thank you, Ricky. Any further comments or should we go on to Proposal WP10-102.

(No comments)

CHAIRMAN LOHSE: Thank you, Bruce. Then we will go on to WP10-102. Polly, is this something on 102, Polly? Or is this something else?

DR. WHEELER: It is not. Mr. Chair. I just had a question for the Council and that is it's my understanding that several members of the Council are interested in hearing of a Board of Fisheries Proposal that's going to be taken up next week regarding the Chitina subsistence uses around the Chitina dipnet fishery and Bob Taube is -- Tom Taube -- Tom Taube. Sorry.

Tom Taube is available until 5:00 o'clock tonight. We can bring him in on the teleconference phone. So if that's the wishes of the council, we can do that. We just need a few minutes to

let him know that we'll be calling in for the number. So just in terms of scheduling, 5:00 o'clock is his cutoff point. So if you'd like -- it's..... so if that's the wishes of the Council

CHAIRMAN LOHSE: 5:00 o'clock is when he can become available or.....

DR. WHEELER: No. He can be available anytime until 5:00 p.m. today. So if the Council wants to hear from him, that would be the -- you need to do it in the next hour and a half.

CHAIRMAN LOHSE: Let's take Proposal 102 and that'll give him time to get ready and -- is 102 and 103 connected?

MS. HYER: (Indiscernible) Nelchina Caribou Herd.

CHAIRMAN LOHSE: So can we combine -- is it connected enough we can combine the Staff analysis on it?

MS. HYER: Yeah. I can quickly go through 102 and then catapult right into 103. And it's the same, it's based on the same herd that Cole did yesterday, so you've heard a lot of the details. I was just going to hit the highlights.

CHAIRMAN LOHSE: Okay. Okay. Do you want to make contact with Tom and I would say the -- or, I mean he's just standing by right.

DR. WHEELER: He's just standing by. All we need to do is call in.....

CHAIRMAN LOHSE: Oh, okay.

DR. WHEELER: .....put the word to him. So all we need is like three minutes' lead time and we can do it.

CHAIRMAN LOHSE: Okay. We'll finish these two proposals and then we'll call him.

DR. WHEELER: Excellent. Thank you.

CHAIRMAN LOHSE: Okay.

MR. GEASE: Mr. Chair.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Did Gloria ask us -- is there kind of a motion laying on the table there about whether we wanted to defer our comments to her group and provide comments?

CHAIRMAN LOHSE: Did you make a motion like that, Gloria?

MS. STICKWAN: I just asked this group if they would defer to the Wrangell-St. Elias working group because this -- because the comment period is not going to be available to this group after, so I was wondering -- that was my question to the group, would they defer to the.....

CHAIRMAN LOHSE: That could be made as a motion.

MS. STICKWAN: I make that motion then.

MR. KOMPKOFF: I'll second it.

CHAIRMAN LOHSE: And we have a second. So we have a second -- a first -- we have a motion on the table to defer our comments to the SRC working group and -- because we won't have a chance to comment again by the time the thing is closed. So.....

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. I think that's what we kind of decided, but we just hadn't made it as an official motion. Okay.

MS. HYER: Okay. Wildlife Proposal 10-102 begins on Page 217. This proposal was submitted by

Terry Brigner on behalf of the Upper Tanana Fortymile Advisory Committee and requests Unit 12 remainder harvest limit for one caribou during the winter season which is October 1st through April 30th be increased from one caribou to two.

The proponent requests the harvest quota be increased to two caribou to match the harvest limit in the Federal subsistence hunts in Unit 13A and 13B. If you turn to Page 220, on Table 1, you can see the population statistics for the Nelchina Caribou Herd and these are the same ones Cole talked about yesterday.

Currently the herd size is a little bit below the management objective of 35 to 40K for the fall population. The bull-cow ratio has been below the management objective of 40 bulls to a hundred cows since 1998 and the calf-cow ratio has been near the management objective since 2001.

Both the Federal subsistence hunts in Unit 12 remainder that occurs on the Tetlin National Wildlife Refuge and the Federal subsistence hunts in Unit 13 on BLM land harvest caribou from the Nelchina Caribou Herd. Currently in 13A and B, two caribou may be taken and in 13 remainder, there is a two bull harvest limit.

On Page 222, Table 2, you can see the harvest and again these were similar to yesterday. The majority of caribou harvested from the Nelchina Caribou Herd are harvested in the State and Federal hunts in Unit 13. Until 2008, the State Tier II hunt was the primary source for harvest for the Nelchina Caribou Herd accounting for 78 percent of the overall harvest from 2005 to 2008.

The Federal hunt in Unit 13 accounted for 21 percent of the harvest from 2005 to 2008 and the Federal hunt in Unit 12, which is the hunt that this proposal applies to, accounts for 1 percent of the overall harvest. The Federal hunt in Unit 12 remainder has accounted for an average of 20 animals per year from 2005 to 2008.

Historically there has been seasonal mixing of the Mentasta Caribou Herd and the Nelchina Caribou Herd when the Nelchina Caribou Herd migrates to and from the winter -- its winter range in Unit 12.

And given the small number of the Mentasta Caribou Herd, it has worn to protection in current years.

The Tetlin Wildlife Refuge flew aerial surveys this fall after this analysis was written and documented the Mentasta Caribou Herd was on the Refuge, but currently the number of animals on the Refuge that would be subject to a Federal hunt is not known. And so currently, their position on this proposal is neutral.

The National Park Service has opposed this proposal because of conservation concerns for the Mentasta Caribou Herd. The Eastern Interior RAC has also opposed this proposal because of conservation concerns for the Mentasta Caribou Herd.

OSM's preliminary conclusion is to support the proposal because the level of vulnerability of the Mentasta Caribou Herd as an incidental harvest is unknown and given the small number of Nelchina Caribou Herd harvested in Unit 12 remainder since 2002, increasing the harvest limit from one to two caribou for the winter harvest is unlikely to have any biological effects on the Nelchina or Mentasta Caribou Herds.

So that's 102. Would you like me to go on to 103 and then have your discussion or do you want me to stop there?

CHAIRMAN LOHSE: Well, 103 would deal with the same herd and the same problems. One deals with a two bull season. The other deals with what time the season is. So I would think that the biological aspect of it would apply -- the same biological aspect would apply to both of them, but.....

MS. HYER: That's correct.

CHAIRMAN LOHSE: .....so if you've got more information on that, that would sure be nice to have.

MS. HYER: Okay. Well, I'll just go on and then talk about 103 too and 103 is just -- it's submitted by Michael Cronk and it requests the winter Federal caribou hunt season being at 12 remainder be open by regulation October 21st and remain open until the Tetlin Wildlife Refuge manager closes it.

The proponent requests the opening date be put into regulation to ensure hunting season is open prior to the arrival of caribou on the Tetlin Wildlife Refuge. This would give subsistence users a chance to harvest the earliest caribou arriving on the Refuge. It would also align the opening dates of the winter Federal hunting season in Unit 12 with the opening dates for the winter Federal hunting season in Unit 13.

And again the proposal speaks to the Nelchina Caribou Herd. Placing the opening dates for the Federal winter subsistence hunt in regulation would limit the ability of the Refuge manage to manage the hunt on the Tetlin Wildlife Refuge. By the proposed date, few caribou have migrated onto the Refuge and currently the Management Authority gives the Refuge manager flexibility to open and close the hunt in response to the presence of animals on the Refuge and also in response to the presence of the Mentasta Caribou Herd on the Refuge.

Most of the caribou hunting on the Refuge also occurs by snowmachine and the Refuge manager may delay opening until there is adequate snow cover. He does not always do that. It's just an option.

The Eastern Interior RAC opposed Proposal 10-103 because of conservation concerns with the Mentasta Caribou Herd. The OSM preliminary conclusion is also to oppose it. The Tetlin Wildlife Refuge manager needs the flexibility to open and close the hunting season to manage the winter Federal caribou hunt effectively.

And that ends my presentation. Any questions.

CHAIRMAN LOHSE: Thank you. Questions. Tom.

MR. CARPENTER: You said the Eastern Interior RAC opposed 103 due to conservation concerns, correct?

MS. HYER: Correct.

MR. CARPENTER: And 103, all it does is change the season dates. It doesn't change it from one bull to two bulls as 102 does. What is Eastern

Interior's position on 102 in regards to increasing the bag limit from one to two in regards to their conservation concerns?

MS. HYER: Mr. Lohse and Mr. Carpenter, they oppose both of these. They oppose 102 because of the harvest limit. They are concerned about possible taking of a Mentasta Caribou Herd and they oppose 103 because it limits the Refuge manageability to close the hunt if the Mentasta Herd is on the Refuge.

MR. CARPENTER: Okay. Thanks.

CHAIRMAN LOHSE: Any more questions for OSM.

(No comments)

CHAIRMAN LOHSE: Thank you. George.

MR. PAPPAS: Good afternoon. George Pappas, Department of Fish and Game. Department comments begin on Page 224 for 102 -- WP10-102. Do my best to summarize here.

Federally-qualified hunters in this area have the option of hunting the Fortymile Caribou Herd in Unit 20E as well as the Nelchina Herd in Unit 12. The reported caribou harvest in Tetlin National Wildlife Refuge in Unit 12 during the past five years ranged from 3 to 28 annually with an average of 17 animals per year, suggesting low participation in this hunt.

Federal subsistence regulations provide a widely-used designated hunter option which allows one of the hunters to harvest caribou for several Federally-qualified subsistence users. This proposal, if adopted, would not likely impact meeting subsistence needs.

Within Unit 13, two subsistence hunts are offered for the Nelchina Caribou Herd. New this year, it'll be discussed many times, the community subsistence hunt and the second hunt is for all other Alaskan residents who apply for the registration permit and the permittees are selected from this group with the highest points.

Local subsistence users could also

participate in the State administered fall registration hunt for the Fortymile Caribou Herd in adjacent Unit 20E as well as the winter hunt. State regulations limit caribou hunting in Unit 12 to one bull caribou west of the Glenn Highway, Tok Cutoff, but provide no caribou hunting opportunity in the Tetlin National -- or excuse me -- Tetlin Wildlife Refuge.

The herd is already at its maximum sustained yield. Interest in Nelchina Caribou Herd hunting has historically been high and the hunts have been controversial. The Nelchina caribou harvest is managed closely. Since 2000, State subsistence hunts have been closed by emergency order seven of the ten years prior to the scheduled March 31st closure.

State managers must estimate the potential take from long Federal subsistence hunts both in Unit 13 as well as Unit 12 which has proved very difficult given the potential of high harvest if caribou congregate on Federal public lands.

Many years the State winter hunts in Unit 13 is not open because the harvest quota for the herd has been reached or is very close to being reached. Any additional harvest above the annual harvest quota would negatively affect the herd and would be expected to reduce opportunity for all Nelchina caribou subsistence hunters in the future.

During fall and spring migrations, the Nelchina and Mentasta Caribou Herds mix. Mentasta caribou winter alongside Nelchina in Units 12 and 20E. Hunters cannot distinguish between the two. Therefore any hunting during this period has the potential of further impacts to the severely depressed Mentasta Caribou Herd.

Both the Mentasta Herd and the Nelchina Herd have declined in recent years. When caribou are available in Unit 12, they are migrating to or from their winter range. In spring -- the spring is a particularly stressful time for these animals and increased hunting pressure using snowmachines during this time would expect to negatively affect the caribou particularly late term cow caribou.

In recent years, large numbers of the Nelchina Herd have wintered in Unit 12 and 20E. When much of their primary winter range in the vicinity of

the Taylor Highway burned, caribou began using adjacent areas as they do not readily use burn areas that are less than 50 years old. Given the lower than average female calf weights in the last two years, it is possible these fires have forced caribou to use less than optimal habitat and additional harvest at this time is not recommended.

Federal law enforcement is minimal during this hunt and any increase in hunting effort would create additional enforcement issues for subsistence users and private landowners. Large amounts of land are being conveyed from the Bureau of Land Management within Unit 12 and 13 and in Unit 12, recent conveyances to local Native corporations have removed most road-accessible hunting areas from Federal subsistence management and the Department recommendation is to oppose this proposal.

And I can continue on with number 103.

CHAIRMAN LOHSE: 103 is -- anything that's different in 103, you can have at it.

MR. PAPPAS: The current Federal regulations allow the Refuge manager to delay the hunt to protect the Mentasta Caribou Herd if large numbers are present in the Refuge when Nelchina caribou migrate.

Adoption of this proposal would not reduce confusion over Federal subsistence season opening dates because the Refuge manager would still need to adjust the date to assure the presence of sufficient Nelchina caribou, protect Mentasta caribou, and authorize snowmachine use during -- use due to snow cover.

In addition, adopting an opening date in regulation would increase the potential for early illegal harvest on non-Federal lands where the hunt remains closed.

The Department is neutral on this proposal. This proposal is primarily a regulatory change with little substantive change in providing subsistence and some possible complications for administrators in ensuring conservation and sustainability of Nelchina and Mentasta caribou.

Thank you, Mr. Chair.

Those are our comments.

CHAIRMAN LOHSE: Thank you. Any questions for George.

(No comments)

CHAIRMAN LOHSE: So basically what we see is that the ADF&G opposed 102 and was neutral on 103 but recognized problems with 103. Thank you. Gloria.

MS. STICKWAN: Couldn't they hunt the Fortymile Herd?

MR. PAPPAS: Yes. The local subsistence users can also participate in then State-administered fall registration hunt for the Fortymile Herd in adjacent 20E. That's a winter hunt, too.

CHAIRMAN LOHSE: Thank you. Any other questions for the ADF&G.

(No comments)

CHAIRMAN LOHSE: Do we have any comments from Tribal Agencies.

(No comments)

CHAIRMAN LOHSE: Any comments from the SRC. You keep pointing at each other.

MR. GEASE: Federal Agency.

CHAIRMAN LOHSE: Oh, Federal Agency first then the SRC. Okay. My fault.

MS. PUTERA: Thank you. Mr. Chair. Members of the Council. I figure I should exercise my vocal cords for a little bit if I'm going to sit here for two days, but my name's Judy Putera. I'm the wildlife biologist for Wrangell-St. Elias National Park and Preserve and I just wanted to make a few comments.

I just wanted to say there's a perception I guess that the Mentasta Herd only is on the Refuge as they're migrating to and from winter

range, but I think this isn't entirely true. I think Karen also mentioned that there was a fall flight for the Mentasta Herd. This past year, that flight was actually conducted -- was either at the end of January or early February. So it was actually a winter flight where we did find radio collared Mentasta caribou on the Tetlin Refuge. So I think -- you know, it is true that as well as migrating through the Refuge, I think a fair number of Mentasta animals -- there's a good chance they're also wintering on the Refuge.

And then I just also wanted to point out that there is a multi-Agency management plan for the Mentasta Caribou Herd that talks about managing winter hunt -- the winter hunt on the Tetlin Refuge in order to minimize incidental harvest of Mentasta animals and this would be through a conservative bag limit.

So that's basically, you know, our reasons why we're opposed to this proposal, both 102 and 103.

CHAIRMAN LOHSE: You're opposed to both 102 and 103 and basically what you were saying is that it has been confirmed that Mentasta caribou are present on the Tetlin Reservation in the wintertime.

MS. PUTERA: Yes. At least through one flight this winter. As well as the management plan, we're also working to finalize the monitoring plan for both the Mentasta and Chisana Caribou Herd through our inventory monitoring program. And that -- with that will come some more funding to conduct flights throughout the year. So working the Tetlin Refuge, we'd like to sort of get a handle on exactly what is going on with the Mentasta Herd in the winter on the Refuge and so, you know, we're both committed to doing that in the future.

Thank you.

CHAIRMAN LOHSE: Any questions. Ricky.

MR. GEASE: Clarify. Is it -- your opposition, you're saying we are opposed to that. Does that include the Tetlin Wildlife Refuge then? In terms of your InterAgency group? Is that including the Wildlife Refuge?

MS. PUTERA: I'm not sure I understand the question, but.....

MR. GEASE: Yes. I mean you had expressed that -- I guess I didn't follow -- I mean you're with the Wrangell-St. Elias and what I'm asking is in your InterAgency work group with the Wildlife Refuge -- is that correct?

MS. PUTERA: Right. And I do want to point out. I'm fairly new to Wrangell-St. Elias and I think there's been some turnover at Tetlin recently. So, you know, I think this -- this has kind of slipped through the cracks the last couple years and now with this proposal, I mean we're kind of committed to working together to pick up the ball on this again. I think it's -- it just hasn't been thought about or considered in previous years. I think there was just a perception that the Mentasta caribou weren't on the Refuge anymore, but nobody really conducted any flights in the past several years. So I didn't want to just assume that that was true, especially -- because we have the monitoring program, we do radio collar Mentasta animals every year as part of that program.

So I think we have a good tool to actually figure out what's going on.

Thank you.

CHAIRMAN LOHSE: Rick.

MR. GEASE: When you said we're opposed to it, I'm just wondering is that just the Wrangell-St. Elias or is it the InterAgency working with your.....

MS. PUTERA: I'm sorry.

MR. GEASE: .....comrades in Tetlin?

MS. PUTERA: I -- Wrangell-St. Elias is opposed to it. I think Tetlin is neutral or -- on the issue.

