

1 SOUTHCENTRAL FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6
7 VOLUME I

8
9 Anchorage, Alaska
10 March 16, 2011
11 9:00 a.m.

12
13
14 COUNCIL MEMBERS PRESENT:

15
16 Ralph Lohse, Chairman
17 Lee Adler
18 Doug Blossom
19 Judy Caminer
20 Tom Carpenter
21 Greg Encelewski
22 Robert Henrichs
23 Chuck Lamb
24 Gloria Stickwan

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28 Regional Council Coordinator, K.J. Mushovic

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P R O C E E D I N G S

(Anchorage, Alaska - 3/16/2011)

(On record)

CHAIRMAN LOHSE: Okay. I'd like to call this meeting of the Southcentral Alaska Subsistence Regional Advisory Council for our March, 2011 meeting to order. At this point we'll have a roll call and establish a quorum. K.J., can you do that?

MS. MUSHOVIC: Robert Henrichs.

MR. HENRICHS: Present.

MS. MUSHOVIC: Doug Blossom.

MR. BLOSSOM: Present.

MS. MUSHOVIC: Greg Encelewski.

MR. ENCELEWSKI: I'm here.

MS. MUSHOVIC: Mary Ann Mills.

(No response)

MS. MUSHOVIC: Lee Adler.

MR. ADLER: Here.

MS. MUSHOVIC: Tricia Waggoner.

(No response)

MS. MUSHOVIC: John Lamb.

MR. LAMB: Here.

MS. MUSHOVIC: Gloria Stickwan.

MS. STICKWAN: Here.

MS. MUSHOVIC: Donald Kompkoff.

(No response)

MS. MUSHOVIC: Judith Caminer.

1 MS. CAMINER: Here.
2
3 MS. MUSHOVIC: Ralph Lohse.
4
5 CHAIRMAN LOHSE: Here.
6
7 MS. MUSHOVIC: Tom Carpenter.
8
9 MR. CARPENTER: Here.
10
11 MS. MUSHOVIC: Fred Elvsaas.
12
13 (No comment)
14
15 MS. MUSHOVIC: Would it be appropriate at
16 this time to.....
17
18 CHAIRMAN LOHSE: Give you the -- tell the
19 reasons that they're not here?
20
21 MS. MUSHOVIC: Yes.
22
23 CHAIRMAN LOHSE: Yes, it would.
24
25 MS. MUSHOVIC: Thank you, Mr. Chair. Ms.
26 Mills is our -- is one of our new appointees and she had
27 a previous commitment so she has an excused absence, she
28 had that commitment prior to her appointment. Ms.
29 Waggoner and Mr. Kompkoff and -- oh, Ms. Waggoner and Mr.
30 Kompkoff are excused for medical reasons. And Mr.
31 Elvsaas has submitted his resignation from this Council.
32
33 CHAIRMAN LOHSE: Thank you, K.J.. Do we
34 -- do we have anything to do with getting a replacement
35 for Mr. Elvsaas?
36
37 MS. MUSHOVIC: It's my understanding that
38 that will take place during the current cycle of
39 application review and appointments. So you'll be
40 without a position until that takes places.
41
42 CHAIRMAN LOHSE: Thank you.
43
44 MS. MUSHOVIC: Thank you. Mr. Chair.
45
46 CHAIRMAN LOHSE: Thank you, K.J.. With
47 that I'd like to welcome everybody that's here, a lot of
48 familiar faces sitting out there, some that we haven't
49 seen before. We have some new faces around the table
50 here. I'd like to welcome Mr. Adler and that's the only

1 new one that I see here right at the moment.

2

3 With that I'm going to say something that
4 I learned from Bert Adams, I was reading the Southeastern
5 meeting thing here and he said, you know, if as a Council
6 we respect the resource and we respect each other we'll
7 have a good meeting. And I think that that's something
8 each one of us needs to think about as we go into that.

9

10 With this we're going to go on to the
11 next item on our agenda which is to elect the officers
12 for the next year. We have a yearly change or yearly
13 election of officers and an officer's term lasts for one
14 year. So with that I guess the first position to elect
15 is the Chair so I will step down and turn this over to
16 the Vice-Chair which is Tom.

17

18 MR. CARPENTER: Thank you. Mr. Chairman.
19 We will open up nominations for the position of Chair for
20 the term of one year to the RAC. Is there, Greg or Doug,
21 excuse me.

22

23 MR. BLOSSOM: I nominate Ralph Lohse.

24

25 MR. CARPENTER: It's been moved, Ralph
26 Lohse. Is there a second.

27

28 MR. ENCELEWSKI: I second it.

29

30 MR. CARPENTER: It's been seconded. Any
31 further nominations.

32

33 (No comments)

34

35 MR. CARPENTER: Any discussion. Doug.

36

37 MR. BLOSSOM: Move for unanimous consent.

38

39 MR. CARPENTER: Without objection is --
40 there's been a move for unanimous consent.

41

42 (No comments)

43

44 MR. CARPENTER: Seeing none, Mr. Lohse,
45 you're once again Chairman of the Southcentral RAC.

46

47 (Laughter)

48

49 CHAIRMAN LOHSE: Well, thank you for your
50 vote of confidence or the fact that none of you want to

1 get stuck with the job, I'm not sure which of the two it
2 is. But I do appreciate it. This has been -- I've been
3 on this Council since the start of this program. This
4 has been a very interesting and educational experience
5 for me. I've enjoyed it, I've really enjoyed the people
6 that I've got to meet and the people I've got to work
7 with and I guess I really appreciate the fact that you'd
8 elect me again for one more year.

9

10 And with that I'll take over.

11

12 Thank you, Tom.

13

14 And nominations are now open for a Vice-
15 Chair. Doug.

16

17 MR. BLOSSOM: I nominate Tom Carpenter.

18

19 CHAIRMAN LOHSE: Tom Carpenter. Is there
20 a second.

21

22 MR. ENCELEWSKI: I'll second it.

23

24 CHAIRMAN LOHSE: Greg. It's been moved
25 and seconded for Tom Carpenter. Any other nominations.

26

27 (No comments)

28

29 CHAIRMAN LOHSE: Doug.

30

31 MR. BLOSSOM: Move for unanimous consent.

32

33 CHAIRMAN LOHSE: It's been moved for
34 unanimous consent. Any objections?

35

36 Tom.

37

38 MR. CARPENTER: I -- no, I have none.

39

40 CHAIRMAN LOHSE: Okay. If there are no
41 objections then unanimous consent is considered. Do I
42 have any objections?

43

44 (No comments)

45

46 CHAIRMAN LOHSE: Tom, you are the new
47 Vice-Chair. And now Secretary. Gloria.

48

49 MS. STICKWAN: I nominate Judy Caminer.

50

1 CHAIRMAN LOHSE: It's a nomination for
2 Judy Caminer.
3
4 Tom.
5
6 MR. CARPENTER: Second.
7
8 CHAIRMAN LOHSE: It's been moved and
9 seconded for Judy Caminer. Any other nominations.
10
11 (No comments)
12
13 CHAIRMAN LOHSE: Doug.
14
15 MR. BLOSSOM: Move for unanimous consent.
16
17 CHAIRMAN LOHSE: Okay. It's been moved
18 for unanimous consent. Do I hear any objections?
19
20 (No comments)
21
22 CHAIRMAN LOHSE: Judy, you're the new
23 Secretary.
24
25 MS. CAMINER: Thank you.
26
27 CHAIRMAN LOHSE: Okay. With that we're
28 going to review and adopt the agenda. We have some
29 additions to the agenda as you -- as you're looking at it
30 in front of you. We had a couple items that I'm going to
31 hit under the Chair's report. Under Council member
32 reports I'd like to ask Mr. Henrichs if he'll give us an
33 update on the moose thing. Would you do that when we get
34 to that part?
35
36 MR. HENRICHS: You bet.
37
38 CHAIRMAN LOHSE: Okay. So we'll put him
39 under Council member reports. We have a request for RFR
40 again from the State, but we -- I think that we should
41 deal with that expansion of the military operations and
42 I was thinking that we could put that under -- right
43 after call for proposals and before we review and
44 finalize our draft annual report in case we'd like to
45 include it in that. Is that agreeable to the rest of the
46 Council?
47
48 (No comments)
49
50 CHAIRMAN LOHSE: And then NOAA would like

1 to present us with a little blurb on -- or blurb, talk,
2 whatever we want to call it, on the Chinook bycatch in
3 the Gulf. And we have -- we have that on our agenda
4 under Chinook bycatch in the Gulf from OSM and I was
5 thinking we could include NOAA right after that. Would
6 that be acceptable to the rest of the Council?

7

8

(No Comments)

9

10 CHAIRMAN LOHSE: Now do any other Council
11 members have anything else that they would like to add to
12 this agenda? And, K.J., can you think of anything that
13 I might have missed?

14

15

MS. MUSHOVIC: Thank you. Mr. Chair.

16

17

18

CHAIRMAN LOHSE: Okay. The Naked Island
19 presentation. We have a request to give us an
20 informational thing on Naked Island, on the mink on Naked
21 Island. I think there's -- if I understand right there's
22 a call to eradicate the mink for the sake of the birds on
23 Naked Island. And where would we like to put that,
24 should we put -- that is -- that is not Fish and Game,
25 that's -- that's not Fish and Wildlife Service, is it,
26 it's just a call for that. So why don't we put that
27 under other, at H, does that look good?

28

29

MR. CARPENTER: Where at?

30

31

CHAIRMAN LOHSE: Under H.....

32

33

MR. CARPENTER: Oh, okay.

34

35

CHAIRMAN LOHSE:under 16, other.

36

37

38

39

40

41

42

43

MS. MUSHOVIC: Thank you. Mr. Chair.
44 The presentation is actually from a U.S. Fish and
45 Wildlife employee, but it is my understanding that it's
46 in response to a nongovernmental organization's proposal
47 that they're developing and that they've asked Fish and
48 Wildlife Service for assistance with.

49

50

Thank you.

1 CHAIRMAN LOHSE: I can't remember the
2 organization, but we read about it someplace.

3
4 Polly.

5
6 DR. WHEELER: Thank you. Mr. Chair. On
7 item 14 on your -- I'm sorry, item 15 on your agenda is
8 community hunts briefing and that's with Fish and Game
9 staff. And I received an email last night on they've had
10 a little scheduling issue and they were hoping that that
11 could be switched to tomorrow on your agenda. So just a
12 heads up, I don't know that anybody's here to speak to
13 that, but I did get that request last night so I thought
14 I'd pass it along and you can do with it what you want.

15
16 CHAIRMAN LOHSE: So if we get that far
17 today we'll just put it under ADF&G tomorrow then. How
18 does -- does that sound okay to everybody?

19
20 (No comments)

21
22 CHAIRMAN LOHSE: Okay.

23
24 MS. CAMINER: Mr. Chair.

25
26 CHAIRMAN LOHSE: Judy.

27
28 MS. CAMINER: I don't know if it will be
29 covered under the review of the -- the update in actions
30 on the program review that's going on, but I wondered if
31 we wanted to talk about the status of reverting to an
32 annual cycle.

33
34 CHAIRMAN LOHSE: Okay. Let's -- where
35 would we put that, Judy, just -- do we -- should we add
36 that under or should we put it under review?

37
38 MS. CAMINER: Under B(1) perhaps, the
39 last item maybe.

40
41 CHAIRMAN LOHSE: Okay.

42
43 MS. CAMINER: 16 B(1).

44
45 CHAIRMAN LOHSE: Okay. 16 B(1). Okay.
46 So that would be review of cycle.

47
48 MS. CAMINER: Uh-huh.

49
50 CHAIRMAN LOHSE: Okay. Any others from

1 any of the Council members or even from the audience if
2 it's something that you think we should add.

3

4 (No comments)

5

6 CHAIRMAN LOHSE: Hearing none, you've got
7 the agenda in front of you. A motion to accept it's in
8 order.

9

10 MR. CARPENTER: Mr. Chair. I move we
11 accept the agenda as amended.

12

13 MR. BLOSSOM: Second.

14

15 CHAIRMAN LOHSE: It's been moved and
16 seconded to accept the agenda as amended. Do we have any
17 discussion?

18

19 (No comments)

20

21 MR. HENRICHS: Question.

22

23 CHAIRMAN LOHSE: Hearing none, the
24 question's been called. All in favor signify by saying
25 aye.

26

27 IN UNISON: Aye.

28

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

31

32 (No opposing votes)

33

34 CHAIRMAN LOHSE: Motion carries. We now
35 have to review and approve the minutes of the October
36 19th, 2010 meeting. You have them on Page 5 of your book
37 right here. I'm sure you've all had time to look them
38 over. Does anybody come up with anything that needs to
39 be changed or clarified?

40

41 MS. STICKWAN: I had a question, Mr.
42 Chair.

43

44 CHAIRMAN LOHSE: Gloria.

45

46 MS. STICKWAN: I had a question. We had
47 said that Southcentral and Eastern Interior were going to
48 meet. I don't know is that still being worked on or.....

49

50 CHAIRMAN LOHSE: That's -- K.J., I'll let

1 you answer that, but I think the answer is still being
2 worked on, but at this point in time I think -- well,
3 I'll let K.J. answer.

4

5 MS. MUSHOVIC: Thank you. Mr. Chair.
6 Gloria, your question's about the Chisana Subcommittee
7 and there were scheduling conflicts that prevented either
8 someone from this Council to travel to the Eastern
9 Interior Council's meeting -- winter meeting, as well as
10 someone from that Council to travel to the Southcentral
11 winter meeting, but the issue has not -- is still being
12 worked on, yes.

13

14 CHAIRMAN LOHSE: Okay. Thank you, K.J.,
15 on that one. Any other things that the agenda brings up
16 -- not the agenda, the -- my fault, the minutes bring up
17 for changes.

18

19 (No comments)

20

21 CHAIRMAN LOHSE: If not a motion to
22 accept is in order.

23

24 MR. CARPENTER: Mr. Chairman. I move we
25 approve the minutes from the October 19, 2010 meeting.

26

27 CHAIRMAN LOHSE: Do I hear a second?

28

29 MR. ENCELEWSKI: I'll second it.

30

31 CHAIRMAN LOHSE: It's been moved and
32 seconded. Any further discussion.

33

34 (No comments)

35

36 MR. CARPENTER: Question.

37

38 CHAIRMAN LOHSE: The question's been
39 called. All in favor signify by saying aye.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN LOHSE: All opposed signify by
44 saying nay.

45

46 (No opposing votes)

47

48 CHAIRMAN LOHSE: Motion carries. Okay.
49 With this we'll go on to the Chair's report. And it's
50 kind of interesting because most of the information that

1 we have is on action that was taken by the Board and you
2 all have that so that there's nothing in there, but it's
3 -- I'm just going to just give a few things that I came
4 across and I'm going to ask the Council members to do
5 something a little different this time. I was looking at
6 the -- since I get a chance to go down to Southeast for
7 their meeting I was looking at -- I was looking at the
8 Chair's thing that Southeast has for his report. And
9 basically what he did and I'm going to just read it to
10 you because I think it's worthwhile for us to think
11 about. And it says Mr. Adam's Chair report. He
12 challenged the Council members, the staff and the public
13 to respect each other, respect the resources and value
14 each other's opinion. If everybody remembers these
15 principles there would be a successful meeting. And
16 that's pretty much where he starts and that's pretty much
17 where I think that we need to go.