MR. GEASE: Okay.

MS. PUTERA: Thank you.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: What is the population of the Mentasta Herd?

MS. PUTERA: From our 2008 work, we came up with an estimate of 450 caribou.

CHAIRMAN LOHSE: What is the goal for that herd?

MS. PUTERA: Well, to establish a harvest.

CHAIRMAN LOHSE: No.

MS. PUTERA: No. I don't think we have an actual management goal other than -- a goal. I mean the management plan talks about what goal we would need to reach to reopen a harvest. The monitoring plan isn't complete yet, but I think it's just basically to monitor the herd. We'll look at cow-calf ratios and bull-cow ratios and.....

CHAIRMAN LOHSE: So what is the goal to open harvest?

MS. PUTERA: The goal to open harvest is to have a harvest of 15 to 20 percent of the previous two year calf recruitment provided that at least 80 calves are recruited in the fall and I call tell you that in -- probably the highest calf recruitment we've had in the last three or four years was 27 calves in 2007 in the fall, so we're nowhere near 80 calves.

CHAIRMAN LOHSE: So the harvest is based on the number of calves not on the total herd size.

MS. PUTERA: It is. And I don't know whether this management plan needs to be -- this was developed in 1995 and I don't know if, you know, this needs to be revisited at some point, but it is different than some of the other herds and I don't know -- since I didn't -- you know, wasn't involved in developing the plan, I don't know -- I'm not really sure why -- what the rationale was.

CHAIRMAN LOHSE: But would you estimate that if your herd's at about 450 animals right now and you're having a calf recruitment of about 30 animals

approximately -- I'm rounding things up just a dab, but in order to have a recruitment of 80 animals, you'd have to at least look for the herd size to double or possibly double and half.

MS. PUTERA: Right.

CHAIRMAN LOHSE: Yea. So we're looking at -- basically probably looking at about 1000 animals is what we would need before we'd have -- you know, that would be a healthy herd. So -- okay. Any questions for her.

(No comments)

CHAIRMAN LOHSE: Thank you for that information and especially for the information that the presence of the Mentasta Caribou Herd has been documented on the Tetlin Reservation in the wintertime.

Now Gloria, do you come up here at all? Barbara. My fault.

(Laughter)

CHAIRMAN LOHSE: Oh, boy, this has been a long meeting.

MS. CELLARIUS: Thank you, Mr. Chair. Since you -- since the Council has copies of the letter, I will try to summarize to be brief. Wrangell-St. Elias Subsistence Resource Commission unanimously opposes Proposal 102 and they also oppose Proposal 103, although on that vote, there was one abstention, so it wasn't unanimous.

And in both cases, the majority, a big factor in the concern is the Mentasta Caribou Herd and not having additional harvest of the herd and being -- having the Refuge manager be able to manage the hunt to protect the herd.

CHAIRMAN LOHSE: Thank you. Any questions for Barbara.

(No comments)

CHAIRMAN LOHSE: Thank you, Barbara. Do we have any Fish and Game Advisory Committee comments on these two proposals. Donald.

MR. MIKE: Mr. Chair. The Fortymile Advisory Committee on Proposal 10-102 and 103 support the proposals. It is extremely unfair that one subsistence group has a higher priority over another one when it comes to the bag limit of the Nelchina caribou. Subsistence is all about allowing for the subsistence of food and equality. If the bag limits for Federal subsistence caribou is not increased to two animals for Tetlin National Wildlife Refuge, it will be both unfair and discriminating to users that subsist off the same animals.

This discrimination should never come into play in determining subsistence harvest and bag limits on these -- and these proposals will give the Federal Government the opportunity so that Federal subsistence users will be treated equally.

Historically the harvest of Nelchina caribou on the Refuge is extremely low and the Mentasta Caribou Herd is not monitored because of this. The harvest is so few caribou; therefore the chances of harvesting a Mentasta caribou is extremely low.

We do recognize the chance of harvesting a Mentasta caribou. Therefore we recommend that there be a two bull limit or the sex be determined by the Refuge manager. We also recognize the need for the Refuge to determine the opening and closing dates of the season, so that should be left to the discretion of the Refuge manager.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Do we have any written public comment.

MR. MIKE: We received our written public comments from the AHTNA Subsistence Committee on Proposals WP10-102 and 103. We oppose WP10-102 to allow two Nelchina caribou may be taken by Federal registration permit during the winter season to be announced by the Tetlin National Wildlife Refuge.

The proposal -- it states that Nelchina Caribou Herd that crosses and is on Federal Wildlife Refuge lands and it is this caribou herd that is proposed in the petition. The management objective of the Nelchina Caribou Herd is below the 35,000 to 37,000 management objective. The Nelchina Caribou Herd cannot

sustain additional hunting pressure.

Federally-qualified subsistence hunters from Unit 12, Dot Lake, Healy Lake, and Chickaloon as well as those from Unit 11 and 13 will be able to hunt and take two Nelchina caribou and put more hunting pressure on this caribou herd.

In Unit 13 under the State hunt, the Nelchina Caribou Herd has tremendous hunting pressure. Adding more hunting pressure will be counterproductive to the Nelchina Caribou Herd population.

On Proposal WP10-103, they also oppose the winter season and their justification is the same as Proposal 102.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. One question for the -- for Staff or for Fish and Game. I look at this right here and is the Tetlin Refuge open to other hunters or is it only open to residents of the Tetlin Refuge? Or is it a Wildlife Refuge, is what it is.

MS. HYER: It's a National Wildlife Refuge.

CHAIRMAN LOHSE: So it is open to all the people who have customary and traditional designation, all these.....

MS. HYER: Correct.

CHAIRMAN LOHSE: All of these that mentioned in AHTNA's letter.

MS. HYER: Yeah. I think you can find that on Page 219.

CHAIRMAN LOHSE: Okay. Good. So that potentially everybody that has C&T would be qualified to hunt on the Refuge.

MS. HYER: Potentially.

CHAIRMAN LOHSE: Yeah. Thank you. Okay. I think -- we don't have any public testimony, do we? No public testimony. Let's go to Regional

Council deliberation, recommendation, justification. Oh, let's go to a motion to put.....

MR. CARPENTER: Do we need to bring these up separately or together?

CHAIRMAN LOHSE: I think we could bring them up -- I think we should bring them up separately.

MR. CARPENTER: Mr. Chairman. I move WP10-102.

CHAIRMAN LOHSE: WP-102.

MS. STICKWAN: I'll second.

CHAIRMAN LOHSE: It's been moved and second. Any discussion on these after we've heard the various -- Judy.

MS. CAMINER: Just had a question -- I have a question on hunting on the Wildlife Refuge. The Unit 13 residents already have this higher take of caribou too?

MS. HYER: There's hunting in Unit 13 -- 13A, 13B, and 13 remainder, and 13A and B have two caribou and 13 remainder has two bulls and that's on BLM land. And it is a Federal subsistence hunt.

CHAIRMAN LOHSE: Okay. Tom.

MR. CARPENTER: Yeah. Mr. Chairman. I'll be opposed to this proposal. Kind of deferring my judgment with the Eastern Interior RAC who's opposed to this proposal based on conservation concerns. Some of the concerns brought forward by the Wrangell-St. Elias Park biologist in regards to the Mentasta caribou mixing in the wintertime. With the populations very low and no hunt open, I think that's -- we have to take that in consideration and also something that was mentioned earlier that there is an option for participation in the Fortymile winter hunt.

So for those reasons, I'll be opposed.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: I would concur with Mr.

Carpenter's assessment and I'll be opposed to it also based on conservation reasons articulated by the Staff of a variety of Agencies there and then also just respecting this cross proposal with the Eastern RAC.

CHAIRMAN LOHSE: Okay.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called on WP10-102. All in favor signify by saying aye.

(No aye votes)

CHAIRMAN LOHSE: All opposed signify by saying nay.

IN UNISON: Nay.

CHAIRMAN LOHSE: Motion fails unanimously. Let's go to WP10-103. Motion to put it on the table's in order.

MR. CARPENTER: So moved.

CHAIRMAN LOHSE: Do I hear a second.

MR. HENRICHS: Second.

MR. BLOSSOM: Second.

CHAIRMAN LOHSE: It's been moved and seconded that we support WP10-103. WP10-103 deals with the same caribou herd and takes away the option of opening the season at the most convenient time from the Refuge manager and puts an opening date in regulation. Tom.

MR. CARPENTER: Mr. Chairman. I would echo my comments that I made on 102. Granted that this proposal keeps the bag limit at one, but it takes the discretion away from the resource manager, doesn't seem appropriate at this time seeing how there are conservation concerns and the manager ought to have the discretion to open the season if he sees -- he or she sees fit and until the population estimates and the conservation concerns diminish, I'll be opposed.

CHAIRMAN LOHSE: Any other comments.

MR. GEASE: I will echo comments like Mr. Carpenter on the prior proposal and for -- based on conservation concerns addressed by staff and also in concurrence with the recommendation from the Eastern Interior RAC, I'll be opposed to it.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I don't think it was based on discrimination like the comment that was said by the -- it was based conservation concern. I just want to say that.

CHAIRMAN LOHSE: Thank you, Gloria.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called on WP10-103. All in favor signify by saying aye.

(No aye votes)

CHAIRMAN LOHSE: All opposed signify by saying nay.

IN UNISON: Nay.

CHAIRMAN LOHSE: Motion fails unanimously. At this point in time, Polly, we will take that little break and go on to hearing about the Chitina dipnet fishery.

DR. WHEELER: This should just take a couple minutes.

CHAIRMAN LOHSE: Do we have anything in our book on that or is that just a.....

DR. WHEELER: We do not. I had heard from Mr. Pappas. I hope he wasn't telling stories, but I'd heard from Mr. Pappas that three or four members of the Council were interested in hearing what the Board of Fish was going to be doing next week with the Chitina dipnet fishery.

CHAIRMAN LOHSE: Okay. We're.....

DR. WHEELER: With regard to subsistence use.

(Off record)

(On record)

CHAIRMAN LOHSE: Okay. We're going to have a little bit of a presentation on the Board on the possible actions or what the -- what the State Board of Fish is thinking of -- how they're thinking of addressing I think the proposal on the Chitina dipnetting if I understand correctly. Am I right.

MS. WRIGHT: My name's Sherry Wright and I work with the Board Support Section of the Department of Fish and Game and I think what maybe the question was when the meeting is and just some general information about the meeting. So the Board of Fisheries is taking up two proposals, Proposal 200 which has to do with the subsistence way of life, defining that, and Proposal 201 has to do with the C&T finding on the Chitina subdistrict and establish amounts necessary for subsistence.

They're going to be meeting at the Anchorage Hilton March 20th and 21. They're going -- and I just wanted to give you a heads-up that the sign-up deadline to testify is 10:00 a.m. on Saturday March 20th. And the Board's going to take testimony until 6:00 o'clock that evening and then we'll do deliberations on the 21st.

And Tom Taube is on the line to give you more detail about the proposals if you're ready for that.

CHAIRMAN LOHSE: Yes. I was hoping that Gloria would get in here before that, but she's probably more up on it than most of the rest of us. Let me just go back for just a second. Define subsistence way of life and amounts necessary, is that what you said?

MS. WRIGHT: Proposal 200 will be defining subsistence way of life. Proposal 201 is to determine if there is a C&T for salmon and then the other part of that is the amounts necessary for subsistence.

CHAIRMAN LOHSE: Okay.

MS. WRIGHT: You ready for Tom?

CHAIRMAN LOHSE: Okay. We're ready for

Tom.

MR. TAUBE: Okay. Can you hear me clearly? This is Tom Taube up in Fairbanks with Sport Fish Division, Fish and Game.

CHAIRMAN LOHSE: We could hear you, Tom.

MR. TAUBE: Okay. Yeah. Sherry pretty well described the two proposals. They're a result of a court action by the Alaska Supreme Court that was -- evolved from a lawsuit put forward by the Alaska Fish and Wildlife Conservation Fund and including the Chitina dipnetters that basically disagreed with the Board's ruling or usage of their interpretation of the eight criteria for customary and traditional use findings.

And so the Board -- or the Court mandated the Board to define -- come up with a new definition of subsistence way of life and then once they come up with that, then to go back and review the eight criteria and determine whether there's a positive or negative customary and traditional use finding for the Chitina subdistrict.

And I guess -- I don't know if you have the proposals there, but what the Proposal 200 states the definition that is being thrown out for subsistence way of life means a way of life as based on consistent, long-term reliance upon fish and game resources for the basic necessities of life. And the Board will deliberate on that term, make any modifications that they may have to that, and then go through all eight criteria and as Sherry said, if they find a positive C&T, then they'll have to come up with amounts necessary for subsistence.

As you're all well aware that the State classified the Chitina subdistrict as subsistence from 2000 to 2002 and at that time, the amounts necessary for subsistence was 100,000 to 150,000 salmon. That is what is currently the allocation for the personal use fishery and the harvest have not really changed any in that time. So if the Board does find a positive C&T, it would all likely be that the amounts necessary for subsistence would not change.

But obviously, you know, the priority

would. If it became subsistence, it would have a higher priority than the other fisheries, sport, commercial, and personal use. So just in a nutshell, that's what is going to happen there on the 20th and 21st of March. So I guess are any specific questions you might have, I'd be happy to try to answer those at this time.

CHAIRMAN LOHSE: Thank you, Tom. Tom's got a question for you.

MR. CARPENTER: Hello, Tom. Tom Carpenter. I haven't had a chance to check the computer, but I understand that the State has put its position on these two proposals on their Website; is that correct? And if so would you please maybe in I guess as short as possible give the Advisory Council what the State has recommended or what their position in on these two proposals.

MR. TAUBE: Yeah. Mr. Carpenter. Mr. Chair. The Staff comments, you are correct, are on the Website. The Department's position for both proposals is neutral. The -- specifically for Proposal 200 for the definition of subsistence way of life, the Department is neutral in the definition that's been provided in response to the Court order, but believes that while the proposed definition may not be the only or most complete definition, it is a reasonable one and then it goes into another paragraph or so of what are their considerations they should -- the Board should weigh when they're coming up with this definition.

And for the C&T which is generally the case, the Department is neutral and we recommend that they review and apply the new information or the new definition in their review of the eight criteria, including additional public information and other Department information as provided to the Board at that time.

So what'll happen with 2001 is that -- you know, our Subsistence Division Staff will walk the Board through their usual customary and traditional determination worksheet on there, but for both of them, we're neutral on both positions right now.

MR. CARPENTER: Maybe just a follow-up question to that -- and I have -- I don't know, maybe I've asked you this in the past back in 2000-2002 when

Chitina was considered a subsistence area when there was a positive finding.

Since that time -- and maybe -- I know you used to work out of Glennallen. I know you're not there anymore, but I know you have a pretty good understanding of how and what takes place there.

What did you see was the impact when -- well, I guess what would you say the impact was or could be if the Chitina subdistrict was reclassified as subsistence? What impact would that have on the Glennallen subdistrict which is a long, historical subsistence area with those fish at Chitina having a priority, basically just ahead of another longstanding subsistence area?

MR. TAUBE: Mr. Carpenter. Mr. Chair. From that 2000 to 2002 when Chitina subdistrict was classified previously as a subsistence fishery, we managed the fishery the same way. It was based on abundance passing the Miles Lake Sonar, though the harvest did not really change any different. I mean the big change for the fishery was the fact that at the time when the Board reclassified the Chitina subdistrict subsistence fishery, they reduced the king salmon bag limit from four to one.

So what we did see was a reduction in king salmon harvest prior, you know, to what they had been prior to 1996. You know, part of the reason the Board reduced that king limit was that they felt from '97, '98, '99, there was a pretty rapid doubling of king harvest in the Chitina subdistrict and so they look at a means to try to get that harvest backed on to what it traditionally had been prior to that rapid increase.

But, you know, really from a management perspective, it impacts on the Glennallen subdistrict. There really isn't anything that was different than what it had been previously. Obviously there is the priority, but during those times, you know, it was still managed based on the sonar numbers. The only difference in the management plan was that there's a component that states in the personal use plan that if the commercial fishery is closed for 13 or more days that the allocation for the personal use fishery is reduced to 50,000.

And I believe in between 2000-2002, I think two of those years the commercial fishery actually was restricted or closed for more than 13 days and so the difference being in those years was that we would have reduced the allocation for the personal use fishery if it had been a personal use fishery during that time.

MR. CARPENTER: And maybe just one more question in regards to the Board action. When they reduced the king take from four to one, assuming there's some historical information that we have now about how effective the king take can be in the Chitina subdistrict, would I assume that if this were to go subsistence, I understand that this Department is neutral, but that the Department would recommend to the Board that the subsistence limit for kings in the Chitina subdistrict would be somewhere around one like it was in the personal use fishery?

MR. TAUBE: Mr. Carpenter. Mr. Chair. We would probably not recommend a limit. We would show the data, what the harvest had been and it would be up to the Board to set a limit. Previously in 1999, we did have the breakdown estimated on what the harvest had been the previous, you know, three years during those high harvest times, what the effect of harvest would be with various bag limits, and we could go through that again, but otherwise, you know, it'd be up to the Board to set limits or any changes.

Our recommendation would try to be to manage the fishery the same way we are based on abundance past the sonar.