18
19 And in their Southeast report they
20 brought up a couple things that we've talked about in the
21 past and I know those of us that come from Prince William
22 Sound have had some issues with the sea otters, we've
23 seen what they've done, the lack of crab and everything
24 that we have in Prince William Sound. I think we've
25 noticed that in Cook Inlet too, the lack of shellfish.
26 And it's -- it was really interesting to me because when
27 I looked at Southeast they're asking for action on it,
28 they're really seeing it as a problem down there, the sea
29 otters are moving in down there, they're impacting their
30 subsistence resources, they're impacting their -- the
31 resources that the communities use to make a living on.
32 And they're being proactive about it and they're actually
33 asking that something be done, that -- you know, they're
34 bringing it up as an issue. And I think we need to
35 remember to do that up in our area too because some of
36 these things really impact us.

37
38 Another one that they had, and this would
39 really fit those of us from Cordova because we've seen
40 the results of it and this is something I think we need
41 to think of as a Council. In a lot of our -- in a lot of
42 our Native languages in the state I found that the word
43 for food is basically the word for salmon, I mean, salmon
44 is food. I can remember -- I can remember Suzie Brickel,
45 she was over 100 when she died in Chitina and I'd got to
46 be good friends with her. And she -- like she said when
47 salmon were late and the Copper River people died, salmon
48 were extremely important. We have in our state today a
49 serious increase and I'll say this and I don't mean it
50 badly, but we have a serious increase in the amount of

1 users of our salmon, both resident and nonresident. And
2 I don't think that we're taking into account the impact
3 that this ever increasing use and ever increasing
4 pressure has on our resource simply because where I see
5 the difference is and we've talked about this back when
6 I was on the Advisory Committee in Cordova 25 -- well, 30
7 years ago and that's the fact that where the impact is
8 coming is it's coming on our spawning grounds. And if
9 you don't have spawning you don't have fish returning.
10 We've -- I know -- I don't know if it was 30 years ago we
11 put a proposal in in Cordova basically that everything
12 above the road would be closed to salmon fishing simply
13 because by the time it gets above the road there the
14 creeks are little, the salmon are spawning and it's so
15 easy to put an impact on them.

16
17 Now we're seeing this -- I'm hearing this
18 from everywhere I go in the state, I'm hearing this from
19 people all over is that the salmon have nowhere to go.
20 And along with that it -- it's kind of interesting
21 because it's not just an increase in Alaskans, and I
22 don't really think the big impact is in Alaskans. We
23 have -- we have Cabela's selling the state right now.
24 And we have a tremendous -- I know in Cordova, for
25 example, we have a tremendous amount of people who come
26 to the state because they have gotten the idea through
27 videos and through Cabela's and everything that we have
28 an unlimited resource and that unlimited resource is
29 salmon.

30
31 And, you know, I'll just tell a couple of
32 horror stories of my own on it and you can go from there.
33 I was talking with -- and I'll say he's a relative from
34 California that was up here and he's one of those guys
35 that, you know, he'll start fishing at 6:00 o'clock in
36 the morning and he'll fish until dark at night and brag
37 about how many fish he caught and how many he released
38 and also, you know, talk about putting a red hat on in
39 the morning and a green hat on in the afternoon and a
40 black hat on at night and making use of a law that we put
41 into effect in Alaska to allow Alaskans to keep fish
42 through the winter to circumvent the law so that he can
43 take a lot of fish home to California. And I approached
44 him on it and you know what his comment was and it shows
45 the difference in attitude, his comment was well, what's
46 your problem, they're going to die anyway. And, you
47 know, that's true, if you're used to fishing on hatchery
48 stock which a lot of them are, then it doesn't matter if
49 you take every last fish, but when you're up on the
50 spawning grounds and you've got -- you know, first you

1 fish down below the road when the salmon are coming in
2 and then when the fishing gets bad there you start
3 walking up farther and farther up the creeks until you're
4 fishing in four inches of water for salmon. And then you
5 wonder why you don't have the escapement or the return
6 that you should have in the future.

7
8 And from that standpoint as Federal
9 people, and this is something I'm going to work on as a
10 proposal, I don't know if we want to as a Council, but I
11 really feel that in Federally controlled waters if
12 subsistence is a priority and salmon is food, we need to
13 protect the spawning areas. And one way to protect the
14 spawning areas is basically if they're Federally
15 controlled waters I personally think that all salmon
16 spawning areas should be off limits for the taking of
17 fish. And that's not only just our shallow water
18 spawning areas, one of the things we're losing today in
19 the Copper River Basin is we're losing our king salmon
20 that -- and I think down on Kenai too, that spawn in deep
21 water. And so I
22 think that that's something that maybe the State won't
23 address, but it's possible that we could do at least on
24 Federally-managed waters, we could do something to
25 protect the future of salmon so there's salmon for our
26 next generation. I think it's one of the important
27 things that we need to think about in the future.

28
29 Another thing that came up was -- I don't
30 know if any of you read the review on the Unimak caribou
31 thing, and it was kind of interesting. Now here's an
32 issue that deals with the State -- deals with caribou
33 herd in the state and it -- you know, I don't know all of
34 the things, I don't actually know how many subsistence
35 users use it and how many non-subsistence users use it
36 and there's been some issue that it's possible that it's
37 -- the State wanted to manage the predators for the sake
38 of trophy hunters, but there are subsistence hunters that
39 do use it and when it came up for review on a predator
40 control program on Unimak and I think that deals with
41 what we're going to deal with with sea otters or anything
42 to do in Unit 13 or 11. And it came up for an EIS, they
43 got 95,000 comments on it. Now I can guarantee you that
44 they probably did not get 95,000 comments from the
45 subsistence users or probably from people in the State of
46 Alaska. And at this point in time the consensus is no
47 action. And that's what we've ran into every time we've
48 brought up predator control as a Council is no action.
49 And I think that that kind of illustrates where the
50 problem comes is there's an extreme amount of pressure

1 anytime that you deal with predators in Alaska from
2 places that aren't Alaska. And I think that we -- you
3 know, we recognize that and we understand that kind of
4 pressure, but that doesn't behoove us to drop the idea
5 that pointing out that these do have an affect on
6 subsistence use and that, you know, there's nothing
7 wrong, we've got it in our annual report again and I
8 think the fact that we don't have a -- we don't hardly
9 have a chance to get anything done because of outside
10 pressure, I think we still need to as representatives of
11 the subsistence community, I think we need to still
12 stress that that's a needed thing. And I don't know what
13 the rest of the Council thinks on that.

14
15 But with that what I would like to do, we
16 have Council member reports and I'd like to ask each one
17 of you to give some kind of a little blurb, either a
18 problem that you see with subsistence in your area, a
19 success that you see with subsistence in your area,
20 something that you see that you personally think needs to
21 be done in that area, let's actually have a list of
22 comments. I'll tell you what they did in Southeastern
23 and I'll read some of them to you just to show you, and
24 these were individual Council members. And one of the
25 comments they had was rural areas are significantly
26 unrepresented in providing input into the Federal
27 program. The other one is they said they have trouble
28 obtaining comments at the public meetings. Another one
29 said that the moose harvest west of the Dangerous River
30 is reduced by five animals, it was just a report of
31 what's going on. Recent surveys show an increase in goat
32 numbers around Yakutat, that's a report of what's going
33 on. And so let's just -- let's just do something like
34 that, let's -- if you've got a good report on some
35 subsistence activity or one of the things they put in
36 there was that, you know, the berry picking was pretty
37 good last year. That's an important subsistence thing.
38 You know, tell a little bit about what you see in the
39 area or around where you are that directly affects
40 subsistence, good, bad or otherwise.

41
42 Chuck, you want to -- got anything to
43 comment on?

44
45 MR. LAMB: Predator control does work.
46 In 16 we've had -- you know, it was Tier II for years and
47 now they finally got them back in there, they still got
48 a lot of bear problem, but the wolves are gone pretty
49 much and the moose population is picking up, it's slow,
50 but I think predator control's one of the things you

1 really need to push on because it does work. And you
2 can't use a Lower 48 model to do it. Alaska's got some
3 of the best biologists in the State and they've been
4 doing predator control since territorial days and I think
5 we need to really push that one, even sea otters or
6 wolves or bears or whatever.

7

8 That's it.

9

10 CHAIRMAN LOHSE: Thank you, Chuck. Mr.
11 Henrichs.

12

13 MR. HENRICHS: Yeah.

14

15 CHAIRMAN LOHSE: If you want to give your
16 moose thing right now you can do that too.

17

18 MR. HENRICHS: Sure. But I'll tell you
19 there are -- there are some serious problems. One of the
20 things that I've heard in my travels is in remote areas
21 where they have fishing lodges, people go out and do
22 subsistence halibut fishing, freeze it up and then when
23 they're clients come in if they catch halibut fine, if
24 they don't they send them home with halibut. That's a
25 total abuse of subsistence halibut fishing. They're
26 using it to make money and I don't like it.

27

28 On this moose deal a lot of people don't
29 know the history of the moose herd in Cordova on the
30 Copper River Delta, but we planted 24 orphan calves there
31 that came from Alaska Railroad road kills up here and --
32 in the '50s, and we've harvested over 4,600 moose since
33 we planted that herd. And I'll tell you if -- the local
34 people have taken ownership of it and if a wolf moves in
35 the country they go after that wolf because he's eating
36 their lunch. But even before that during the Depression
37 the Chamber of Commerce paid Southeast seiners to dump
38 off Sitka black tail deer in the Sound. And we've
39 harvested probably in excess of 100,000 deer since they
40 planted those deer. We planted moose and we've got over
41 4,600 moose we harvested. And in the early '70s we
42 started the hatcheries and those hatcheries have probably
43 produced in excess of a billion salmon now. You get down
44 to where you're fighting over the last salmon or the last
45 moose and nobody wins. You need to work together to
46 create enough to go around. And we have a huge state and
47 we can do this. They do it in Sweden with moose.

48

49 I'm Chairman of the Alaska Moose
50 Federation and they roped me into that because I had

1 experience in raising -- starting a moose herd. And the
2 funny part about it is this was before statehood, before
3 Fish and Game, and the people that were heavily involved
4 in it were Fish and Wildlife Service to the point where
5 they took their Grumman Goose and flew the first load of
6 calves to Cordova. And that plane is over in the museum
7 and they offered that plane to us to recreate that first
8 flight and fly calves down there. We're going to try and
9 do it and Jimmy Buffet has his own Grumman Goose down in
10 Key West and he wants to come up and fly co-pilot on it.
11 So but this Moose Federation's going to take off, I've
12 spent a lot of time doing it and we're fighting for
13 funding out of Juneau and a lot of people have come on
14 board, the Alaska Native Tribal Health Consortium Board
15 has provided a letter of support and there are other
16 letters of support going on. And it's a health issue
17 and, you know, in the Anchorage area it's a health issue
18 too because people get hurt by moose, people have been
19 killed by moose up here. And we got to get the State to
20 stop planting moose food on the highways because they're
21 just encouraging moose to hang around the highways. Some
22 lawyer is going to get ahold of one of those people that
23 got hurt or killed and they're going to sue the State and
24 they're going to win. They've got to stop planting moose
25 food on the highways or around school grounds to keep
26 those moose away from people. And it's just a matter of
27 educating everybody. But that's going to take off and I
28 agreed to help out and get that thing going, but it is
29 going to take off.

30

31 CHAIRMAN LOHSE: Any questions.

32

33 MR. HENRICHS: And we will be asking for
34 a letter of support from this group also.

35

36 CHAIRMAN LOHSE: That's just -- that was
37 the question I was going to ask you.

38

39 MR. HENRICHS: Well, here's the deal. In
40 rural Alaska you know how high the fuel prices are now
41 and electricity, the value of a moose for meat is 8,000
42 bucks. Well, that's.....

43

44 CHAIRMAN LOHSE: Wow

45

46 MR. HENRICHS: a difference of
47 people eating meat or not eating meat in rural Alaska.
48 So we need to -- and it'll help with the suicide rates,
49 with health, with everything else. We need to start
50 rebuilding those herds and we've proved that we can do

1 it. A lot of people don't know the Cordova story. And
2 we do it, but we just never thought anything about it, we
3 just went and did it. So I'm looking forward to making
4 this thing happen.

5
6 CHAIRMAN LOHSE: It's kind of
7 interesting, Mr. Henrichs, because at the -- I was just
8 thinking of that in connection with some other things
9 that my sons ran across this winter and that I've ran
10 across in the past. And that the -- one of the things
11 that's even been brought up is the fact that, you know,
12 buffalo aren't native to Wrangell-St. Elias National
13 Park, well, deer aren't native to Prince William Sound,
14 moose aren't native to the Copper River Delta. We have
15 a real movement or a real -- I won't say a movement, but
16 real pressure to classify these kind of animals as non-
17 indigenous, non -- you know, feral, and they need to be
18 removed. And it's pretty easy then to spread them from,
19 you know, what -- where do you stop at who you remove or
20 what you remove, you know, even if at the same time it is
21 -- I mean, those moose in Cordova have been extremely
22 important to Cordova. And I'm sure they'd be important
23 anyplace else.

24
25 MR. HENRICHS: Yeah. Well, let -- I'll
26 point out that in Sweden which is the size of California
27 they harvest more moose in Sweden than there are in
28 Alaska every year because they're managed as a
29 sustainable resource. And we need to manage them here as
30 a sustainable resource. It's -- we've got the country,
31 they grow at 1 and a half percent their body weight a day
32 and they're just eating stuff out -- you know, you don't
33 have to feed them or nothing, just go do it, you know.

34
35 CHAIRMAN LOHSE: Thank you. Doug.

36
37 MR. BLOSSOM: Mr. Chair. I don't know
38 where to start. I'll start first with the good part. We
39 raised one of those cows for your herd at our place on
40 the Kenai so congratulations, you did a good job.

41
42 MR. HENRICHS: Well, thank you.

43
44 MR. BLOSSOM: Spawning streams. The
45 State of Alaska has a mixed bag when they watch salmon.
46 For instance, lower streams on the Kenai Peninsula are
47 limited to what, like two mile upstream. From there on
48 it's all spawning stream, hands off, no fishing. Vince
49 Bonney, I got with him back in the '60s or '70s,
50 somewhere in there, and we got the Kasilof River stopped

1 at the bridge. But then you go other areas like the
2 Kenai and Susitna and they fish it clear to the last
3 trickle of water. So I think you have a good argument
4 there that, you know, they need to be uniform in how they
5 manage and I think spawning streams should be off limits.

6
7 Predator control. Back at Cooper Landing
8 we told the Federal people at that meeting that predator
9 control is very important. Sure like the case down there
10 in the island, you can look at the trend and yeah, the
11 caribou herd peaked and then it diminished. Well, so did
12 the wolves. When all the caribou were gone the wolves
13 all died and then the caribou swam back across the
14 straits and if we want to wait a thousand years that kind
15 of management works. But we need to manage for this day
16 and age and to do that we need to have predator control.
17 I don't mean annihilation, but, I mean, we need to keep
18 the predators down to where we have a subsistence use of
19 the meat we're all accustomed to. A good example down on
20 the Kenai is we have an area, it's called Area 15B East.
21 That was a trophy area, much desired and it has gotten
22 now to where they have a few permits issued for the early
23 season, but none for the late and it's all because of
24 wolves. But they're doing nothing about it and it's a
25 real good area for meat if a person was -- had any moose
26 left to get.

27
28 So I could go on and on, but that's just
29 a couple items that I see.

30
31 CHAIRMAN LOHSE: Thank you, Doug.

32
33 Gloria.