MR. CARPENTER: Thank you.

CHAIRMAN LOHSE: Thank you, Tom. Does anybody else have any questions for Tom.

(No comments)

CHAIRMAN LOHSE: Tom, I've only got one question. One of the things that we were told was that if the Board finds a C&T they'll be looking at amounts necessary for subsistence. Is that going to be on a personal level or is that going to be on a group level?

MR. TAUBE: Mr. Chairman. That's based on the Chitina subdistrict itself. So it's -- it'd be

looked -- examined on the subdistrict as a whole so they would look at the harvest we've seen, you know, historically in that fishery.

CHAIRMAN LOHSE: Okay. Not on an individual level.

MR. TAUBE: No. No. That -- I mean that would be a different discussion regarding limits -- I mean that would actually have to be taken up at the next Board cycle, if they want to discuss limits. I don't think that would come up at this point. They'd just be setting the amounts necessary for subsistence based on what the harvest has been.

CHAIRMAN LOHSE: Thank you, Tom. Any other questions for Tom. Ricky.

MR. GEASE: Tom, this is Ricky. Is there any new information being provided beyond just harvest of the Chitina subdistrict? Have there been any other, quote, subsistence surveys beyond the ones that were before?

MR. TAUBE: Through the Chair. There actually has not been any further surveys. That was the change that resulted in the Board making the Chitina subdistrict personal use again in 2003. There had been a survey done between 1999 and 2003 that Subsistence Division provided that. All the new information that we have would be the harvest information and then this new definition of subsistence way of life.

CHAIRMAN LOHSE: Thank you. Gloria.

MS. STICKWAN: I missed part of your discussion. Will they be able to use that report at the Board of Fish meeting?

MR. TAUBE: Ms. Stickwan. Mr. Chair. You're referring to the report that was used in 2003?

MS. STICKWAN: Yes.

MR. TAUBE: Yes. They will be able -- all that's in the same report. Basically the Subsistence Division report, they'll walk through the eight criteria with the Board will include all the information that was in that 2003 ruling.

CHAIRMAN LOHSE: Any other questions.

(No comments)

CHAIRMAN LOHSE: Tom, we sure appreciate you coming on line, giving us a heads-up on that. I don't envy your job.

(Laughter)

MR. TAUBE: Well, you know, like I said, Mr. Chair. We'll still manage what we're told to do and, you know, we just hope the Board -- it's not going to be an easy choice for them. So -- yeah, we're just helping them out.

CHAIRMAN LOHSE: No further questions. We'll excuse you then, Tom.

(No comments)

MR. TAUBE: Good-bye.

CHAIRMAN LOHSE: Okay. With that let's go on to WP10-104.

MS. HYER: That's me.

MR. CARPENTER: Mr. Chairman.

CHAIRMAN LOHSE: Yes, Tom.

MR. CARPENTER: I don't mean to be hard, but -- or unthoughtful, but one of the reasons that I thought earlier that we should defer this proposal to the Eastern Interior was that if you look at the OSM's preliminary conclusion, they actually ask to defer this proposal until the Chisana Caribou Herd management plan is finalized and the 2010 Census is completed.

So I mean I don't have any problem if the Council wants to go forward, but until that information is gathered and until the 2010 Census is completed, even OSM itself is probably going to recommend to the Federal Board that nothing -- that no action take place in this proposal. So it's just something for the Council to consider before we go forward, but whatever the wishes are.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I'd rather see us take action on this proposal because even though it's not complete, I -- I just don't agree with the proposal I guess.

CHAIRMAN LOHSE: Okay. With that let's go ahead with Proposal 104. We don't have consensus for deferring it.

MS. HYER: Wildlife Proposal 10-104 begins on Page 232 of your books. This proposal was submitted by Leif Wilson on behalf of the Tanana Fortymile Advisory Committee and it requests a joint State/Federal draw permit hunt for the Chisana Caribou Herd to be established in Unit 12 starting fall 2010.

The harvest quota would be in accordance with the recommendations of the draft Chisana Caribou Herd management plan. The harvest limit would be one bull. The hunting season would be September 1st through September 20th.

A portion of the permits would be issued for a Federal hunt and the rest of the permits would be issues for a State hunt. The proposal states that the allocations would be determined by past harvest records. The Chisana Caribou Herd is a small herd residing in Wrangell-St. Elias Park and Southwest Canada. While it's in its Alaska range, the herd resides almost exclusively on Federal land.

The land occupied by the herd is closed to all hunting. Due to conservation concerns, all hunting on this herd in Alaska was stopped in 1994. The herd continues to have important -- be an important aspect of AHTNA and Upper Tanana culture, although there is no hunting currently.

If you turn to Page 235, Table 1, you can see population statistics. Okay. Based on surveys conducted in 2005 and 2007, the population appears to be stabilized around 700 animals. The next survey is scheduled in 2010. And I just want to draw the Board's attention to the estimated herd size over on the right-hand corner and you can see the first three numbers and then the herd almost -- well, I guess it more than doubles and the captive breeding program begins. And you can see the small B's over on the

left-hand side.

And what happened is during the time that the captive breeding began, they also radio tagged the animals. So the estimates -- the last three estimates are based on radio tagged animals. The first three estimates are based on probably aerial surveys. We've had a hard time. Judy's gone looking for the methods, but anyway it's probably the case that the breeding program did not cause that increase, that that is two different techniques of monitoring the animals and that's why. So you're actually looking at apples and then oranges. And then the next survey will be done -- the breeding program came to an end in 2007 and so the next survey will be done after the breeding program. So we're going to have the pairs coming in later. So we're going to be looking at different parameters around this herd.

Okay. Early last year in 2009, a planning process began to develop a five-year management plan for the Chisana Caribou Herd through a cooperative effort between the State, Federal, and Canadian Agencies. The management plan once completed will contain a recommended management strategy and harvest guidelines for this herd.

It is likely if the herd population is determined to be stable and the cow-calf and the cow-bull ratio are above the level set in the management plan, a small harvest could be taken. So three parameters must be met before a harvest can be taken.

Currently the draft management plan recommends a 2 percent harvest quota which may result if the herd stays around 700 animals in 14 animals being available for harvest. The harvest would be split between Alaska and Yukon resulting in possibly as few as seven animals being harvested in Alaska.

During their meeting, the Eastern Interior RAC supported the original proposal with the intent of starting a process towards a State/Federal registration hunt. The Alaska Board also had a similar proposal before them which they supported, a complementary proposal, and again with the intent of starting the process of a State/Federal hunt.

And part of the reason this proposal has come to us at this time is because we're on the

two-year cycle and the Board also is on that cycle, so the proponent felt he had to get something before us to evaluate.

OSM's preliminary conclusion is to defer the proposal. We feel two key components need to be in place before a hunt can be established. The first is the Chisana Caribou Herd plan needs to be finalized and supported by all management Agencies involved with the herd. And second the 2010 Census needs to be completed to establish if there's even a harvestable quota.

Once the management plan and Census are complete, the framework will exist to begin a discussion about a hunt and OSM's preliminary conclusion is to defer instead of to oppose because we felt this was a very important issue and because of our every other year cycle, if we defer this until pieces are together, we can bring the proposal back up through the formal proposal process versus having a special action come in on a year where we don't have a regulatory cycle, and that's why OSM is deferring it because there was talk earlier about often deferred proposals languish. And so there was a preferred option to just oppose something. But we specifically deferred this. And that ends my presentation.

CHAIRMAN LOHSE: Just one question. If there's going to be a management plan on this, it would have to be an international plan, wouldn't it? I mean because this herd is part Canadian and part U.S.

MS. HYER: That's correct. They feel approximately half of them are in Canada and half of them are in the U.S. And, yes, it is a joint international effort.

CHAIRMAN LOHSE: Well, now, are they -- do half of them reside in Canada and half of them reside in the U.S. or do they just migrate back and forth across the border?

MS. HYER: They migrate back and forth and my understanding is, although information is limited, that there are some that reside in -- sometimes -- there's a presence in both countries most of the time and they do migrate back and forth. But there's always the stragglers.

CHAIRMAN LOHSE: And what was this captive breeding program? Who -- did the Canadians do that or the Americans?

MS. HYER: Canadians spearheaded it. The Americans were also involved in it. It did happen over in Canada for a period of years where they captured the animals and they put them in holding pens until the calves were born and able to get to a certain size to avoid predators. That took place in Canada.

CHAIRMAN LOHSE: Okay. So the idea was to protect the calves from predators, so you'd increase the calf survival.

MS. HYER: Correct.

CHAIRMAN LOHSE: They weren't selectively breeding these animals or anything on that order. I mean it's not like what you had is domestic reindeer that were then being released back into the herd.

MS. HYER: No. The idea was to increase calf survival.

CHAIRMAN LOHSE: So they captured cows that were already bred and kept them there to have their calves and then protected the calves and then released them into the herd.

MS. HYER: Correct.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Mr. Chair. Karen. I was wondering if you know when the survey will take place or when the results might be available.

MS. HYER: You know, I think it's October of this year, but actually the Park Service probably knows more than I do about that. Judy, do you know?

MS. PUTERA: Yes. Through the Chair. Judy, it'll probably occur in early to mid-October.

CHAIRMAN LOHSE: To mid-October of 2010?

MS. PUTERA: 2010.

CHAIRMAN LOHSE: Have you had any concerns with Mentasta caribou being in this area?

MS. PUTERA: From all the telemetry data from both herds, it looks like the Mentasta animals tend to stay on the west side of the Nabesna River and the Chisana's on the east side. There may have been in the past and could be -- I don't know -- in the future. I mean I think there's been some years where there have been some anomalies where even the Chisana herd is mixed with the Nelchina herd say just across the border in Beaver Creek.

I think -- what I've read is there -- these odd winters when there's a lot of snow or early snow and the caribou tend to do some strange things in the winter and go outside of their normal winter range and then end up mixing. But -- thank you.

CHAIRMAN LOHSE: Okay. Ricky.

MR. GEASE: On the breeding program, is that continuing or has that been stopped? Or are there any plans to continue it in this new management plan?

MS. HYER: No, there are no plans to continue it and it stopped in 2007 was the last year that it -- it was in place.

MR. GEASE: Was the decision to stop because it was felt that the herd was at its normal size or that it wasn't being effective?

MS. HYER: I think the decision to stop was a combination of it wasn't as effective as they -- or the results weren't as great as they would have liked and it was expensive. I don't know that they ever meant it to be a long-term program.

CHAIRMAN LOHSE: Out of curiosity, who has C&T to hunt this herd?

MS. HYER: C&T to hunt this herd can be found on Page 234 and it's the same C&T as was for the last two proposals.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Thank you, Mr. Chair. I understand that the proponent suggested a joint State/Federal drawing permit, but with possibility of only seven animals being available, I was just wondering whether a Federal drawing permit only was considered as an option.

MS. HYER: That is definitely a viable option. I think OSM's conclusion is we don't even know if the herd can sustain a hunt yet. So we need to figure that out and then go from there. But that definitely would be an option. There is definitely a limited number of animals that can be harvested and the herd is completely on Federal land, except for a few individuals that leave Federal land, but the majority of the herd stays on Federal land.

CHAIRMAN LOHSE: Okay. Any other questions.

(No comments)

CHAIRMAN LOHSE: I'm having difficulty here. Excuse me. So the -- oh, there they are. Okay. So rural residents of Unit 12, Dot Lake, Healy Lake, and Mentasta Lake have a positive customary and traditional use. So we have three of them that are in our unit, Dot Lake, Healy Lake, and Mentasta Lake, right? Okay. In fact I think Dot Lake and Healy Lake are -- okay.

So any other questions before we go to Fish and Game. Alaska Department of Fish and Game.

MR. PAPPAS: Thank you, Mr. Chair. George Pappas, Department of Fish and Game. Comments Page 238. And I will not be summarizing these. I'll be reading them into the record.

This proposal establishes a joint Federal/State draw permit hunt for the Chisana Caribou Herd starting fall 2011, following recommendations in the Chisana caribou herd management plan currently being drafted by Yukon Department of Environment, White River First Nation, Canadian Wildlife Service, National Park Service, U.S. Fish and Wildlife Service, and Alaska Department of Fish and Game. The management plans sets guidelines for opening a limited hunt on the herd while protecting the herd from overharvest.

In the 1980s and early 1990s, an average of 29 Chisana caribou were harvested annually with about 60% of the harvest taken by Alaska residents. Following a decline in the '90s, hunting in Alaska and Canada was stopped and the captive rearing program was conducted by Yukon Department of Environment which I understand was very expensive.

The Chisana herd management plan is currently being drafted by Yukon Department of Environment and the group that we talked about earlier.

Access to the Chisana herd is very difficult and mostly limited to aircraft. Harvest by Federally-qualified subsistence users in Unit 12 is less than two caribou between '81 and '83 and '90-'93. A joint Federal/State drawing permit would ensure that a portion of the harvest is available for federal subsistence users on federal public lands.

The State regulations limit caribou hunting in Unit 12 to one bull west of the Glenn Highway, Tok Cutoff, and they have not provided any opportunity for harvesting from this herd from '93.

The draft Chisana caribou plan recommends a 2 person bulls, looks for a bull-cow ratio that does not fall below 35 to 100 and a calf recruitment that remains above 15 calves per 100 cows over a three-year average. It is unlikely that this limited harvest would have any negative impacts on the herd.

The guidelines establish a harvest in the draft management plan based on a proposed 2010 October census in which the herd must meet the required population level and bull-cow ratios and cow-calf ratios. Based on results from this census, the earliest possible season opening for this herd would be 2011.

The Department supports following the guidelines of a limited harvest on this herd, be shared between both countries as contained in the draft management plan and using a joint State/Federal permit to monitor harvest in Alaska.

I have a few other things to add. There's much more detailed discussions at the Eastern Interior RAC about the possibilities of how you can

allocate this. There's a lot of discussions about the history of this hunt. It was one of the high-dollar value hunts for guides in the area years ago. There's discussion about the size of some of the animals in this herd and the attraction towards this herd and potentially how it would be a once in a lifetime draw on the State side or Federal side if you had access to that area.

If I remember correctly, there was discussions about something along the lines of investigating the Governor's tag type situation, auction tag, if there was some type of allocation between the Federal hunts and the State hunts.

I don't have that information in front of me, but there's serious interest expressed from the Eastern Interior RAC and another piece of information -- I'm not aware of too many hunts or fisheries that are managed off a draft management plan. I would assume that'd have to be completed before such would be executed and I would assume such plans would be -- would recognize current scientific principles for management. Thank you, Mr. Chair.

CHAIRMAN LOHSE: So, George, if I understand right, nothing could happen unless there wasn't just a draft unless there was a final management plan.

MS. HYER: Currently this area is closed to all users, Federal and State, so nothing can happen until the Board of Game moves. That's the very first things that needs -- excuse me. The Board of Game -- the Federal Subsistence Board. I am sorry about that.

Nothing can happen until the Federal Subsistence Board has an action. That's the very first thing that needs to happen.

CHAIRMAN LOHSE: But the Federal Subsistence Board can't act if -- since this is an international herd, unless there would be a management plan, could it? I mean can it take it upon itself to act if all that's available is a draft management plan and not a finalized management plan. I mean this has to be kind of almost like treaty herd, doesn't it.

DR. WHEELER: Mr. Chair. Polly Wheeler

with the Office of Subsistence Management. And, yeah, I mean the reality is the Board has typically -- the Board being the Federal Subsistence Board -- has typically endorsed management plans, supports management plans. We fund a number of management planning efforts. So I think it would be highly unusual for the Federal Subsistence Board to act in this instance in the absence of a complete management plan.

Could it? I mean there's nothing in the regulations that says you have to wait until a management plan's in place before you could do a hunt, but the reality is that the Board has typically waited -- you know, if there's a management planning process in place, the Board has typically waited -- has waited until that management plan is in place.

But, yeah, I mean the Federal Subsistence Board could act, but I think it's highly unlikely that it would.

Mr. Chair.

CHAIRMAN LOHSE: But how would you act on a herd that's an international herd if you didn't have agreement with the other nation?

MR. CARPENTER: With lots of money.

(Laughter)

DR. WHEELER: I think that right now caribou hunting is closed in Unit 12. There's a positive custom -- it differs a little bit from the situation that we dealt with yesterday because that Proposal 32A -- 10-32A was asking for a customary and traditional use determination and a season to go along with it.

In this case, we already have a customary and traditional use determination, so this proposal's asking for a hunt -- asking for a season to be opened. It's -- the Federal lands on the Alaska side could theoretically be opened to harvest of caribou. Would that a poke in the eye to the international management planning effort? I'm sure that it would be perceived that way and I think that's one of the -- I know I had actually talked to the Tok Advisory Committee several times about this proposal

and that is that's a concern.

It's an international planning effort. The Canadians were -- they were the ones that were very -- that were deeply involved financially and otherwise in the captive rearing program. So there -- and there was concern obviously First Nations on the Yukon side have voluntarily stopped their harvest of that herd.

So there's a lot of social and political implications of this beyond just the biological. Mr. Chair.

CHAIRMAN LOHSE: Thank you. Any other questions for OSM. Judy.

MS. CAMINER: Maybe as a follow-up. So as far as we know, are the Canadians holding off on opening any hunting seasons until the plan is agreed upon by both sides?