34
35 MS. STICKWAN: The concern that we have
36 in our areas is just impact to the resources. We're
37 constantly battling, you know, our subsistence rights for
38 harvesting moose and -- with the State and it's quite an
39 impact in our area on that -- on moose, not only on that,
40 but in fisheries, we're always constantly battling for
41 the personal uses, trying to get C&T on the Copper River.
42 It's just -- one of the most impacted place in the State
43 of Alaska is the Copper Basin because it's on the road
44 system.

45
46 The other thing I see as a concern in our
47 area is lack of research data. We have a proposal by the
48 SRC for moose, but we're lacking data on that. So
49 somehow the Federal program's got to put some money aside
50 for research or -- because we need it, we really need

1 research data in our area on Federal lands.

2

3 The other thing is the C&T. One of our
4 villages was left out because -- in Unit 12 so that's a
5 concern for Chistochina and our area.

6

7 That's all, those are the main concerns
8 is the impact to our resources.

9

10 CHAIRMAN LOHSE: Thank you, Gloria.

11

12 Tom.

13

14 MR. CARPENTER: Well, Mr. Chairman, I'm
15 king of glad you brought up the idea of talking about
16 spawning grounds because like you said it's been a real
17 concern of ours in Cordova for a long time and I think
18 we've consistently brought the argument to the State in
19 regards to the sustainability of our fisheries. I will
20 say that the Advisory Committee at least in town this
21 winter has had -- we've had several meetings and I've
22 actually worked on this pretty hard myself because it
23 seems like for the last 10 or 15 years we've been able to
24 make no progress in regards to this.

25

26 I think one of the main reasons that
27 we've, you know, potentially could have some success at
28 the Board of Fisheries is the U.S. Forest Service has
29 done some excellent work the last three or four years in
30 regards to -- there was a paper that was written by an
31 individual that worked in Cordova at the time, he's not
32 there anymore, but it had a lot to do with user days,
33 amount of fish caught, released, statistics like that.
34 And it covered most of the delta that is, you know, in
35 the closest area, closest to town where there are some of
36 the more productive coho streams. So I've gotten
37 together with several people from the Department of Fish
38 and Game in the Sport Fish Division and we've tried to
39 work out, you know, at least between ourselves, some
40 compromises that would hopefully address some of these
41 concerns. I'm not here to bash the State by any means,
42 but I think Doug made a very good point that the State
43 just needs to be more consistent, not region to region,
44 but statewide in the way they look at spawning grounds.
45 You know, you can take an area in the Kenai Peninsula
46 that has very similar characteristics that say our area
47 does, but they'll manage the spawning grounds in
48 completely different ways. And I think that needs to be
49 addressed. And so there is going to be several proposals
50 that are going to be going into the Board of Fish for the

1 December meeting that are going to be addressing some of
2 these concerns. And hopefully we'll make some progress
3 because it is vital to the long term sustainability not
4 only of the resource, but of these small communities that
5 depend greatly upon the resource.

6
7 And I really hope that the State takes it
8 seriously when they see these kind of proposals coming
9 year after year. I mean, I could be probably one of the
10 greatest people in town that's affected most by the
11 spawning ground closures, I mean, I own the only sporting
12 goods store in Cordova. But that's irrelevant to me,
13 it's the long term outlook that we have to think about,
14 it's not me personally, it's the community and it's the
15 resource and the resource is the most important.

16
17 I think one other thing that, you know,
18 I'd like to talk about is I think when we talk about
19 things like this I think one of the ideas that's, you
20 know, being passed around in regard to the Secretarial
21 Review is the makeup of the Federal Board. And some of
22 these ideas that the Regional Council bring forward year
23 after year, it seems to me like there's so much --
24 there's so many politics involved that the ideas that the
25 local people, the rural users, bring to the Federal Board
26 sometimes they get pushed on and pushed on and pushed on
27 year after year. And at least our Advisory Committee
28 believes that it's very important that the makeup of the
29 Federal Board change and such that there are a couple of
30 subsistence users and we prefer that they come from rural
31 communities that are put onto the Federal Board so that
32 these ideas will stay in the forefront and not put into
33 the background because I think that's very important over
34 the long term.

35
36 One other topic I'd like to touch on is
37 the Unit 6 moose. It's kind of a different situation
38 there. We actually have a drawing hunt there. We've had
39 a little -- some small problems that I think can be
40 overcome in time in regard to some of the management
41 decisions that have taken place. But one thing that I
42 would like to bring forward and I know -- and I brought
43 it forward at the last meeting and I've talked with Milo
44 from the Forest Service a bit about it is that -- and I
45 know money is tight, but a very important thing that
46 needs to be done is a carrying capacity study needs to be
47 funded for the Copper River Delta in regards to the Unit
48 6C moose hunt. I think it's vital, I think the
49 statistical model that we're following is very outdated
50 and I think that -- as Mr. Henrichs' says, moose are

1 extremely important in rural areas. With the high cost
2 of utilities and fuel and everything else that we be as
3 proactive as we can in making the moose populations and
4 the deer populations as vibrant as we can without doing
5 any environmental damage or damaging the health of the
6 herd so that the most people can consume the most amount
7 of wild foods.

8

9 So that's all I have.

10

11 CHAIRMAN LOHSE: Thank you, Tom. And you
12 brought up something that I thought of when Doug was
13 talking, if you guys don't mind me interjecting right
14 now. A long time ago Cordova or Cordovans closed the
15 only lake that's in town, the easiest for Cordovans to
16 catch salmon. They closed it and all of its tributaries
17 because they recognized the fact that the spawning
18 grounds were important if they wanted fish to come back
19 in the future. And that must have been in a different
20 era when it was acceptable to do that and evidently
21 that's been done in places down on the Kenai too. And
22 then evidently politics or something has changed because
23 any future closing that they've tried to do has been
24 rejected. And if we wouldn't have that closure on Eyak
25 Lake we would not have the fish come back to those other
26 streams that we have right now. And that's why to me I
27 see that as one of the -- one of the big ones.

28

29 And I've got another one that I'll throw
30 out when everybody else is done too, just to really throw
31 you a loop.

32

33 Okay. Judy.

34

35 MS. CAMINER: Thank you. Mr. Chair.
36 Well, being from Anchorage, a non-rural area, I thought
37 maybe I'd just give a few impressions of the last Federal
38 Subsistence Board meeting that occurred. I know Ralph
39 will through the letter and the actual proposals, but it
40 was a very different meeting and I mean that I a very
41 positive and I think in a very successful sense. New
42 Chairman, Tim Towarak, really listened to people. I was
43 very impressed that all 10 RACs were represented and that
44 hasn't happened in a while. And the RAC Chairs or their
45 representatives being very savvy quickly understood this
46 atmosphere and really, truly contributed and contributed
47 often to the discussions. And I think in many cases as
48 it should work their testimony, their information, really
49 impressed and swayed the Board members who maybe haven't
50 had a chance to get out to some of the areas. So I

1 thought it was really very successful in that way and in
2 a very positive way for the RACs.

3
4 And continuing on on those kind of
5 successes, I feel it's really important that the RACs be
6 able to contribute and one way we can contribute is by
7 having information. And I think K.J. has done a really
8 good job of providing us in advance with a lot of
9 information that'll be discussed at our meetings, maybe
10 people read ahead of time, maybe you don't have a chance
11 to do it, but it does help us to get prepared to be ready
12 to discuss what as we'll see today are some pretty
13 difficult and possibly, you know, confusing issues, but
14 if we have information before us we can give the best
15 input to the Board as possible. So I really appreciate
16 if the RACs can be strengthened through information to
17 the RAC coordinators, I think that will help serve the
18 Board better.

19
20 Many of the proposals on the Yukon and
21 Kuskokwim focused on customary trade and real -- some
22 devicive discussions about that. And while customary
23 trade may not be as critical in our area, it did come up
24 a lot. I think maybe there'll need to be a discussion as
25 to really how much of a problem is it and how much effort
26 should be put into it versus maybe more basic ideas as
27 you're bringing up, the importance of spawning streams,
28 the importance of bycatch, et cetera.

29
30 But I just wanted to say that I thought
31 Tim did a good job. After the Board meeting ended there
32 was a full day of tribal consultation which Tim pretty
33 much single handedly ran the meeting and it went nonstop
34 for a pretty long -- maybe six hours. He listened to
35 everybody, he's respectful, he knows who's who well
36 enough to be able to call on people and to elicit really
37 good information out of folks. So we'll talk more about
38 tribal consultation later.

39
40 Thank you.

41
42 CHAIRMAN LOHSE: Thank you, Judy. I
43 agree with you, I thought it was one of the most
44 receptive and communicative meetings that I've ever
45 attended.

46
47 Greg.

48
49 MR. ENCELEWSKI: Thank you. Mr. Chairman
50 and fellow members and group here. I'm not sure where to

1 start, but I appreciate this opportunity to talk a little
2 bit.

3

4 I too have as one of my positives, I like
5 to start with positive feedback, is that the Federal
6 Subsistence Board has changed. The new Chair, the
7 listening, the tribal consultation, it's a breath of
8 fresh air. I also sent him a letter, I also testified at
9 the tribal consultation and I would love to see some
10 rural residents on that Board, the two members. So I
11 think that process is definitely changing, I think it's
12 improving. I think our RAC process is good, we listen to
13 people, we get good feedback, we -- this RAC has always
14 supported, I'm not sure we always got deference from the
15 Federal Board, in fact, I know we haven't especially in
16 Ninilchik's case, but I won't go there.

17

18 But anyway long story on that is that I
19 think that one of our major problems, and I'm not sure
20 how to address this or how to start with it, but I'm not
21 here to bash the State, but the State does not recognize
22 subsistence, they never have, they have no intention of
23 doing so. Therefore we have a problem. We are a Federal
24 RAC here to support subsistence. Subsistence needs are
25 not being met because of low populations of animals,
26 fish, we're not giving deference to them and we're not --
27 you know, we're doing the best we can as RACs, but when
28 you talk about a meaningful preference -- I'll give you
29 a little history on the Kenai. We fought and fought for
30 our subsistence rights. One of the problems that we live
31 in in the Ninilchik area is that it's mostly State land
32 on the immediate river so you have to go way up into the
33 Federal land where we do get a right to do some fishing,
34 some dipping. But our preference is we get to use a hook
35 and line with bait, we get to dip a little bit in very
36 restricted areas, we get a total of 2,000 fish, we have
37 to use a fish wheel that the people in Ninilchik never
38 use, we built one, we tried it, we haven't made it work
39 yet, but that was lack of really working on it. But long
40 story short, we're going to put proposals back in to
41 probably fish and net that we know how to do and we catch
42 fish. And I see no reason for the Federal users to be --
43 find a way for them to get their preference, their
44 deference and their food.

45

46 On the other hand, on the other side of
47 the coin I see, Mr. Chairman, there's a -- there is a
48 major problem in this State with our resource. When I
49 listened to the tribal consultation people are short of
50 resource, in the Ninilchik area our clams are dying off.

1 That's a State issue, they're on State beaches. As a
2 tribe we asked them to reduce it from 60 to 45. We had
3 a bad winter storm last year, they washed up thousands
4 and thousands of little clams. The clams ain't maturing,
5 the population's increasing, they're over digging them,
6 our moose is decreasing and it's the same all over. When
7 I heard it over the State there's people, the resources
8 is getting tighter, limited and, you know, I appreciate
9 Mr. Henrichs' comments and I know the Cordova story, the
10 growing the moose, and I'm not sure why we can't enhance
11 our resources in some of these areas. I know it's hard
12 because we have a growing population. The dipnetting on
13 the Kenai, they're taking close to 400,000 if not more
14 reds dipping. The subsistence user's got to fight and
15 fight to get 2,000 allocation and then we got to use some
16 restrictive means. I mean, doesn't make sense, it really
17 doesn't.

18 The -- anyway, I'm not going on with my
19 soapbox because I think we're doing a good job here, I
20 think -- one thing that I found puzzling when we did
21 tribal consultation to the Federal RAC, a lot of those
22 people testified that they felt, and I hope I have this
23 right, they felt that they weren't getting to the RAC
24 properly, the RAC wasn't representing them, they wanted
25 them to come out in the rural areas which I think we
26 should try to do as much as possible. Our RAC, I think,
27 supports our areas. I know our tribe in the Kenai, they
28 love the Southcentral RAC, it's worked for us, it's been
29 a battle, but it works. And so I'm puzzled that why
30 these -- some of these rural areas up north, their RACs
31 ain't made more of their rural users, their subsistence
32 users if they're not.

33
34 Anyway, that's one of my comments. And
35 I know I've taken quite a bit of time, but those are some
36 of the top issues I see and we need to stay on course.

37
38 CHAIRMAN LOHSE: Thank you, Greg. And
39 we've ran across this lots of times and, you know, what
40 you were saying about the limit and the take by others
41 brings up a point that there's another issue that I think
42 that we need to address on Federal land as subsistence
43 people. I honestly think that if there are insufficient
44 stocks to have a subsistence priority or a subsistence
45 take on a watershed or a stream, if there's insignificant
46 -- if there's not enough stocks that you can have a
47 subsistence take then there shouldn't be enough stocks
48 that you can have a sport take. And if there's not
49 enough stocks that you can have a consumptive take, there
50 shouldn't be any catch and release because catch and

1 release kills fish too. And so somewhere along the line
2 while I know that that would not be a State acceptable
3 thing at this point in time, but as Federal subsistence
4 users that's one of the things that we need to stress is
5 on Federally-managed waters subsistence is the priority.
6 If there aren't enough for subsistence there aren't
7 enough for sport or -- and if there aren't enough for a
8 consumptive take there isn't enough for a take that does
9 damage.

10
11 I really like another thing that Bert
12 Adams said or one of the Southeastern said, he said the
13 concept of taking only what you need honors the creator
14 and respects the resource. And that's something that
15 needs to change in Alaska, not just -- not just in
16 subsistence, but in sport and everything else. We have
17 a concept in this State that if it's allowable, take it.
18 It's your duty to catch your limit, it's your duty to --
19 it's your duty to go out and catch silver salmon from
20 6:00 o'clock in the morning until 9:00 o'clock at night
21 so that your arms are hurting and release them and don't
22 worry about the fact that some of them die, you know,
23 it's your duty to take every animal that you're allowed
24 to take. That's not right. What it says -- like he
25 said, you take what you need and that honors the creator
26 and honors the resource. And that goes for subsistence
27 and that goes for sport, that goes for all of the rest of
28 it. And that's something that we need to, you know,
29 emphasize and educate and educate through our tribal
30 councils, through the Subsistence Resource Council,
31 through everything is that, you know, the resource is
32 there, but you don't need to take it just because it's
33 there, take it only because you're going to use it.

34
35 Mr. Adler, sorry to interrupt before you.

36
37 MR. ADLER: That's okay. Well, I'm new
38 here on the Board, but I'm not new in the Copper Basin,
39 I've been here since August, '69 and I've been here ever
40 since. So and I've worked in quite a few capacities,
41 biologist, land manager for AHTNA, Alyeska pump station
42 and the last 26 years I've been a real estate appraiser.
43 So and I'm a user, subsistence user.

44
45 Some of the things that I see, Ralph
46 pointed out that this catch and release on king salmon,
47 I'm kind of opposed to that. I think on these guided
48 fish trips -- fishing trips on the Gulkana and the
49 Klutina, they should catch their king and go home. And
50 they shouldn't have fun, catch and release, because some

1 of them die. If they're bleeding from the gills they
2 will die.