MS. HYER: The Canadians voluntarily stopped harvesting at the same time the U.S. had and they haven't harvested animals since.

DR. WHEELER: The other piece of that is that the Canadian harvest is primarily First Nations harvest. It's not other harvest. It's First Nations harvest.

CHAIRMAN LOHSE: Okay. Any other questions.

(No comments)

CHAIRMAN LOHSE: We've had Alaska Department of Fish and Game. Do we have any Tribal Agency comments. Justin.

MR. WILSON: Thank you, Mr. Chairman. Wilson Justin. The Cheesh'na Tribal Council is already on record I believe with the letter opposing the proposal. I want to reiterate here some of the reasons why we're in direct opposition to the proposal and a permit hunting of any kind. But I also would like to acknowledge the fact that AHTNA has also recently provided a letter in opposition to the proposal which I very much appreciate. They've articulated very well some of the underlying issues and concerns.

But I would like to take just a little aside here and talk about some of the issues directly related in my mind to what is referred to as the Chisana herd, sometimes the Mentasta herd. I think in reality they're one in the same animals.

I think what we really have to contend with here on the basis of that particular herd is the fact that there has never been any real research done outside of the fact that people acknowledge that they're in existence. We have no idea of the extent of the range. I have a pretty good idea from being around them so much. We have no idea the kind of food supply that they require in order to range and we have no idea about the motivation of this particular herd. They seem to stick to topological features that doesn't appeal to other caribou. They're more like sheep in terms of where they are and what they do.

And I think those kind of information which has never been gathered or put into any usable form are very necessary before you think about hunting. I'm not opposed to hunting those caribou because they're a particular favorite of my clan and they've always been a part of our background, but I am opposed to just starting off the issue by hunting them first without asking questions that are pertinent in my mind.

Having said that, I'd like to also on record state a few other issues that are sociological in nature and probably more in terms of what you would call cultural nuances. I noticed that I was quoted in -- on Page 238 about those particular caribou herd and in the quote, I was put on record as saying alts'e'tnaey should be notified of use and what have you.

That's technically incorrect. In the area that I'm from, there were three tribes had what you would call sway over the area in terms of the alts'e'tnaey trail that comes through there and they were the Naltsiine, the Taltsiine out of Northway and the Alts'e'tnaey. We shared pretty much ownership of the trail.

That caribou herd that we're talking about was under the province of the Naltsiine. The Naltsiine were the medicine man clan and these medicine people pretty much kept that -- control and reins over the use and take of these caribou to the exclusion of

the other clans including the Alts'e'tnaey.

What I meant in the statement that was attributed to me in the book here was that the Alts'e'tnaey in my estimation was successor-in-interest to the Naltsiine over these caribou because the Naltsiine had pretty much faded out of the picture and into the background.

Now, the issue of the treaty part really is intriguing because from the family history, there were people like Titus Joe and Titus John who lived near Burwash Landing and were allowed to pursue these caribou, there were Naltsiine all the way into Canada.

Likewise Canadian Indians came up the White River all the way to the headwaters of Chitina and over as far as the very near to the -- this side of Chisana in hunting these caribou. So the Naltsiine and the First Nations shared an affinity for these caribou and the Royal Canadian Mounted Police who left records of attending meeting in Tetlin and come to Nabesna up to 1932 recognized the fact that the Indians from this side of the border had the right to pursue those caribou into the Canadian side and vice versa.

So the historical portion of the entire discussion which has been left out so far never ever took into consideration the fact that this very small group of caribou had very close cultural, historical, and what you would call sociological ties to the Indians in the area and I would like for that part of the discussion to be brought into the public arena.

It bothers me that the Eastern Interior would say well, Chisana herd, let's go get them. It really, really bothers me that that would occur. It's derogatory to the Indians who used to be living in that area and it's extremely derogatory to the Indians who used to depend on that particular herd.

Having said that, there's a couple of other points I'd like to make. The primary habitat of what you call the Chisana and Mentasta herd used to be the headwaters of the Jacksina River which is one of the major tributaries of the Nabesna. That's a high habitat entirely ringed by glaciers. The secondary habitat for that particular herd used to be over at the head of the Copper Glacier and they were pushed out by

commercial guiding interests.

The third habitat that these caribou utilized was the Tetlin area, but the thing to remember about these caribou is that every one of their major habitat was ice ring. There was -- and my uncle -- all of my uncles, my half brother, Jack Justin, everybody in the family referred to these caribou as either Naltsiine caribou or Glacier caribou.

My family used to hunt them not -- and I'm glad Fish and Game is here so they hear this anecdote. My family used to hunt these caribou not in the fall time. We used to hunt them in late June and early July, the reason being is that's the only time they were close to our community. We never hunted them in late July and August because by then they had moved into sheep habitat.

So it's very clear to me that these caribou had a range and a nutritional activity that's separate from the Nelchina herd in many ways and I'd like to know what that is before we talk about taking any hunting out of them.

So that's the extent of my comment here and I appreciate very much the opportunity to bring it to your attention.

CHAIRMAN LOHSE: Thank you, Wilson. I have one question then based on what you said. Have you had any -- have you ever had any contact with the Mountain caribou in British Columbia?

MR. WILSON: No, I have not at all. I've just talked with people who knew about them.

CHAIRMAN LOHSE: Do you have a feeling or do you have -- from what you've talked to them, it sounds to me like what you're describing in the Mentasta and the Chisana Caribou Herd is the same kind of activity that you'd expect from the Mountain Caribou in British Columbia as opposed to the barren ground caribou in Alaska.

MR. WILSON: From what I've gathered, their range and habitat and everything is the same. There's one additional comment that should be brought forward. Now, there is -- the Chisana and Mentasta herd is undergoing a change of some kind. They're not

as big body wise as they were when I was a youngster. The horns are changing and the color is changing. They used to be almost black. But now their colors have lightened up and the size of the caribou has gotten smaller.

That's what sparked my interest in nutrition and range because I'm thinking it's either the food or they're beginning to interbreed, one of the two.

CHAIRMAN LOHSE: Have there been any genetic studies done on them?

MR. WILSON: I had talked to a biologist from the National Park a number of years ago and they at that time were just beginning to realize that this was a distinct species of caribou and they were talking about genetic study, but I don't know that it was ever followed through.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Thank you very much for the information you're providing us. When you talk about you've seen these animals, are you referring to seeing them in Unit 12 or in Unit 11?

MR. WILSON: Unit 12. I'm on the western edge of their boundaries. Actually I shouldn't say western edge because Jacksina is further other south and west than where -- than from where I hunt, but a little bit of background.

I packed animals back in the last '60s and one of the places that I used to pack caribou out of was the plateaus up by Sanford River. And the people who hired me to pack out these caribou -- these big caribou were the airplane guides would tell me there was very few of these caribou down below Sanford River. That's as far as they went.

MS. STICKWAN: I have questions for you, Wilson. What are your thoughts about breeding caribou and are you going to write a C&T proposal for this herd?

MR. WILSON: The C&T, yes, we don't feel like we should have to write and ask for a C&T, but if that's necessary and the process, we would. And

the other -- and the first question was about what?

MS. STICKWAN: Breeding -- they breeded these animals when they were calves.

MR. WILSON: Well, I -- my guess is that they're susceptible to any kind of breeding program. I know that when the Canadians began the selective breeding as they call it, it was very welcome news to us because we felt if that didn't happen they wouldn't be here.

We -- my family who had been in the guiding business for so long, well, just by talking to the other guides and outfitters in 1985, we estimated there was less than a hundred of these animals in existence at that time.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. Wilson, thank you very much for your comments. While my stories can definitely not compare to yours, I've actually had the privilege several times. Actually in the early '90s before the hunt was closed, I didn't participate in the hunt, but I had the privilege of going on a hunt up there with somebody when the caribou populations were still, you know, somewhat significant.

But after the hunt was closed and the population just really declined, I've been on many sheep hunts up there and two of the times that I was on sheep hunts, it's interesting how your people call them Glacier caribou because twice in very, very rugged country when we were sheep hunting, we would look over and there would be a caribou standing there and it was almost like you were dreaming because you wouldn't think that an animal like that would be there.

And the other thing that I would say is that on a couple of occasions up there where I hadn't seen many in say the last ten years, one of the times that we did see the caribou, we did actually see a wolf kill one of those caribous and I think that's pretty much what the problem is, you know, for the most part, but it's interesting to hear your stories. Thank you.

MR. WILSON: Well, I would offer that in the Jacksina -- at the head of the Jacksina River, you would consider that almost uninhabitable, but they

were there when I was a teenager. And I probably should add that the last time my family took one of those caribou was 1988 and the time before that was in 1985. So we took two of these big bulls in the '80s and we took six in the '70s and we took two in the '60s. That's been the extent of the family take of those caribou.

CHAIRMAN LOHSE: Someday, Justin, I'll show you a picture of when my little daughter was one years old -- less than one years old and we were up on Mount Sanford. Those were big, big caribou.

MR. WILSON: I estimate about 700 pounds.

CHAIRMAN LOHSE: Yeah.

MR. WILSON: All right. Thank you.

CHAIRMAN LOHSE: Okay. Anybody else have questions for Justin before he ran off.

(No comments)

CHAIRMAN LOHSE: Hearing none, Federal Agency, National Park. Does the National Park have anything. Or the SRC.

MR. STARKEY: I got something for Tribal.

CHAIRMAN LOHSE: Oh, is this for Tribal. Okay. Okay. I see that now. I was thinking that you would be later in public testimony, but you are Tribal.

MR. STARKEY: Thank you, Mr. Chairman. Scott Starkey. I'm legal counsel for AHTNA and I'm going to speak to this proposal on behalf of AHTNA. We've provided the Council with a letter of comment earlier. I'll just briefly summarize what our comments are, but basically asking the RAC to not defer the proposal but to oppose it.

This isn't a proposal that needs to be deferred. There's no reason for this proposal to come back in front of the RAC or in front of the Board. Everything is in a place of flex including what the -- how the hunt should be managed. There's no -- the lack

of analysis in OSM's report is surprising in that they do talk about how it's premature based on population census and whatnot. They really don't delve into the idea of a joint Federal drawing permit and, you know, don't really discuss in any depth that I could see what the subsistence opportunities should be and how that would be satisfied.

So the way I look at it, it's just as premature to entertain how the hunt would be managed as to what the population is. So since the proposal is so premature, why would it be deferred. Why not just let the planning group and whoever else developed the proposal to come before the RAC when it's developed.

I mean this issue of deferring proposals, I agree with the -- Member Carpenter on this. It's actually a nightmare for subsistence users. I mean why defer proposals especially when their merit is hard to see based on them just simply not being right.

So AHTNA first of all would just ask that you oppose the proposal as premature and have people draft another if they need to.

Secondly, AHTNA would ask that this RAC make a recommendation to the National Park Service and Fish and Wildlife Service that some tribal users be placed on this working group. After just hearing Wilson speak, it's hard for me to believe that they could do without his expertise on that planning group, that anybody there would know as much as he does and have his kind of input.

And it's worth noting that at least on the Canadian side the First Nations are represented and it's actually quite surprising to me that in this day and time the Fish and Wildlife Service and National Park Service would take on an issue of acknowledged subsistence and tribal importance without incorporating at the table in the negotiations a tribe.

And so we would ask this Council to make that recommendation to the negotiators -- the Federal Agencies.

Third, in our comments, basically we did want to just register in support of Wilson's line of thinking about customary and traditional use

1 determinations and would note that this whole issue of
2 customary and traditional use determination species by
3 species, village by village is just so cumbersome and
4 so unnecessary. I mean subsistence use as you all know
5 is opportunistic and there's traditional territories
6 and people take what's there when they need it.
7
8 And so why not allow a village to have
9 customary and traditional use for all the resources in
10 its established customary and traditional use area.
11 And those areas are well established. There's -- you
12 know, they're documented and get rid of all this
13 cumbersome and arbitrary process of individual
14 customary and traditional use determinations.
15
16 And so when you think about your
17 recommendations to the Secretary and the RACs as you
18 engage in that later on, AFN certainly in their
19 comments supported a customary and traditional use
20 determination process along what we've just suggested
21 and we think that'd be a real good improvement in this
22 process.
23
24 Chistochina as you know and the Federal
25 Government had to spend a lot of money over just one
26 customary and traditional use determination. So thank
27 you, Mr. Chairman. That would -- I appreciate the
28 opportunity to present those comments.
29
30 CHAIRMAN LOHSE: Thank you. Any
31 questions. Tom. I saw you writing something. I've
32 got just a couple questions if nobody else does. Go
33 ahead, Tom.
34
35 MR. CARPENTER: Thank you, Mr. Starkey.
36 I guess one thing that kind of -- I'm kind of amazed at
37 what you said. I'm very surprised that there could
38 possibly be a management planning team that didn't
39 include somebody like Mr. Wilson Justin. I mean
40 there's probably -- I mean at least every time I've
41 come to a meeting, he's seemed to enlightened me on at
42 least one thing if not multiple things. I mean he's
43 got more knowledge in this area than just about anybody
44 around and it's really hard for me to believe that he's
45 not on that planning team.
46
47 And so I think your suggestion is well
48 warranted that he or a representative should be at
49 least somehow involved in making these determinations,
50 but I do agree and thank you for bringing that to our

attention.

MR. STARKEY: Thank you.

CHAIRMAN LOHSE: And I have two questions or actually comments for one and question for the other for you, Mr. Starkey. And that's, you know, on the idea of this is a very -- you know, with what you were just talking about. This is a very small -- no matter what happens, this is a very small amount of animals that are going to be available. Does this look to you like something that is going to -- because of the amount of subsistence users that are available is going to require an 804?

MR. STARKEY: Well -- thank you, Mr. Chairman. You know, from the very face of it, it certainly looks like that. When they talk about seven caribou and you look at the number of people that have customary and traditional use, it certainly seemed like you'd be in a situation where there's not a harvestable surplus enough to meet subsistence uses.

And so that's -- it's a little puzzling to me why that's not part of the analysis. I mean there may be a lot more that I don't know and certainly.....

CHAIRMAN LOHSE: Can I ask one more question, Gloria. And, you know, on your comments on the customary and traditional use findings that we end up having to go through, I'm in a hundred percent agreement with you if we were dealing strictly with villages or tribes with recognized areas, but underneath the current Federal mandate, the customary and traditional also applies -- just like what we were dealing with today, it applies to people who are not members of a tribe or are not members of a village because it deals with ANILCA, it deals with rural residents, Native and non-Native.

And it would be pretty hard to put a non-Native and say that this is the traditional tribal area right here, which would definitely apply. I mean like what Wilson was describing where they went, that would be pretty obvious to me and that's why I don't have problems with that kind of thing. But when you start dealing with somebody else that doesn't fit that pattern, we have -- the program has a process to deal with those type of issues.

And so much as we'd -- much as I'd love to throw customary and traditional right out the window, then how would you apply it to other people?

MR. STARKEY: Thank you, Mr. Chairman. Great question. I'm not suggesting that you need to throw the process out the window. But I am suggesting that when you are dealing with Native villages or long established communities, you do have all the information you need in front of you to make a determination for that village.

I think one of the major problems that's sort of invaded the system to -- some of it through legal counsel that's been given through the years and some of it from the way the program was first implemented when it was always wished that the Feds would get out of it soon and the State wouldn't be in it and they really didn't want subsistence users to be too satisfied with it.

One of the problems that has grown is that there's a notion that the Board and the program can do absolutely nothing for tribes and Native villages, that they can't do for everybody -- every individual across the State. And when there's a rational, reasonable and -- well-documented reason to do something for tribes and villages that can apply statewide, it doesn't mean that you can't do it for tribes. You could and then, you know, every situation has its own merit. And so look at everything on its own merit I think would be my suggestion.

You certainly couldn't make the individual determination you did today on a traditional territory or maybe Glennallen would be a harder call than Chistochina, but when it comes to Chistochina, it seems like it would be a perfectly sensible solution.

CHAIRMAN LOHSE: Any other questions. Gloria.

MS. STICKWAN: I'll just wait.

CHAIRMAN LOHSE: Hmm?

MS. STICKWAN: I'll just wait.

CHAIRMAN LOHSE: You'll wait.

MR. STARKEY: Thank you, Mr. Chairman.

CHAIRMAN LOHSE: Thank you. Okay. Other Federal Agencies. Is this SRC or Federal Agency.

MS. CELLARIUS: It can be both. I mean I was going to.....

CHAIRMAN LOHSE: Well, you can switch from one to the next one.

MS. CELLARIUS: Yes. I was going to start with the Federal Agency because that's what you had called for. And I figured I might as well come up and talk because if not you're going to call me up here. So just in terms of the Park's perspective on the proposal, our first commitment is to resource conservation and we are involved in the management planning process to figure out how best to protect the herd.

We're also once we've assured that the -- we've dealt with sort of the conservation side of things, we feel that the Federal subsistence priority needs to be the second thing that is our priority. And we would like to hear from subsistence users about their thoughts about a possible harvest and this will become more clear when I explain what the SRC did on this.

If at some point a hunt is established, we would request that the local manager have some flexibility in terms of managing the hunt because with such a small number of animals, we think that would be important.