3

4 Another thing is I've noticed moose
5 hunting around, I hunt moose every year and I haven't
6 killed a moose now after 16 years. I have an airplane
7 and it doesn't do me any good. The problem is the people
8 who get moose nowadays are the people with the most
9 equipment, they go the farthest back for the longest
10 period of time, they still get moose. I used to just go
11 out and park my car in a reasonable spot, make about a
12 half mile loop and come back and I always got a moose for
13 quite a while, you know, and it doesn't work anymore. So
14 I know that the common, everyday hunter -- I've been here
15 42 years and I can't get a moose. So I know that a lot
16 of the subsistence users, the Natives and other people
17 that need the meat are having trouble getting them. And
18 I don't really know quite what the answer is. A lot of
19 it is -- also the State has -- the places where I hunted
20 has sold the land for recreation cabin sites, the whole
21 Lake Louise Road is a mass of cabin sites now. And it
22 affects the migrating caribou and it affects the local
23 hunters that like to get out and hunt because no matter
24 where you get out and hunt you run into somebody's cabin.

25

26

27 So those are a couple items. One more
28 item I'd like to bring up is about five or six years ago
29 they started the spring and summer waterfowl hunts. And
30 I was upset at the time and I'm still upset because I
31 don't see where waterfowl is a very substantial part of
32 the subsistence picture in the Copper Valley -- Copper
33 River Valley. I know about six people that hunted --
34 that hunt on this spring/summer hunt and none of them are
35 Natives and they just -- they're just hunting because
36 they get to shoot more ducks. And I think it's wrong to
37 be shooting ducks when they're nesting and raising their
38 little -- their ducklings. And so I'd like to see if we
39 continue it -- I'd like to see it stopped altogether
40 myself, but if we do continue it I think I would like to
41 see it end about the last day of May because they -- the
42 ducks get in the valley about the 22nd of April and by
43 the end of May they're definitely nesting. And she -- I
44 think she should be left alone while they're nesting.

45

46 That's my comments.

47

48 So thank you.

49

50 CHAIRMAN LOHSE: Thank you, Lee. Yeah,

1 if you want to -- if you ever want to see an example of
2 motorized hunting, park at the hub in Glennallen during
3 the moose and caribou season, it is amazing the expensive
4 off road vehicles that come through there and the numbers
5 of them. It's just -- and that's -- and you're right,
6 most of the local people don't have that kind of
7 resource, don't go that far back in and they're the -- I
8 know that AHTNA's talked about the disruption of the
9 caribou migration simply because of all of the off road
10 vehicles up there, you know, up on the Denali Highway
11 that just pushes them back and keeps them pushed back
12 until the weather gets so bad the off road vehicles can't
13 be up there anymore, then the caribou finally come
14 through. And that's something that we've dealt with a
15 little bit on these off road studies, but it has really
16 negatively impacted the local person.

17

18 Judy.

19

20 MS. CAMINER: Mr. Chair. I'm sorry, I
21 forgot to mention one other item of information. And I
22 have copies of this or maybe you've seen copies of this
23 already, but the Federal Energy Regulatory Commission has
24 sent letters to the two companies that may be interested
25 in building an Alaska gas pipeline. And in this letter
26 they document what information is required for the
27 companies to assess the impacts of the pipeline on
28 subsistence use and users. And I found the letters very
29 interesting because it's extremely detailed and very
30 similar to the kinds of studies that communities have had
31 through this program. But I thought it would be
32 interesting for people to have and so if you don't have
33 it with your packet I'll be glad to distribute it at the
34 break and I know it certainly affects a lot of our
35 communities along the highways.

36

37 Thank you.

38

39 CHAIRMAN LOHSE: Thank you. Mr.
40 Henrichs.

41

42 MR. HENRICHS: I had a couple things I
43 wanted to touch on and I'm glad you've brought up Bert's
44 letter. I wish he would have sent that about 12 years
45 ago up here because when we put those subsistence moose
46 hunts in the Kenai Peninsula I thought there was going to
47 be fights breaking out in this room and I -- between the
48 Council members and between the Council and the public.
49 Some of those guys from the public would come up and
50 they'd slap down the U.S. Constitution in front of us.

1 But it was very contentious so I'm glad to see Bert wrote
2 that letter.

3

4 Another subject, you mentioned the
5 Federal waters and you were talking about waters on the
6 Forest Service and other things. I'll remind you that
7 the Federal waters start three miles offshore and they go
8 out to 200 miles. So they're -- it's on both ends.

9

10 And I will also remind everybody that the
11 Board of Fish and the Board of Game have three seats
12 coming up that need to be appointed in three weeks. And
13 if you know anybody that's interested in doing that, you
14 might recommend that they apply for it. A lot of people
15 that have applied have violations and they can't get
16 appointed. And I -- I'm just telling you that that's
17 happened.

18

19 The subsistence position for the State is
20 open right now too so if you know anybody interested in
21 doing that, you might apply.

22

23 But the makeup of this Council, it's kind
24 of reminiscent of what happened in South Africa where
25 people would put their names in to be on a council and
26 then somebody -- and in our case it's somebody in D.C.
27 makes the decision who gets to sit here. And then if you
28 do things the way they like they'll reappoint you, but if
29 you don't they won't. And I'll tell you right now this
30 will not really be meaningful until the people like from
31 rural Alaska decide who represents them here. And until
32 we can take that step and -- the Federal Subsistence
33 Board the same thing, they appoint the chairman, they
34 appoint everybody on there, you know. I think the people
35 from rural Alaska, the users, need to have a say over who
36 gets appointed and not somebody in D.C., you know,
37 somebody with political connections. But that's just me,
38 I'm just a fisherman.

39

40 CHAIRMAN LOHSE: Thank you, Mr. Henrichs.
41 Any other Council members have anything that they would
42 like to put in as a report or comments that they'd like
43 to have at this time?

44

(No comments)

45

46 CHAIRMAN LOHSE: Hearing none, we'll go
47 on to our next agenda item which is administrative
48 business and K.J.'s got some stuff for us.

49

50

1 MS. MUSHOVIC: Well, I just wanted to
2 take this opportunity, thank you, Mr. Chair, to remind
3 everyone attending to sign in on the sign in sheets every
4 day. And that we will be able to leave our things in
5 this room overnight, the building will be secure, however
6 if we can cease for the day slightly prior to 5:00
7 o'clock it will be helpful if we are out of the room and
8 the building by 5:00. There are also blue testifier
9 sheets, they're a half sheet of paper, blue, on the
10 tables at the other end of the room. If you did want to
11 testify today on any matter please fill out one of those
12 sheets and bring it to me and if you don't mind put a
13 little note on there if you have some kind of time
14 constraint so that Ms. Lohse can work you into the
15 agenda.

16
17 All the Council members have got a packet
18 of information, I guess it's customary to describe what
19 was in the packet. I know you're used to seeing them on
20 colored paper, but our copy machine at the office is very
21 balky right now and would inevitably jam if I tried to
22 make it do anything complicated so I went to a dot
23 system. Your -- you have a draft annual report with a
24 pink dot on it and it's a two-sided document that
25 contains the items that I recall you identifying at your
26 fall meeting, so it's a starting point, there may be
27 other items that have come up since then. And there's a
28 sheet stapled to it, Greg Roczicka of the YK Council
29 requested that all the other Councils consider this
30 language that he came up with and consider adding it to
31 their annual reports. There is a yellow dot document
32 that is a copy of the letter that the Eastern Interior
33 RAC submitted on the military operations area that I know
34 this Council's interested in. There is a green dot on a
35 handout that supports a climate change presentation that
36 you will see tomorrow morning at some time. And although
37 you had probably gotten the Ninilchik RFR in the mail in
38 January when it first came out, I provided another copy
39 of that with an orange dot on it so you'd have it for
40 reference here today.