I've already talked to folks in Chistochina about helping them work on a C&T proposal if that's something that they would like to do. And I've also committed to Cheesh'na in some meetings that we've had that I'll make sure they get a copy of the draft management plan. I haven't really been personally involved in the process, but we can certainly figure out how, if there's other ways as well, to involve the affected tribes in the process.

I just -- I don't know -- because I haven't been so involved in the management planning, I don't know exactly what that would be.

And I think I'll just stop there and say that Judy and I are available to answer any questions that you might have for the Park.

CHAIRMAN LOHSE: Okay. And that didn't include your SRC.

MS. CELLARIUS: No. I was going to do the Federal comment first.

CHAIRMAN LOHSE: Okay. Any questions for her. Ricky.

MR. GEASE: Maybe a question for Judy in the -- are there any plans for genetic studies on this herd at all? There was some interesting discussions about being distinct.

MS. PUTERA: There actually was some work done. I should just back up and say the Yukon folks actually classify this herd as a mountain -- or woodland caribou and in Alaska, it's classified as a barren ground caribou herd.

Behaviorally, it has a lot of behavioral, you know, aspects of a woodland or mountain caribou herd in the way they calf and in just their larger stature. They're a larger animal.

The genetics show that it is a fairly distinct herd. I don't -- I wish I -- I could probably provide some of that research or some of that for you. I just don't have it in my head right now, but there has been some work done. So.....

CHAIRMAN LOHSE: Has there been genetic work done on both the Mentasta herd and the Chisana herd?

MS. PUTERA: Yes. I think so. I think this paper actually looked at a large number of herds across western Alaska and the Yukon.

CHAIRMAN LOHSE: Do you think that if we -- we're going to be dealing with this again in the future. We're going to be dealing with the Mentasta herd. From my standpoint, I would be very interested in the results of the genetic work whether there is a correlation between the Mentasta herd, the Chisana herd, how -- whether there's a relationship between the

Chisana herd and the Mountain -- or what I'd call Mountain but they'd call woodland caribou in B.C. as opposed to -- you know, I mean I don't know how distinct the genetic markers could be in there.

But it would be really interesting, at least from my standpoint, to see some of the results of this genetic studying and how distinct and how separate the readings come on it.

MS. PUTERA: I don't know if this is the right time to say it, but I guess I do want to say I think it's unfortunate the timing of all these things that are coming together right now with the Tok AC putting in this proposal without the -- you know, the management plan kind of not having been widely distributed yet to this point, but there actually has been quite a bit of work done on the Chisana Caribou Herd through radio telemetry and all these different kinds of studies. Unfortunately -- there was quite a bit of research and work done during the captive rearing program because there was this opportunity to do quite a bit of work.

Unfortunately all that information hasn't been synthesized like Wilson suggested and -- so I think there's a lot of information out there. It's not all available right now in a sort of a finalized form. There is a lot of sort of biological information in the management plan. I just wish the timing of all these events were a little different.

CHAIRMAN LOHSE: Well, depending on what happens here and depending on what happens -- like I said, I'm sure we're going to visit this again in the future. Maybe shortly in the future, maybe a little bit farther in the future and that goes like with Mentasta herd too. And I would think that information would be valuable enough that if it is ever compiled in a form that it could be understood, you know -- I mean we're not going to sit down and look at the helix and go from there.

But if it was in a form that could be understood, I think the information would be -- would have very good application, be very valid, and I'd like to see if we have to deal with this again in the future that -- as much of that information as is available, would be made available.

MS. PUTERA: Mr. Chair. I'd also like to mention that there is a -- there was quite a bit of genetic work done regarding the Mentasta and the Nelchina herd. And that information is actually being written up in a manuscript right now and just kind of landed in my email a few days ago, so I'm going to be reviewing that paper, but that'll be available fairly soon also.

Thank you.

CHAIRMAN LOHSE: If it's not too long, can I get a copy of it.

MS. PUTERA: Sure.

CHAIRMAN LOHSE: Thank you. Gloria.

MS. STICKWAN: I don't know if you're the person to ask, but would you guys consider including somebody from Chistochina in your work group?

MS. PUTERA: Yeah. I think there'd probably be an opportunity for that. We have sort of a final draft coming out that will be coming out pretty quick and then I can suggest to the working group that we have -- you know, convene a -- another in-person or face-to-face group to include more users. I think that would be appropriate.

CHAIRMAN LOHSE: Thank you. Any other questions.

(No comments)

CHAIRMAN LOHSE: Thank you.

MS. PUTERA: You're welcome.

CHAIRMAN LOHSE: Okay. Barbara -- oh, you had a question, Gloria?

MS. STICKWAN: Can I get a copy of that report too? What you're going to give to him?

CHAIRMAN LOHSE: Barbara.

MS. CELLARIUS: Thank you, Mr. Chair. And now I'll talk about the -- what the SRC did with this proposal.

And essentially the bottom line is that they didn't make any recommendation. After public testimony and extensive discussion, a motion to defer the proposal consistent with the OSM preliminary conclusion failed on a vote of three in favor, four opposed.

Some SRC members supported the proposal as written. Some supported a Federal-only hunt. Some supported the deferral and some opposed any authorization of a harvest. The latter felt it was premature to be talking about authorization of a harvest until more data were available and the herd was larger.

CHAIRMAN LOHSE: Thank you. Any questions for her for the SRC.

(No comments)

CHAIRMAN LOHSE: Thank you, Barbara. Do we have any Fish and Game Advisory Committee comments. Donald.

MR. MIKE: Mr. Chair. I was reviewing the Upper Tanana Fortymile Advisory Committee meeting notes and I didn't see any comments written for Proposal 104. Thank you, Mr. Chair. Unless I'm missing a page, but I believe I got the Minutes when the Fortymile -- Upper Tanana Fortymile Advisory Committee.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Summary of written public comments.

MR. MIKE: Mr. Chairman. We received numerous public comments and you have copies starting off with written WP10-104 dated March 8th.

There's six individuals writing in support of Proposal 104. Do you want me to be brief on the comments, Mr. Chairman? Or I can read them into the record. Up to the Council.

CHAIRMAN LOHSE: I don't think we need to read the whole comment into the record, but.....

MR. MIKE: Okay.

CHAIRMAN LOHSE: .....you could -- I mean the whole -- because we have -- in front of us, we have those pieces of paper.

MR. MIKE: Right. Okay.

CHAIRMAN LOHSE: You will put them on record with.....

MR. MIKE: Yeah. They already will be entered administratively into our record.

CHAIRMAN LOHSE: Can you summarize them for us.

MR. MIKE: Okay. Well, I'll just -- I'll state who the commenters were for -- we received comment from Danny (Indiscernible) out of Tok, Alaska. He's in support of Proposal 104. We received comment from Ms. Sue Enstminger, an individual, mailing address in Gulkana, Alaska. She's in support of Proposal 104.

A comment received from Vanessa and Brian Thompson of Tok. They also support Federal Proposal No. 104. We also received a public comment -- written public comment from Leif Wilson. Leif Wilson is from Tok and he is in support of Proposal No. 104. Comment received from Mike Kroft of Tok and he also is in support of Proposal 104.

A comment received from Greg Rhoades in support of Proposal 104 and the reason -- we had comments received from the AHTNA Subsistence Committee adamantly opposing Proposal 10-104 and we just recently got additional comments from the AHTNA Subcommittee. This is their reason the comments -- I don't know if it's a supplement or a newer comment, but this comment was presented by Mr. Sky Starkey.

Mr. Chairman. That concludes our presentation.

CHAIRMAN LOHSE: Thank you, Donald. Any question for Donald on the written comments.

(No comments)

CHAIRMAN LOHSE: Okay. Do we have any public testimony.

MR. MIKE: We don't have any.

CHAIRMAN LOHSE: No public testimony. So Regional Council deliberation, recommendation, and justification on WP10-104. Do I have a motion to put it on the table.

MR. CARPENTER: So moved.

CHAIRMAN LOHSE: To accept it I mean.

MR. BLOSSOM: Second.

CHAIRMAN LOHSE: It's been moved and seconded to accept WP10-104. Discussion. Comments. Doug.

MR. BLOSSOM: Yeah. I'm going to be in opposition to this. I'm surprised and you kind of brought it out that this is a drawing hunt and I don't even see the subsistence part even being included in this. They're just kind of left out in left field and being ignored and it looks to me like the rural population had more to do with this than anybody else. So I'm in opposition, and before you get too carried away on genetics, get on the Internet and look at the Newfoundland moose from start to finish and that's all I'll tell you. Just get on the Internet and look it up. Four moose made 160,000 more moose and they look pretty good and I saw the pictures. Anyway.

(Laughter)

CHAIRMAN LOHSE: I don't follow the four moose made 160,000 -- I mean basically you're saying that 160,000 moose have been descended from four moose?

MR. BLOSSOM: Mr. Chair. That's correct. That's what it says on the Internet and they attribute all this as they don't have any predators.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Mr. Chair. I guess I'd have a process question maybe for OSM. If the ideal, at least according to the proposal and also what we heard maybe from some of the other groups is that a hunt would be in 2011, the next wildlife cycle isn't going to be until 2012 unless we change the program,

but we don't know whether we are or not. So assuming that, if the Board opposes this, then it's off the table till at least the 2012 cycle or are there mechanisms for it to be perhaps brought back as a special action once the working group is completed and are there mechanisms for perhaps a special action for other people requesting C&T?

DR. WHEELER: Through the Chair. Member Caminer, the Board -- once a proposal is -- has been deferred but is still in the system, the Board can take it up at any time. Our practice has typically been we do wildlife proposal -- the Board does wildlife proposals at one time and fisheries proposals on the other time, but there's nothing saying that the Board can't take up a wildlife proposal during a fish -- at a, quote/unquote, fisheries meeting.

So if the Board were to defer this proposal until a management plan's done, the management plan gets done, the proposal could then go back before the -- it would have to go before the Regional Advisory Council and then, you know, kind of go through the process again, but it could technically or theoretically happen prior to the next wildlife cycle.

Alternatively if it gets voted down, then the proponents could submit it again at the next wildlife cycle and there'd be more information and it could be dealt with at that point in time. So it's either way. The proposal's alive until it's dead. I mean to be blunt.

CHAIRMAN LOHSE: Thank you, Polly. And I think the one thing that you brought out in my way of thinking is the fact that if we would oppose this proposal -- if we oppose this proposal or if we approve it, that's not the final decision on this proposal. I mean we could oppose it or approve it and the Board could defer it or we could approve it and the Board could vote it down or we could oppose it and the Board could vote it up.

So basically what we're doing at this point in time is giving our recommendation as to what we think should happen to this proposal, but anything can happen to it.

DR. WHEELER: That is absolutely correct, Mr. Chair. Anything at all.

CHAIRMAN LOHSE: Thank you. Judy.

MS. CAMINER: One more hypothetical if I could. Suppose the Board defers till the management plan and suppose the timing -- and I don't know when the Board of Game meetings are scheduled, but is a possibility that the management plan gets approved and the Board of Game takes action before the Federal Board took any action?

DR. WHEELER: Actually, Madam Chair, this wasn't mentioned yet, but the Board of Game took action at their meeting -- at its meeting last week and the Board of Game supported this. There was a parallel proposal submitted to the Board of Game by the same proponent and the Board supported that -- the Board of Game supported that proposal, but because the proposal -- because the proposed hunt would occur solely on Federal lands, even if the State had a hunt on the books, it couldn't happen.

This is one of the rare circumstances I suppose where that would have to really wait until Federal Subsistence Board action because it occurs on Federal public lands and there's a customary and traditional use finding. So the Board of Game already has -- they'll have a hunt on the books, but it can't occur and it may not be able to occur.

CHAIRMAN LOHSE: Polly, is that true -- this isn't hard Park, right? It's Park but not hard Park. It's Preserve.

DR. WHEELER: It's Preserve, but it's Federal public land, so it has to be.....

CHAIRMAN LOHSE: Does it have to be?

DR. WHEELER: That's what our legal advice told us. That's my understanding of it.

CHAIRMAN LOHSE: Because we had hunts on Federal public land prior -- as long as nobody requested a subsistence hunt on there, we had State hunts on Federal public land without any involvement of the Federal program.

DR. WHEELER: But I think that that would probably be in a -- I'm not familiar with the

specific situation offhand, Mr. Chair, but I would question if there's a customary and traditional use finding. See, that's the key is if there is a customary and traditional use finding and just to give you a little bit of background, the Board made a conscious decision in the late '90s to not make -- and that would be the Federal Subsistence Board -- to not make their Federal -- to now make their customary and traditional use findings by herd but rather by unit.

So there's a C&T finding for the Unit 12 and it's -- the hunt would occur on Federal public land. So my understanding and the advice that I've gotten from the solicitor's office has been that a hunt cannot occur -- a solely State hunt could not occur. There would have to be a Federal hunt as well.

MR. GEASE: (Indiscernible-away from microphone) proposal for joint State and Federal.....

CHAIRMAN LOHSE: Barbara. I just want to make this very clear on the record.

MS. CELLARIUS: Mr. Chair. If you look at the regulation book -- this is Page 61 of the Handy-Dandy and it -- for the area in question, which is that portion of the Nabesna River Drainage within Wrangell-St. Elias National Park and Preserve and all Federal public lands south of the winter trail running southeast from Pickerell Lake to the Canadian border, it says the taking of caribou is prohibited on Federal public lands until -- my understanding is that until the Federal Board removes that prohibition, the -- you -- it's closed to all taking of caribou.

CHAIRMAN LOHSE: Okay. Tom.

MR. CARPENTER: Yeah. I'll just make a couple comments. I'm kind of glad that we didn't defer this to the Eastern Interior now. Because I think that some valuable information was put on the record and I would definitely oppose this proposal at this time. I think it's way too premature. I think there's a management plan that is being drafted. I think that there -- even if this herd gets to a reasonable level, I do not think that the current C&T that's in place is going to be adequate enough.

I do agree that an 804 analysis is going to have to be done because there are never going

to be enough animals in this particular herd, at least the way the management -- the management plan and the way things are managed in the Park in regards to predation. The predation is going to always be the main nemesis of this caribou herd and I don't ever see the subsistence needs being able to be met because I don't think the herd's ever going to get back to any sort of large enough number where that's going to happen.

So for those reasons and for the reasons that we were given by the SRC and AHTNA, testimony by Wilson, I think there's a lot of work that needs to be done before a hunt like this can even be considered.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I oppose this proposal too because of those reasons and I would like say Chistochina involved in this working group, they're going to go -- they're still going to have this working group, so they should involve Chistochina and I think the herd needs to be built up. Just like one hunt could just destroy this herd. If there's a bad winter -- one bad winter and a hunt -- and who's to say whether First Nations are going to continue to stop volunteering to hunt. They could decide to hunt this herd and there's nothing that the working group could do about it and that could just further decimate this herd and also the SRC's concern was that it -- it's -- this herd intermingles with the Mentasta. They don't know how much they intermingle, but the Mentasta herd is really down right now and it would just further decimate that herd too.

So I oppose it.

MR. ENCELEWSKI: Mr. Chair.

CHAIRMAN LOHSE: Greg.

MR. ENCELEWSKI: Yeah. Mr. Chairman. I also oppose this for all the reasons mentioned and I -- I mean they're all good reasons. I'm not going to reiterate them, but I do think it's premature and I definitely feel that a tribal person should be put on the planning group when they do work out these issues. Thank you.

CHAIRMAN LOHSE: Ricky.

MR. GEASE: Based on conservation reasons, I would say that this proposal is premature. We should just oppose it and vote it down and then allow the management planning team time to just finalize the report and the disseminate that information to all parties and get feedback and I think then the second reincarnation of some proposal will be better thought out and on more solid ground based on numbers.

I do not think we should defer this.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called on WP10-104. All in favor signify by saying aye.

(No aye votes)

CHAIRMAN LOHSE: All oppose signify by saying nay.

IN UNISON: Aye.

CHAIRMAN LOHSE: Motion fails.

With that, we've finished our proposals. Now we have some other things on the agenda that we need to take care of. Does anybody know what time it is right now? 5:30. 5:45. It's been suggested that we just continue working to try to finish this stuff by 7:00 o'clock. If that's the consensus of the rest of the Council. We have a few things on the table that need to be taken care of. In fact we have quite a few things that need to be taken care of. I'm not sure we can do it, but let's try.

Okay. We have number 12 is call for fisheries proposals and basically that's just to inform us that the deadline for fisheries proposals from the Council or from any of our constituents is March 24th, 2010. Do we need any further information on that?

DR. WHEELER: No. That handout is going around.

CHAIRMAN LOHSE: Okay. Then we have a -- for number 13, review and approve the draft 2009

annual report and you've received that. That's sitting here in -- I think in your envelope right here.

MR. MIKE: Mr. Chairman.

CHAIRMAN LOHSE: Yes.

MR. MIKE: It's the blue copy.

CHAIRMAN LOHSE: The blue copy. Thank you, Donald. The blue copy. We have -- okay. Here we go. Got it. Right. Donald, we're going to have to ask you to get many more colored -- many more different colored pieces of paper so that you can identify them to us by blue, green, orange, red, and we'll know what we're looking for.

The blue copy, this is our annual report -- our draft annual report to the Chair of the Subsistence Board. And it's for your approval and it's your approval -- if it meets your approval, I'll sign it and we'll send it in. Do you see any additions, corrections, or changes you'd like made. I'll give you all 32 seconds -- no.

I'll give you as much time as you need.

Gloria.

MS. STICKWAN: This is our report to the Board?

CHAIRMAN LOHSE: That's our report to the Federal Subsistence Board.

MS. STICKWAN: Could we -- is that the appropriate time to do this?

CHAIRMAN LOHSE: Opposing the actions of the Board of.....

MS. STICKWAN: We don't want to.....

CHAIRMAN LOHSE: I don't think that's within our ability to do because.....

MS. STICKWAN: We have concerns then about -- I don't know if this appropriate time, but the Board of Fisheries actions next week will affect subsistence users upriver and I'd like to include that

in our report.

CHAIRMAN LOHSE: So put it in our report that -- well, we don't know -- the problem is we don't know what the actions of the Board of Fish is yet.

MS. STICKWAN: Well, we're concerned about their possible actions is what I'm trying to say. What could take place.....

CHAIRMAN LOHSE: Polly.

MS. STICKWAN: .....the subsistence users.

CHAIRMAN LOHSE: Can -- I mean that's -- we're jumping two different Boards there. Can we put something like that into our report to the Subsistence Board that we're concerned about the possible impact of a Board of Fish decision on the subsistence users of the Upper Copper River?

DR. WHEELER: Mr. Chair. Just as a reminder, this is the annual report for 2009 and it's 2010 now. So of course you can make comments to the Federal Board on whatever you want, but my advice would be stick to the 2009 -- the year 2009, provide the -- do the annual report for that year. Write -- Donald will write this down as a topic for 2010 annual report, but you can also as Chair of the Southcentral Regional Advisory Council, when the Federal Board meets in April and again in May, that would be an opportunity to present -- to talk about this was a concern that was raised by the Council and if the Council takes any further action on it, I mean all that was done at this point was a presentation by Fish and Game of what's going on.

But it would also afford you the opportunity to see what happens with the Board of Fish and then you can enter that into your 2010 annual report.

CHAIRMAN LOHSE: Okay. And is it out of our jurisdiction to, as a Council, make a -- well, like you said, I can present that at the Board meeting, but would it be out of our jurisdiction for us as a Council to just express our concerns in a letter that we have -- well, we have potential concerns, but at

this time we don't even know what's going to happen.

(Council nods affirmatively)

DR. WHEELER: Right. You don't know what's going to happen, but I think it's certainly within the scope of -- it's certainly within the Council's purview to write a letter to the Board of Fish. Again we have a Council correspondence policy. It needs to go through OSM, but yeah, if you have concerns -- but again you don't know what the Board of Fish is going to do, so you can sort of say you have concerns, but -- and articulate what some of those concerns may be, but absent action by the Board, it's a little awkward.

MS. CAMINER: Perhaps an alternative might be, I mean won't the Federal Board have a representative at the Board of Fisheries meeting through OSM, and, if there are any comments, we would like that person to make on these specific proposals? Would that be appropriate?

DR. WHEELER: Yeah. The Office of Subsistence Management, that's -- as a reminder, we have a position that's formal liaison to the Board of Fish and we have another position that's a formal liaison to the Board of Game and they sit through -- each of those individuals sits through the meetings. They provide comments from the Office of Subsistence Management and then if specific Regional Advisory Councils want to express concerns, they can identify that the Regional Advisory Council has identified this as an area of concern for them.

But again without you -- it's a little bit chicken and egg because you don't know what the action is going to be. You're concerned about whatever the action might be. So the best our representative can do is say that the Southcentral RAC expressed concerns about what the Board of Fish may do with Proposal 200 and 201.

CHAIRMAN LOHSE: Well, that's.....

DR. WHEELER: But we can do that.

CHAIRMAN LOHSE: That's a reasonable request to just ask -- and that we have concerns with the possible impact on upriver Federally-qualified

subsistence users, right?

(Council nods affirmatively)

CHAIRMAN LOHSE: I mean that's just expressing concerns. We're not saying anything -- you know, we're not telling them what to do or anything, but that we would like them to take into consideration the impacts on upriver Federally-qualify subsistence users. Does that sound reasonable? Does that sound reasonable to the rest of the Council? If I have a consensus on that, we'll express that to Polly and she can express it to our liaison.

DR. WHEELER: If you want, Mr. Chair, we can -- you're all familiar with the Board of Fish and the Board of Game process. We could write that up for your signature and it could be entered into as a record copy at the Board of Fish meeting next week.

CHAIRMAN LOHSE: If that can be done, we'll do it. If it's within the consensus of the rest of the Council. So we'll submit that as a written.

DR. WHEELER: Well, it's a one-liner. The Southcentral Region -- I mean we can say the Southcentral Regional Advisory Council met in Anchorage on March 10th and 11th and heard a little bit about Proposals 200 and 201 and the Council would like the Board of Fish to take into consideration the impacts on upriver subsistence users when deliberating on Proposals 200 and 201. Does that cover it?

CHAIRMAN LOHSE: Upriver Federally-qualified.

DR. WHEELER: Upriver IFQs.

MR. GEASE: Isn't there State and.....

CHAIRMAN LOHSE: There's both. There's both, but we as Federal -- we should be concerned about the Federally-qualified subsistence user. Tom.

MR. CARPENTER: Oh, I just had one other question in regards to this letter. I understand it's last year's letter, but due to the fact that this -- all these recommended changes that are going to the Secretary of the Interior and Agriculture for -- I would assume Federally -- probably changes to the

Federal subsistence system before our next actual letter would be sent out, would it -- at least one of my concerns is that this process of every two years, this call for proposals, I think it should go back to the way it was and I personally have made comments to -- on that Website, but I don't know if the rest of the Council feels that -- I mean look how many proposals we got now and in five years, there's going to be 50 and we're going to be like the Board of Fish and we're going to be here for ten days.

But if they're handled on an annual basis, we can kind of keep control. Is that something that could go in that letter?

CHAIRMAN LOHSE: You can add it as an amendment to this letter here because that's still a concern from last year.

DR. WHEELER: Well, that was my -- that was going to be my recommendation, Mr. Chair, is the -- keep in mind the big subsistence review announcement was made in 2009. The review process started in 2009.

CHAIRMAN LOHSE: Right.

DR. WHEELER: So it's completely appropriate to include whatever comments that you might want to have on the subsistence review and you're right, time is of the essence with that. So it probably would be a good idea to add that as a topic to the 2009 annual report and include whatever concerns you have going back to annual cycle, whatever else. I know that several of the other Regional Advisory Councils have done that -- have gone that route.

Mr. Chair.

CHAIRMAN LOHSE: So what we would be doing is we would be writing a paragraph in support of an annual cycle for Game and Fish.

MR. CARPENTER: The support would be to go back to an annual cycle instead of an every-two-year cycle because the process is going to become bogged down. It's going to be harder for -- you know, just like the proposal we dealt with last time, that if there was a Board cycle next year and a management plan was drafted, potentially something could done and now they're going to -- the subsistence user is going to

have to continue to wait and I don't think that's what this process was meant to do. Just something basic like that.

CHAIRMAN LOHSE: Does that meet -- do we have a consensus from the rest of the Council to include annual cycle -- supporting an annual cycle?

(Council nods affirmatively)

CHAIRMAN LOHSE: Mr. Henrichs. Do we have anybody who is opposed to including that in our letter?

MR. GEASE: I'll abstain just in deference to you guys who have been on here for a longer period of time than I have, whether it works or doesn't work, so.....

CHAIRMAN LOHSE: Okay. We will include -- Donald, can we include that in this letter. You can write up a paragraph and if everything else is okay, then I'll sign this letter and we'll sent it on to.....

MR. CARPENTER: Do we need a motion to approve it?

CHAIRMAN LOHSE: We need a motion to approve it as amended.

MR. CARPENTER: Mr. Chairman. I move that we approve the letter dated March 11, 2001, from the Southcentral RAC as.....

DR. WHEELER: That would be 2010 not 2001.

MR. CARPENTER: Or excuse me -- 2010 from the Southcentral RAC to the Federal Subsistence Board as amended.

CHAIRMAN LOHSE: Do I hear a second.

MR. ENCELEWSKI: Second.

CHAIRMAN LOHSE: Mr. Gease.

MR. GEASE: Can I just add one issue. I just think it's ironic -- it's supposed to be a

bottom-up process of review from the -- of the subsistence program in Alaska and the time frame of the review, although it did include the Regional Chairs of all the Advisory Councils, I find it ironic that a main component of the review is a Regional Advisory Council process and I appreciate your experience and everything there, but there are other viewpoints and issues that all of the members of the Regional Advisory Councils could have brought to the process and I would hope that the recommendations that come down are not final recommendations, but allow comment at least -- even the springtime, there's nothing out. At least into the fall where -- or we have another meeting specifically on that issue, teleconference or whatever, but I do think lacking the input of all the Regional Advisory Councils across the State is a weakness of the approach that has been done today.

CHAIRMAN LOHSE: I will agree with you, Ricky. I felt like it was a hurry-up thing and it was a hurry-up thing. They had a very short time limit. I can remember when I first was on this Council we one time had a meeting of all the Council members from the entire State. And that was a very powerful meeting. And something like that I think would have been very apropos for this review, but at the same time, would have been pretty hard to have set up and I think that's what they were dealing with and I agree with you because they specifically asked us at the meeting not for Council opinion but for our opinion -- our own personal opinion because they didn't want us to say that we were representing our Council.

And from that standpoint, it would have been nice if they'd had a broader cross-section and I agree with you on that one and I don't know if -- I hope that somebody's -- I hope a few people have included that in their comments that they've written on the process. you know.

MR. GEASE: I would recommend that that be included the 2009 letter because that probably was a feeling of most RAC members in 2009.

CHAIRMAN LOHSE: We didn't have it in 2009. That's the whole thing.

MR. GEASE: No, but what I'm -- I -- but what I'm saying is that it was done in a period of 2009 where we were still a RAC and we still could have

been called as a Council to address that issue and no effort was made to query the RACs as RACs in this review process and as an integral cog to it, it's a weakness of the review and I would -- I think it's very appropriate to put in the 2009 report that this process was undertaken in 2009 without the input from the RAC.

MS. STICKWAN: The SRCs didn't get to make comments on the review either.

CHAIRMAN LOHSE: Okay. Somebody make a motion to include it in a letter. Mr. Henrichs.

MR. HENRICHS: We have a Federal Subsistence Board that does not have a single subsistence user on board. All those people live in urban population centers. That is backwards.

CHAIRMAN LOHSE: Well.....

MR. CARPENTER: Mr. Chairman. I would accept that language, you know, the synopsis that Ricky has brought forth to be included in the motion that I brought forward if that's acceptable by the rest of the Council.

CHAIRMAN LOHSE: Okay.

MR. GEASE: I would second that.

CHAIRMAN LOHSE: Okay. So we have to include a paragraph on lack of full Council participation in the review process. Is that a pretty good synopsis? And we'll come up with a -- lack of full Council participation. How about Mr. Henrichs' comment.

MR. GEASE: Those comments that could have been elicited through that engagement process, that are dependent upon individuals making those comments, but not as a Council member sitting on a Council and getting the perspective of Council members as Council members not as individuals and I think that's where the weakness comes from because there's no place we can do this ad hoc after the fact, but it seems to be like they're wrapping it up already. So I think that's just recognized as a weakness because such comments are not addressed.

CHAIRMAN LOHSE: Okay.

MS. CAMINER: Mr. Chair.

CHAIRMAN LOHSE: Okay. So we have a motion on the floor. Judy.

MS. CAMINER: One more thing and I guess -- because this letter will be addressed to the Chair, it's a little bit slightly different than addressing it to the Secretary's office although the Chairman is representing the Secretary. So I think these are some valid points and -- but we may want to either address them differently or see if they're already on the list that the Secretary's office did collect by visiting and meeting with a variety of people around the State.

So I guess we should just -- it's fine to mention these things, but the answer may not really be coming from the Federal Chair because of how the review's being done.

CHAIRMAN LOHSE: Polly.

DR. WHEELER: Mr. Chair. And Council members. I think that you can put a paragraph in your annual report saying that you have some concerns about the annual review and you recognize that the Federal Subsistence Board and the Chair aren't -- you know, are going to be -- are subject to whatever comes out of the review, but a few key concerns that you have are the time frame within which the review was conducted and you really endorse the idea of going back to an annual cycle and you, third, feel that they could have had broader and wider input if all Regional Advisory Council members had been solicited for input.

And that probably covers it in terms of what the Federal Board can do, but it heightened some of these concerns and clearly these letters go the Federal Board. The Federal Board or their designee from the Department of Interior and Department of Agriculture, so they will go back to those people too, so they'll get the message.

CHAIRMAN LOHSE: Okay. So we have already supported the annual cycle. So we will support a paragraph -- we have a motion on the table to support a paragraph commenting on the lack of full Council participation in the review process.

Judy.

MS. CAMINER: One other sentence in support of Donald perhaps and, you know, in appreciation for all the work that he does in support of this Council might be important too.

CHAIRMAN LOHSE: And put that into our annual -- that's a good idea. So are you making an amendment that way?

MS. CAMINER: One more amendment.....

MR. CARPENTER: You write that up, Donald.

(Laughter)

MS. CAMINER: Somebody will write it. No.

CHAIRMAN LOHSE: Okay. We're making a motion at this -- we have a motion on the table. Would you like to include this as an amendment to the motion, Judy?

MS. CAMINER: I would, please.

CHAIRMAN LOHSE: Okay. And that is appreciation for the support and work of our coordinator. And we'll figure out how to write it up. Okay. We have one amendment already passed. We have two amendments on the table. Did the second concur to Judy's amendment?

MR. GEASE: Concur.

CHAIRMAN LOHSE: Concur. The second amendment is the lack of full Council participation in the review process. The third amendment is appreciation for support and work of our coordinator. Are there any other things we'd like to add to this annual report? Okay. Those two amendments are on the table. Question's in order if nobody has any.....

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called on the last two amendments. I think I just finished reading them. I don't think I have to read them again.

All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Thank you. Donald, we have three more paragraphs to add to our annual report then.

Okay. With that -- well, we have to approve the annual report as amended. Okay. Motion -- do we have a motion on the table to approve the annual report as amended?

MR. HENRICHS: It's already on.

MR. CARPENTER: It's already on the table. I'll call the question on the amended motion.

CHAIRMAN LOHSE: Okay. Okay. Call the question on the amended motion. All in favor of the annual report as amended.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. Okay. Agency organization reports.

MR. SHOWALTER: Would it be out of order if we take a short break?

CHAIRMAN LOHSE: I -- you've been sitting a long time.

(Council nods affirmatively)

MR. LOHSE: If that's the case, we are breaking for five minutes.

(Off record)

(On record)

CHAIRMAN LOHSE: Well, we've had a suggestion -- and this is what we're going to do. We are going to take care of all of the business that is necessary for the Council to take care of. Then we're going to take our reports and we'll see how far we get. We have to be out of here by 8:00 o'clock and we're shooting for 7:30.

So when it comes time to give your reports, I hope you're short and sweet. And if you're available to give us a written one, we'd love it.

Okay. With that we just finished our review and approve of the draft 2009 annual thing. We have some other business that has -- that we discussed at the early part of the thing and at this point in time, we're going to look at them and see how much we want to act on them. They were brought up at the start of our meeting. I put them down when we were going over the agenda and we got a census timeline and impact on rural development.

Do we have anybody that could give us any kind of information on that. Polly.

DR. WHEELER: I can give you the information that I have which won't take very long. Basically the data are going to be available probably by 2012, 2013. And the rural methodology -- the methodology that we used to examine this whole question could be revisited by the Federal Board prior to that. I mean in other words the approach that we're going to take could be revisited prior to getting the data, but that would require the Federal Subsistence Board to bring it up.

And just as a piece of information, again the subsistence review may into play here because there has been a lot of concerns along the lines of what you mentioned, Mr. Henrichs, about the composition of the Federal Board. So that may be changing in the next little while. The Secretary made it very clear that we will -- they're accepting applications for a new Board Chair, so we will more than likely at some point in the near future have a new Federal Subsistence Board Chair.

We also have a fair amount of turnover amongst the Board itself. Tom Lonnie who's the BLM person is leaving. The Forest Service person is --

Denny Bschor retired in early January. We're going to have a new Forest Service person. The Bureau of Indian Affairs person is still in flux, so we've had a lot of change in the last year with the Federal Subsistence Board.

So I'm only saying that because in order for the Board to make a request to revisit the methodology, they need to be far enough along in the process to get that that is what needs to be done. Now obviously when there's a new Federal Board Chair, we'll be working with that person. We can bring it up, but it'll take a while for everybody to get up to speed.

So my best guess, Mr. Chair, is that we will -- you know, there'll likely be a decision on the rural issues by about 2014 and that's taking into account questions potentially on the methodology and then getting the data to make the decision. Mr. Chair.

CHAIRMAN LOHSE: Okay. So we could look at probably by about 2014-2015, we'll have rural determination for the communities at that point in time.

DR. WHEELER: Yes, Mr. Chair.

CHAIRMAN LOHSE: Okay. The other thing that I wrote down when we were discussing other business was Council input in the review and I think we've addressed that in our letter, so we don't need to address that.

And Mr. Henrichs brought up some marine mammal subsistence. I don't -- I put abuses by the Marine Mammal Commission. It's not or -- I don't think they really were abuses. I think they were questions as how some of the things have been applied to subsistence users on marine mammals. Weren't they, Mr. Henrichs?

MR. HENRICHS: Yeah. It wasn't the Marine Mammal Commission. It was -- it seems like NOAA is changing the way they enforce a lot of this stuff. I mean I got people that have been skin sewers for years and all of a sudden, they came and told you can't make those sea otter blankets anymore. That won't pass the law and then they're raising hell with families who are second and third generation skin sewers and saying oh, your child isn't quarter Native so she can't do it.

And there's -- it goes on and on and on. It's -- that's all I got.

CHAIRMAN LOHSE: So, Mr. Henrichs, could I ask you to do something for us since this is also identifying Council topics for our next meeting. Could you kind of get us some documentation on some of that so that we could as a Council address a letter to -- find out who to address a letter to and address a letter for concerns on those marine mammal practices and their impact on subsistence users.

Ricky.

MR. GEASE: This same topic came up with the Alaska State Council on the Arts with who is eligible for the Silver Hand Program and what the Alaska State Council on the Arts and the Alaska Legislature changed to was that instead of filing a blood quantum level for handicrafts in the State of Alaska, it was enrolled members in tribes and lineal decedents of any enrolled member in a tribe. So that way it takes care of the issue that you were alluding to so that -- basically the issue came up because it was a slow cultural genocide of people -- decedents -- lineal decedents running into the blood quantum idea.

And if you do lineal decedents of tribal members, that issue goes away. So that issue has already been addressed and maybe we could just write a letter that says we would like to see the changes in the Marine Mammal Act reflect changes in the Silver Hand Programs of who is eligible to handle sea otter -- marine mammal parts.

CHAIRMAN LOHSE: That sure would be one good way to approach it. I know at the same time that you don't have any guarantee that the Marine Mammal Program which is handled by NOAA will be willing to follow the State decision on something of that order.

Polly.

DR. WHEELER: Yeah. Mr. Chair. Just as a matter of clarification. The Marine Mammal Protection Act allows for the Alaska Natives -- Coastal Alaska Natives to harvest marine mammals for subsistence and handicraft purposes. And then it's the implementing regs of the respective agency that talk about blood quantum. For the -- the Fish and Wildlife

Service is responsible for managing sea otter, walrus, and polar bear and then the Department of Commerce and NMFS is responsible for managing the other marine mammal species that people commonly harvest.

So the letter could go to the -- the Fish and Wildlife Service implementing regs say that a person has to be a quarter Alaska Native blood or adopted into a particular group. But there could be a -- they could change those regs to reflect the Silver Hand Program.

So all I'm saying is it may be a little bit easier -- I guess it matters -- depends on your perspective, but you wouldn't have to ask to amend the Marine Mammal Protective Act. It's the implementing regs and that's usually easier depending on the will of the agency.

CHAIRMAN LOHSE: Well, Polly, then wouldn't it be more applicable if like the Native association you deal with or like the Eyak Tribe would write to these -- the Marine Mammal Implementation thing and then if they need support from us as a Council to bring those kind of letters to us as a Council to see if we can -- under subsistence, whether we can support those ideas when the time comes.

Mr. Gease.

MR. GEASE: I would suggest that we encourage the Alaska State Council on the Arts to write a letter to U.S. Fish and Wildlife Service to amend their regulations to reflect changes in the Silver Hand Program.

CHAIRMAN LOHSE: Now, should we do that as a -- can we do that as a Council?

MR. CARPENTER: Is that a motion?

CHAIRMAN LOHSE: Is that a motion?

MR. GEASE: It's a motion, yes.

MR. HENRICHS: Second.

MR. CARPENTER: Second.

CHAIRMAN LOHSE: It's been moved and

seconded that we write a letter to the.....

MR. GEASE: Alaska State.....

CHAIRMAN LOHSE: .....Alaska State Council on the Arts and would you repeat it.

MR. GEASE: I would recommend that the Southcentral RAC write a letter to the Alaska State Council on the Arts urging them to write a letter to the U.S. Fish & Wildlife Service to amend their regulations to reflect changes adopted by the Alaska State Legislature regarding who is recognized as.....

CHAIRMAN LOHSE: Eligible for.....

MR. GEASE: .....eligible people to, you know, work with sea otter pelts.

CHAIRMAN LOHSE: Okay. Work with marine mammals under.....

MR. GEASE: Yeah.

CHAIRMAN LOHSE: .....the Silver Hand Program.

MR. GEASE: Yes.

CHAIRMAN LOHSE: Okay. Donald.

MR. MIKE: Yeah. Thank you, Mr. Chair. I just want to remind the Council about our correspondence policy. Any correspondence coming from this Council goes directly to the Federal Subsistence Board or other Federal Agencies and if that letter's going to the Alaska Council on the Arts, I think it has to go through the Federal Subsistence Board and then forwarded on to the Alaska Council of Arts.

So but we can do that as expediently as possible, so -- thank you, Mr. Chair.

CHAIRMAN LOHSE: If there's no problem, I don't -- okay. We have a motion on the table. Do we have a second. We had a second for it?

MR. HENRICHS: Oh, yeah.

CHAIRMAN LOHSE: Do we have any more

discussion needed.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. And the other thing is this will also hit the same departments that this letter -- the head of some of these departments will see this letter ahead of time too that way.

DR. WHEELER: And it would to the Fish and Wildlife Service and the National Marine Fishery Service since they have the responsibility -- NOAA has the responsibility for the other marine mammals.

CHAIRMAN LOHSE: That's right.

DR. WHEELER: Okay.

CHAIRMAN LOHSE: That's what I was thinking. I didn't know how to say it. Okay. Those took care of the four things that I had written down and I think you had another one, Judy, that you told me about that I didn't write down.

MS. CAMINER: Just one quick question for the Council. I would be -- I would volunteer to attend the Anchorage Advisory Committee for the Southcentral Advisory Committee and just report to them what we did specifically on the wolverine trapping because that's one that affects their area. So just summarize what our Council did at this meeting.

CHAIRMAN LOHSE: Do you attend this on a regular basis then, Judy?

MS. CAMINER: I haven't been, but I would if the Council wants me to.

CHAIRMAN LOHSE: Is that agreeable to

the rest of the Council.

(Council nods affirmatively)

CHAIRMAN LOHSE: I don't -- I think you could even do -- you can go with our blessing, but I don't think we have to appoint you to do it. You could just -- you can just do it as a -- you know, and that would fill them in. Mr. Henrichs.

MR. HENRICHS: (Indiscernible-away from microphone) Advisory Council.

(Laughter)

MS. CAMINER: No comment.

(Laughter)

CHAIRMAN LOHSE: Well.....

MR. HENRICHS: I got 15 minutes of my own, so.....

CHAIRMAN LOHSE: Okay. With that do we -- we're -- the other business that we have right here is identifying Council topics for the May 10th Board meeting. At this point in time, does anybody have any Council topics that they would specifically like to register for the May 10th Board meeting?

MR. GEASE: As we ran into the issue during this meeting of deferred proposals, there seem to be some still deferred proposals for C&T determinations on the Kenai Peninsula and that are over a decade old. And so if those -- it would be better for the Board to either take no action on them and clean them off the docket so everybody on the Peninsula knows that if you want a C&T status it's up to you to come do it because there's still deferred proposals and it creates confusion.

CHAIRMAN LOHSE: Okay. And I will take -- that's for me to take to the Board meeting or whoever goes to the Board meeting in May. I have a little difficulty with that one. I'm going to have to wait and see what our fishing schedule is, but it's totally possible that I won't be available and will have to find somebody else that's willing to go to the Board meeting for us. So -- because I think the Board

meeting is May 18th, 19th, and 20th or something like that and the Copper River Flats opens either the 15th or the 16th.

MR. CARPENTER: That depends on what the Board of Fish does next week.

CHAIRMAN LOHSE: Depending on what the Board of Fish does next week. And last year I'd have had plenty of time because they gave us 12 hours and then we waited another week for another 12 hours. So there was plenty of time.

(Laughter)

CHAIRMAN LOHSE: So anyhow. Okay. That takes -- is there any other proposal -- any other topics that people would like me to take to the Board meeting?

MS. CAMINER: Mr. Chair.

CHAIRMAN LOHSE: Judy

MS. CAMINER: One item I heard mentioned when I sat in on the RAC Chairs meeting was in fact the scheduling of the Federal Board meetings or -- so you can speak to me, but most particularly I heard that January is of course a difficult time for people in Interior to travel.

CHAIRMAN LOHSE: Okay. Scheduling of Board meetings. And, Donald, I hope you're taking those two down so that you can remind me or whoever else is doing it that this was part of our thing.

MR. GEASE: Mr. Chair.

CHAIRMAN LOHSE: Yes.

MR. GEASE: Recommendation. Are you going to be able to attend the April Board meeting? There's a special meeting for April to -- isn't there, to deal with fisheries proposals on the Yukon? So if you're not going to be able to meet the -- would there be time to just make your -- say that I'm not going to be able to make the May meeting but I wanted to make these comments at the April meeting?

CHAIRMAN LOHSE: That's a possibility.

Is that April meeting going to be open to all Council Chairs or just Chairs from the Yukon Kuskokwim area?

DR. WHEELER: The meeting will be open to all Chairs, Mr. Chair, because they may take up other items as they come up. I mean the agenda -- I mean the meeting was set specifically for the Yukon deferred proposals, but other stuff can come up.

But again you'll want to have a representative from this Council at the May meeting because that's when the Board will be taking action on these -- all of the wildlife proposals.

CHAIRMAN LOHSE: We'll have a representative at the May meeting. And I will probably be able -- I will be able to attend the April meeting. Okay. And the April is -- I didn't put that down.

DR. WHEELER: 13th and 14th.

CHAIRMAN LOHSE: Yeah. 13th and 14th, okay. Okay. Now, one of the things we need to look at -- are there any other topics under identifying topics for the Board meeting?

(No comments)

CHAIRMAN LOHSE: Hearing none, let's go to our next action item, future meeting dates and locations. We picked Cordova for fall of 2010. We also picked a meeting date that is in direct conflict with -- is it the Board of Game?

MR. GEASE: Board of Fisheries.

CHAIRMAN LOHSE: Board of Fisheries. We may want to look at that and see if we want to revise our meeting date for fall.

MR. CARPENTER: When's the Board of Fisheries meeting, Ricky?

MR. GEASE: The Board of Fisheries is meeting in Kenai October 13th and 14th.

CHAIRMAN LOHSE: Right when we're scheduled. Okay. If we -- Donald gave us a nice Handy-Dandy here and I stuck it up -- I got to go dig mine out now.

MR. MIKE: Mr. Chair. Just for Council information. It's a tentative Board meeting scheduled and it was provided to us by Sherry Wright, our Board Secretary for the Alaska Department of Fish and Game. But the Board of Fisheries meeting October 13th, 14th, 2010 work session ACRs organization and stocks of concern, the location of the meeting will be in Soldotna.

CHAIRMAN LOHSE: Okay.

MR. MIKE: And currently for the fall 2010, the Southcentral have scheduled for October 13 and 14 in Cordova.

MS. CAMINER: Mr. Chair.

MR. MIKE: And I want to remind the Council that I also coordinate Bristol Bay Regional Advisory Council and they are scheduled for their meeting September 22 and 23, so keep that in mind.

Mr. Chair.

CHAIRMAN LOHSE: Okay. Donald, it's right here. September 23 and 22. Okay. How many people would be thinking that they would be attending the Board of Fish meeting at that point in time? Ricky. Doug. Would it be to our advantage then to possibly move our meeting forward one week? Would there be any problem with that, Donald?

MR. MIKE: The week of October 1st -- 4th.

CHAIRMAN LOHSE: Yeah, the week of October 4th through October 8th, sometime in that time period? Barbara.

MR. SHOWALTER: Isn't that moving it back?

CHAIRMAN LOHSE: You're right.

MS. CELLARIUS: Mr. Chair.....

CHAIRMAN LOHSE: It's been a long.....

MS. CELLARIUS: There is overlap between this Council and the Wrangell-St. Elias

Subsistence Resource Commission and at this point, it looks like we're looking at the 6th and 7th of October for our next meeting. So just to add that to your.....

MR. CARPENTER: How about the 4th and 5th?

CHAIRMAN LOHSE: Could we move it to the 4th and 5th? Would you be able to -- would that -- Gloria.

MS. STICKWAN: Was this meeting going to be in Tok?

CHAIRMAN LOHSE: Your meeting is going to be in Tok. Our meeting's supposed to be in Cordova. That's an impossibility. And that's the other thing we need to also look at -- well, I guess we don't need to look at various schedules, but.....

MR. CARPENTER: Why does the window close again on the 15th?

CHAIRMAN LOHSE: Why does the window close on the 15th of October?

DR. WHEELER: Yeah. That's a -- in my opinion given the -- what you guys are doing with -- if you're hearing it from me. We can open the window and go to the following week, but my request would be that you don't go to the following week after that. If you just want to open the window a crack and go to the next week, we can accommodate you, but.....

MR. CARPENTER: How about the next Wednesday?

MS. CELLARIUS: Don't be pushing it there.

UNIDENTIFIED SPEAKER: That's.....

MS. CELLARIUS: Yeah. No. The next Wednesday and Thursday? Sure. Yeah. We can do that. Oh, that is AFN. Well, it's a process.....

CHAIRMAN LOHSE: Okay. What -- do we have a problem with the last week in September? Well, I'll tell you what.

MR. ENCELEWSKI: 8th, 9th and 10th.

CHAIRMAN LOHSE: 8th, 9th, and 10th.

MR. ENCELEWSKI: It's a weekend but -- or it's.....

CHAIRMAN LOHSE: I think the weekends are out because I think that's overtime for Federal Staff on the weekends.

DR. WHEELER: We can do weekends, Mr. Chair, if that's what you need to do. Don't worry about.....

MR. MIKE: We're only going to do two days.

CHAIRMAN LOHSE: Two days? Yes.

MR. MIKE: Our fall meetings, I don't think we have any fisheries or wildlife proposals we're going to be addressing, so that may be done in a day or day and a half.

CHAIRMAN LOHSE: So we don't have any proposals to address. We'll.....

DR. WHEELER: We'll have fisheries proposals the next meeting. Yeah. We just had a weird lag there, but -- right. He's still embarrassed from you guys complimenting him earlier. So -- but no, there'll be fisheries analyses in front of you. How many, I don't know, but there'll be analyses in front of you.

CHAIRMAN LOHSE: Well, I'm going to -- you figure it'll be a two-day meeting? How about -- no, we don't want to do that. Well, I'm going to be honest with everybody. I have a 50-year class reunion on the 9th and 10th in Nebraska and I don't intend to be here. 4th and 5th is fine, but then Barbara and them would have.....

MR. KOMPKOFF: How about the 7th and 8th?

CHAIRMAN LOHSE: That interferes with our Southcentral -- with our SRC. Our SRC is the 6th and 7th. Polly.

DR. WHEELER: Is there any way that the SRC -- that the date of the SRC can be moved around? I mean it's just a little. When you have it on a Wednesday and Thursday, it sort of takes up the whole week, so if you could move the SRC to maybe a Thursday and Friday or a Monday and Tuesday or -- then we could juggle the other meeting in because it doesn't look like you can go much earlier and later isn't an option either.

MR. GEASE: Or if the SRC can't move, we could do the 4th and the 5th and we could just schedule any comments that Barbara would need to do on the 4th and take up any of those issues in the agenda on the 4th.

CHAIRMAN LOHSE: That's a real good idea.

MS. CELLARIUS: I could also ask the SRC members about their availability on the 8th. I know that earlier in the week, we talked about it wouldn't work, but I could certainly ask that question and see what we could do to fit both meetings in that week.

CHAIRMAN LOHSE: And would his suggestion work? If we had ours on the 4th and 5th and we would just schedule anything that had to do with you on the 4th and then you'd have the 5th for traveling to Tok.

MS. CELLARIUS: That would be helpful as well.

CHAIRMAN LOHSE: Does that meet everybody's.....

(Council nods affirmatively)

CHAIRMAN LOHSE: 4th and 5th. Sound good? Okay.

MR. MIKE: That'd be in Cordova?

CHAIRMAN LOHSE: Cordova if possible.

(Council nods affirmatively)

MS. STICKWAN: So we'd have our meeting

after you, the SRC?

CHAIRMAN LOHSE: What?

MR. CARPENTER: After.

CHAIRMAN LOHSE: Oh, that's right. We have another member of our SRC here that has to -- that's a lot of traveling for Gloria in one week. I don't care about Barbara, but it's a lot of travel -- oh, boy. Maybe we should skip this fall's meeting.

MR. HENRICHS: The 28th and 29th, 8:00 o'clock in the morning.

CHAIRMAN LOHSE: 28th and 29th? How does that sound to everybody? Are you -- of September. Or we could even go to the 30th and 1st. That way there'd only be one day of hunting season. Doug. Okay. Let's take a vote. Somebody make a motion and let's take a vote and be done with it.

MR. CARPENTER: I move the 28th and 29th of September, Cordova.

CHAIRMAN LOHSE: Do I hear a second.

MR. HENRICHS: Second.

CHAIRMAN LOHSE: Okay. It's been moved and seconded. 28th and 29th of Cordova. No discussion needed.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: Question's been called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Okay. That takes care of that. Now, we need to make a fall meeting schedule. Winter.

MR. MIKE: Mr. Chair. Just for the

Council's information, I'll give you quick meeting dates for rest of the Regional Advisory Councils. February 18th, the Northwest area's. February 23, 24, Yukon Kuskokwim. March 8th and 9th, Western Interior. March 9th and 10th, Bristol Bay.

CHAIRMAN LOHSE: 9th and 10th is Bristol Bay. That's when you have -- right?

MR. MIKE: Correct.

CHAIRMAN LOHSE: Okay. That's -- Donald's got that. Okay. Today is.....

MR. MIKE: Seward Peninsula meeting March 16th and 17th.

CHAIRMAN LOHSE: Yeah. How about the first week in March.

MR. GEASE: The Upper Cook Inlet Board of Fisheries meeting is meeting February 20th through March 5th and I'm sure.....

CHAIRMAN LOHSE: Okay.

MR. GEASE: .....Mr. Blossom and I will be at that meeting.

CHAIRMAN LOHSE: Donald's got one on the 9th. And he's got one on the 16th and the 17th, right, Donald.

MR. MIKE: No. No. Just Bristol Bay March 9th and 10th.

CHAIRMAN LOHSE: Oh, just Bristol Bay is yours. So the 16th and 17th is open. The 14th and 15th is open. The 15th, 16th, 17th, 18th, we could do it any time that week then.

MR. CARPENTER: Actually the 16th and 17th would be perfect if we had it in Anchorage because the Board of Game meeting starts on March 18th and you could just -- people that had to attend that could be here already and could go right to.....

REPORTER: Tom. Tom.

MR. CARPENTER: Excuse me, oh,

yeah.....

REPORTER: And make a motion.

MR. CARPENTER: I'm going to. I move March 16th and 17th. That would help align travel for people that were going to attend the Southcentral Board of Game meetings on the 18th.

MR. KOMPKOFF: Second.

CHAIRMAN LOHSE: It's been moved and seconded, March 16th and 17th. Anchorage.

MR. GEASE: Call the question.

CHAIRMAN LOHSE: Question's called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. With that I think we've pretty taken care of the other business that we need to take care of. What time is it? 6:40. My gosh, we've got 40 minutes to handle our reports. Let's get busy. Okay. First Agency is Bureau of Land Management, Anchorage Office, Glennallen Field Office.

MR. SHARP: I can be very brief, Mr. Chair. My name's Dan Sharp with Bureau of Land Management. I'll update you on the status of land conveyances and some of the implications. As was evidence by Proposals 27 and 28, folks are starting to pay attention as to the potential change in land management.

Right now selection by the State, Native corporations, and tribal entities is considered about 95 percent complete statewide. Once these final conveyances are completed, what lands that remain that have been overselected and top filed will revert back to Federal management.

The concerns expressed in Proposals 27

and 28 that they might affect the dynamics of the hunt, I think not knowing the timing of when these final conveyances will take place I think the strategy will likely be should they affect hunts, agencies or stakeholders could submit special action requests should in fact that come to pass.

Also of note is the 2011 budget submitted by the current administration calls for about 40 percent cut in BLM's budget with respect to conveyances. That's about a $13 million cut. Should that come to pass, there will likely be some changes I guess. Again with most of the major conveyances being taken care of where that might have the greatest impact is on Native allotments and some of the smaller issues that remain unresolved. That could add delays to when those conveyances may take place.

That's about the summary.

Mr. Chair.

CHAIRMAN LOHSE: Thank you. Any questions.

(No comments)

CHAIRMAN LOHSE: Thank you. Glennallen Field Office.

MR. CEBRIAN: Mr. Chair. Merben Cebrian here, BLM Glennallen. I'd just like to emphasize that -- or add anyway that with the conveyance of lands here upcoming, the BLM Glennallen being the responsible agency for Unit 13 moose and caribou hunts or Federal subsistence hunts, we will have a plan in place if the conveyance does happen within the season or the other possibility is that the conveyance will occur outside of hunting season.

We do not intend to open lands to Federal hunting piecemeal, you know, small parcels that are open as they are conveying. The intention I think is for us to coherently open the lands as they occur.

Okay. I handed you a sheet I think yesterday and we've already talked about the moose hunt, the caribou hunt I will not belabor the Council with that. I also talked about the State hunts yesterday. On Page 3 of my little handout is a line

about the Federal subsistence hunt application form changes. The BLM Glennallen in cooperation with the Office of Subsistence Management have suggested a change to the signature line of the hunt application -- the permit application because of some law enforcement concerns.

The old signature line states there's a signature required. I understand that failed to comply with permit reporting requirements, may result in a violation and/or making ineligible for future subsistence permits.

The new signature line will read I certify that I am a rural resident as defined by 50 CFR 100.4 and 36 CFR 242.4. I have read and understand the conditions of the permit and agree to comply with them and applicable regulations as found in 50 CFR 100 and 36 CFR 242.

My colleague, Dan Sharp, has already updated you on the land status issue, and so I will not belabor the Council with that. And up here on the wall is a map for the Delta River Recreation Management Plan. This one here, the only reason why the subsistence issue comes up is because the plan calls for identifying users on the Delta River and recreation wanted to separate recreational users and subsistence users.

Within the Tangle Lake Zone 1 and within Zone 4, there is a -- in the plan an accommodation for authorizations for motorized boat. In the plan there is prohibition for motorized boats within the Tangle Lake in a certain time frame, June and July.

However, for subsistence users, because we do have a spring waterfowl hunt and this issue we brought forward to the waterfowl -- Migratory Waterfowl Board also. There are subsistence users that may come out and use the Tangle Lake and used motorized boat to harvest spring waterfowl. So in that instance, they are not prevented from going out, but will have to come in to the BLM office and ask for an authorization and they can still go out and hunt.

Okay. Let's see. And then travel on trails which are -- trails are signified as yellow in the -- in this map and particularly within the corridor

which is the colored ones, ORV travel is restricted to trail only. And that's been decided in the East Alaska Management Plan.

With respect to the top of the world trail which is in Zone 5 -- boy, it's hard to see here. There will be in some plan -- in some alternatives an allowance for an authorization for ORVs greater than 2,000 pounds for subsistence users.

And then there's also potential impact along the river corridor for campsites because according to this recreational plan, there will be designated campsites. However, there are allowances for subsistence users to go off these designated campsites as long as they practice to leave no trails -- leave no trace -- they don't leave trash around and such things. So there are allowances for these things.

The draft of this recreational plan will be out for public comment in a week. So I hope the Council will take some time to look at the plan and make their comments then. That's all I have.

CHAIRMAN LOHSE: Will that plan be sent to individual members of the Council so that they can make individual comments because we won't be able to meet as a Council.

MR. CEBRIAN: We can make that so.

CHAIRMAN LOHSE: I think that you have their addresses of all the individual members. Ricky.

MR. GEASE: I'd just like to make a point. When the land selection does become final, if that new maps and accurate maps are made to subsistence users so that it's clear where hunting is allowed and not -- where the subsistence areas are and.....

MR. CEBRIAN: Yes, sir. And we do not intend to create these maps if the -- if the conveyed lands are incremental, for example, if an acre here, an acre there, it's just not practical. So what we intend to do is that if a large tract of lands were -- reverted back to Federal ownership, then yes. I understand that it has to be surveyed on the ground as well, so we could have general points on the map and then give those out. But if it's just an acre here,

acre there, I don't think it's practical to do so.

CHAIRMAN LOHSE: Any other questions.

(No comments)

CHAIRMAN LOHSE: Thank you. Okay. Office of Subsistence Management. Have we got nothing from them. Native Village of Eyak.

MR. HENRICHS: Keith van den Broek, our biologist, got elected to the Cordova City Council and his first meeting is tonight so he went home. But we're -- I think we've completed our harvest for the research projects this summer and that's about all I know right now.

CHAIRMAN LOHSE: Okay. And that would have been part of his report, right?

MR. HENRICHS: Oh, yeah.

CHAIRMAN LOHSE: Okay. Okay. U.S. Fish and Wildlife Service. Donald.

MR. MIKE: Mr. Chair, just for your information, I put out a packet for the Council and there's a report from the Native Village of Eyak on the 2009 summary dated for the Copper River and it's Keith -- Keith was going to be presenting, but that's just for your information.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Thank you for reminding me. I saw that before and forgot about it. Okay. With that we go to U.S. Fish and Wildlife Service. Do we have a report?

(No comments)

CHAIRMAN LOHSE: No. U.S. Forest Service. I know we have a report from them.

MR. BURCHAM: It can be shorter.

MR. ZEMKE: Yeah. Actually there's two of us here because if I get too long-winded, Milo's going to elbow me in the ribs and I'll shut up.

CHAIRMAN LOHSE: And vice versa I hope.

(Laughter)

MR. ZEMKE: Okay. Last year at the October meeting, I handed out a schedule of proposed actions and normally do that. There's been no substantive changes, so the one that was handed out to the Council and into the record still applies.

And then only other thing I'm going to do is going to give you a little bit more update on 2009 Unit 7 which is our registered moose 07-1 hunt. There was 26 permits issued this year and again as in 2008, there was no recorded harvest from the community of Cooper Landing in Units 7, 15A, and 15B in the early season or in 15B in the later season.

There were 14 permit holders actually reported hunting. 9 reported not hunting and there were 3 permits that were not returned. In the previous year, there was actually 33 permits issued and 8 permits weren't turned in and one of the things we did is try to emphasize -- make sure that we got better reporting. And we did. We went from 24 percent unresponsive to -- down to 12 percent. So hopefully next year everybody will turn those in and -- but with that, I remember at the October meeting Mr. Blossom I think indicated that there was harvest in Units 15A and 15B and that's actually registered moose hunt 315 which is for the communities of Ninilchik, Nanwalek, Port Graham, and Seldovia and I was talking with Refuge folks who manage that hunt. There was actually 64 permits issued for that hunt this year and there 6 harvested animals in that hunt as opposed to 64 permits issued last year and it's in 2008 which is pretty amazing that the -- must be the same number of people, but there were 8 harvested animals in that previous year 2008.

But that's all I have for my report and then Milo will be here to talk about Prince William Sound.

(Laughter)

MR. BURCHAM: I don't think I could be shorter than that. Milo Burcham, Chugach National Forest on Cordova. I'm the subsistence wildlife biologist and I will make this as fast as I can.

First of all, I'll mention Tim Joyce who used to be the fisheries subsistence biologist has now taken another job. He's the district wildlife biologist and so his position is empty and I'm filling in behind him.

Because of that, I'll report a little bit of fisheries permit information. We have subsistence fisheries permits, salmon permits for the Copper River Delta. The use of them is starting to catch on just a little bit. This year there were 39 permits issued and 231 salmon were harvested, 185 coho, 36 sockeye. And that's basically -- the sockeye are being taken with dipnets, but the coho are being taken with rod and reel as basically, you know, people taking advantage of a larger bag limit than they could take under sport regulations. That's how people are starting to take advantage of this regulation.

The moose hunt went well, but whereas I'd normally report nothing but good things about the moose population in Unit 6C where we have the Federal hunt, we do have a few problems right now. Overharvest of bulls is the main one. There were 39 subsistence bull permits this year, 10 cow permits. 32 bulls were taken for an 80 percent success ratio and 10 cows were taken for a hundred percent success ratio.

That might sound like a decent success ratio anywhere in the State, but when we're used to close to a hundred percent and people at then end of the season exerted great effort to get the final few bulls and just weren't able to come up with them. We might have a bull-cow ration now around 15 bulls per hundred cows, maybe even a tad lower than that, which is lower than the State likes to manage any of their herds for. So the bull segment of the population will probably be in a rebuilding phase for a few years.

The cow segment and the population overall doesn't seem too bad. Maybe with snow this week, a complete survey will be made. We've paid -- given Fish and Game money to do that. When he was doing his composition count, just flying to see enough moose to get an idea of how many bulls and cows were out there, not a complete survey, he saw 288 moose. So, you know, roughly 300 moose by just -- you know, just visually. Our population objective is 400. So if he saw 300 relatively easily, we think that, well, you know, the overall size of the herd is probably okay,

but we might be able to confirm that this week.

I won't go into any more details about the populations. I'll just maybe make a request for Bob and Ralph and Tom who live in Cordova, the drawing date that the State uses for its moose permits has changed and it now occurs November through December and that -- leaves it up to me. It's not something that has to happen in regulation. It's something I think we can decide to do any time.

But I guess I'm a little uncertain about exactly how to do it. Our drawing has always taken place with permits available May 1st and -- yeah, May 1st and then due June 1st and we do the drawing after the State drawing occurs, which is usually a week or two into July.

Now the State drawing is going to take place much sooner. I understand that the State results this year might be available in ten days or so. I'm not going to do anything different this year, but next year -- and I want to announce this on this year's permit. I would like to decide and announce when the Federal subsistence drawing will take place and I've heard quite a bit of comment that that drawing taking place in the winter is a good idea. It would get at more Cordova residents that live there year-round and maybe get out of -- I don't want to exclude legal users, but anyway it might get away from some of our shades of gray for people who spend more time out of town and favor those that spend the winter in town.

So it's a completely subjective thing, but I wouldn't mind sitting down with the three of you in the next couple of weeks. Is that something you guys would have time for?

MR. BLOSSOM: Sure.

CHAIRMAN LOHSE: I don't think you need to sit down with us. You probably just need to call on the phone or just ask us.

MR. BURCHAM: Yeah. It's a little bit of process as far as when the application period should be open. You know, there's Christmas in there that's a little bit of an obstacle even for people who spend most of their time there. I just want to make sure that -- I don't want to be just completely arbitrary

about it.

MR. HENRICHS: How to spell our names.

MR. BURCHAM: Yeah. You can't complain.

(Laughter)

MR. BURCHAM: That's it.

CHAIRMAN LOHSE: Okay. Any questions for either of the Forest Service people. Oops, I see one more Forest Service person.

MR. CASIPIT: Cal Casipit, subsistence staff biologist in the Regional Office in Juneau. I just want to make a quick announcement. Polly mentioned it earlier, but as folks know, Denny Bschor, our Regional Forester, retired early January. He has been replaced. We do have a permanent Regional Forester now. Her name is Beth Pendleton and I talked with her just before I came to this meeting and she wants to fully engage in the Federal Subsistence Board process just like Danny was. So I think that's good that we have the top person on the Board.

So, anyway, that's all I had.

CHAIRMAN LOHSE: Can we ask a question without seeming like we're out of line.

MR. CASIPIT: I was to make it.....deputy in California

CHAIRMAN LOHSE: Where's she coming from? Where was her last station?

MR. CASIPIT: Actually Beth has quite a bit of experience. She was the Deputy Regional Forester in -- recently Deputy Regional Forest in the California Region, but actually before that, she was Director of Recreation Wilderness and Heritage Resources in Juneau. So she does have a lot of Alaska experience.

CHAIRMAN LOHSE: She has Alaska experience. Okay. Thank you. Okay. The next one we have is Wrangell-St. Elias National Park. Do they have anything more to say?

MS. CELLARIUS: Thank you, Mr. Chair. First I want to say that we passed out a written report from Denali. So you should have that and Judy passed out a written wildlife report and if you've got any questions, we'd certainly be happy to answer any questions.

I wanted to thank you for taking the time earlier today to talk about the ORVEIS and then I just wanted to let you know that I've now accumulated funding to do harvest assessments in four Copper Basin communities. There's one survey underway in one community and we'll be doing more in the fall and winter and so we'll be reporting back to you on that at some point in the future.

CHAIRMAN LOHSE: Thank you. Any questions for Barbara. Okay. Do we have -- and the Denali report we have in our book. Okay. With that, it looks to me like we've completed everything except a motion to adjourn. Oops. I missed you a long time ago already. Nothing to report?

(Laughter)

MR. PAPPAS: No, sir.

(Laughter)

CHAIRMAN LOHSE: Okay. Thank you. Donald.

MR. KOMPKOFF: Before you adjourn, I have one topic you have -- for the next meeting. It's something that came up that I didn't know about. We used Unit 14C between the two tunnels for hunting moose and that were -- I -- when I made the proposal, I had used that tunnel for Unit 7. I thought it was in Unit 7, but we hunted Kings Bay. So I just want to.....

CHAIRMAN LOHSE: have you got a proposal in on that?

MR. KOMPKOFF: We're going to -- yeah. The Council is writing one up.

CHAIRMAN LOHSE: Okay. So it'll be on our agenda not for us to -- okay?

MR. KOMPKOFF: Okay.

CHAIRMAN LOHSE: Okay. With that, Polly, did you have something you wished to say to us?

MR. KOMPKOFF: I move to adjourn.

CHAIRMAN LOHSE: Motion carries. I thank you all for your patience. I thank you for your patience with.....

(Off record)

(END OF PROCEEDINGS)

C E R T I F I C A T E

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