41
42 And the only other thing I'd ask is for
43 some feedback from you all on this venue, if in future
44 Anchorage meetings if this works for you, if you'd like
45 to use it again I can look into that.

46
47 Thank you. Mr. Chair.

48
49 CHAIRMAN LOHSE: Thank you, K.J.. By
50 this venue you mean this building?

1 MS. MUSHOVIC: (Nods affirmatively)

2

3 CHAIRMAN LOHSE: Okay. I'm going to
4 expand on something K.J. said when she said it would be
5 nice if we were out of the building by 5:00 o'clock. If
6 we are not out of the building by 5:00 o'clock there is
7 an extra charge for it. So if at all possible, if we
8 want to stand around and talk and it's getting close to
9 5:00 o'clock, let's go stand around and talk outside of
10 the building because -- unless if we need to extend the
11 meeting there is no problem extending the meeting and
12 paying the additional charge, but if, you know, it looks
13 like we're going to adjourn at quarter to 5:00, let's all
14 get out of the building by 5:00 o'clock so that we don't
15 incur an extra charge.

16

17 So with that, thank you, K.J..

18

19 With that we're going to take a coffee
20 break. We're going to take a break for 10 minutes at
21 this point in time if it's agreeable to everybody. And
22 you can get coffee, get rid of coffee, whatever you'd
23 like.

24

25 (Off record)

26

27 (On record)

28

29 CHAIRMAN LOHSE: Let's find our way to
30 our seats and we'll get started again after our break.

31

32 Okay. We are now on wildlife closure
33 reviews and Council recommendations. And I think that
34 for part of this we'll have a teleconference or somebody
35 on the telephone too, won't we, was that the idea? Okay.
36 But we can just start.

37

38 Cole.

39

40 MS. BROWN: Good morning. Mr. Chair.
41 Members of the Council. My name is Cole Brown, I'm a
42 wildlife biologist for Office of Subsistence Management.

43

44

45 The wildlife closure review briefing is
46 on Page 27 of your Council books. The Office of
47 Subsistence Management is reviewing existing wildlife
48 closures to determine whether the original justification
49 for closure is still consistent with the Federal
50 Subsistence Board's closure policy. Section 815,

1 subsection (3) of ANILCA allows closures when necessary
2 for the conservation of healthy populations of fish and
3 wildlife and to continue subsistence uses of such
4 populations.

5
6 Distribution and abundance of fish and
7 wildlife populations are known to fluctuate based upon a
8 variety of factors. Subsistence use patterns are also
9 known to change in response to factors including resource
10 abundance and human population changes.

11
12 Councils are asked to consider the OSM
13 preliminary recommendation and share their views on the
14 issue. Input from the Councils is critical to the
15 development of regulatory proposals. The current
16 deadline to submit wildlife proposals is March 24th,
17 2011. Councils may choose to work with OSM staff to
18 develop a proposal, however proposals may be submitted by
19 anyone.

20
21 There are two closure reviews for the
22 Southcentral region. The first is on Page 32 of your
23 Council books and the study you see are 10-03. This
24 closure is located in Unit 7 for that portion draining
25 into King's Bay only and it is for moose.

26
27 The regulatory year that the closure was
28 initiated was in 1997. A positive customary and
29 traditional use determination and a new hunt was
30 established to residents of Chenega Bay and Tatitlek with
31 a closure to all other users. Then again in 2006 due to
32 conservation concerns the closure was expanded to include
33 residents of Chenega Bay and Tatitlek.

34
35 Current resource abundance related to the
36 management objective. Currently there are no management
37 objectives for this specific moose population.

38
39 An aerial survey conducted by ADF&G in
40 1997 revealed 20 moose in the area, the herd consisted at
41 that time of eight bulls, 10 cows and two calves. Then
42 again in 2001 the entire drainages of Nellie Juan and
43 King's River were flown from the Nellie Juan Lake
44 downstream to the heads of King's Bay and up the King's
45 River to the glacier country. Nine moose were counted
46 during the survey in conditions characterized as being
47 excellent for aerial surveying.

48
49 The 2000 to 2008 moose harvest was by
50 non-Federally-qualified users and affected -- in the

1 affected areas typically accessed by aircraft. For those
2 years zero to two moose have been reported harvested each
3 year within the Nellie Juan River drainage and that's
4 adjacent to the King's Bay drainage. And it is within
5 the Unit 7 remainder area.

6
7 The OSM preliminary conclusion is to
8 maintain the status quo. There is little information on
9 the current status of this affected moose population and
10 based on the 1997 and 2001 survey results, the moose
11 population has been at a low density and there are no
12 indications that there have been any increases in the
13 moose population to justify subsistence or non-
14 subsistence harvest in this area. Therefore continuation
15 of the closure to all users is likely necessary for the
16 conservation of the healthy population.

17
18 Thank you, Mr. Chair.

19
20 CHAIRMAN LOHSE: Thank you, Cole. Sorry
21 for that interruption, I thought I had turned it off
22 twice. And it's still not off, just a second, let me
23 turn -- make sure it gets off this time.

24
25 MR. BLOSSOM: Okay. Hold just a second,
26 let me turn mine off, mine's noisy.

27
28 CHAIRMAN LOHSE: Okay. In here it says
29 -- was that yours or mine?

30
31 MR. BLOSSOM: That's mine. I'm trying to
32 get it off.

33
34 CHAIRMAN LOHSE: Okay. Here it says that
35 in 2010 just a cursory flight was made and no moose were
36 observed. Is this an action item for us or just a
37 report, Cole?

38
39 DR. WHEELER: Thank you. Mr. Chair. The
40 Federal program -- as the closure review which is on your
41 book -- in your book on Pages 28 to 31, we do these
42 closure reviews every three years. When we start --
43 initially people were concerned that if we put these
44 closures in place there wasn't a mechanism to kind of
45 review them on a regular basis and see if they're still
46 necessary. So we have a -- we -- every three years we
47 review the closures. So this is your opportunity, this
48 -- we have a preliminary recommendation on Page 33 for
49 the 10-03 and it's the Council's opportunity to weigh in.
50 As you know, this is the wildlife cycle so if the Council

1 felt like it would be a good idea to submit a proposal to
2 open the area up or open it up to just Federally-
3 qualified users or something like that, this would be
4 your opportunity to do that. But our preliminary
5 recommendation is to kind of keep it -- is to maintain
6 the status quo, but if the Council or individuals felt
7 differently then the opportunity to submit a proposal is
8 by March 24th.

9

10 Mr. Chair.

11

12 CHAIRMAN LOHSE: Okay. So at this point
13 in time we do not need to take action on it, but we could
14 submit a proposal for future consideration?

15

16 DR. WHEELER: That's correct. Mr. Chair.

17

18 CHAIRMAN LOHSE: Thank you. Does anybody
19 on the Council have.....

20

21 Judy.

22

23 MS. CAMINER: Just a question whether,
24 you know, if any surveys are planned or if there would be
25 any more upcoming data?

26

27 MS. BROWN: No, there are no surveys as
28 of yet planned.

29

30 CHAIRMAN LOHSE: Tom.

31

32 MR. CARPENTER: Yeah, I would just make
33 the comment that, you know, the people that are actually
34 allowed to hunt in this area is relatively small. And
35 the harvest, you know, like you say the average is from
36 zero to two. In my opinion this is a very -- it's just
37 a small resident population, possibly some -- there is
38 some migration from Unit 7 into Unit -- or from the Kenai
39 Peninsula into that area. I don't think ever since this
40 hunt was established, even before the Federal system,
41 there was ever much harvest at all. But it is an
42 opportunity for the two villages in Prince William Sound
43 to have access to moose hunting. And I think it's a
44 little -- it's a little discouraging that we're possibly
45 thinking about closing this or keeping this closed when
46 basically we're using data that was from an aerial flight
47 that was undertaken where observations for moose were due
48 to heavy cover was very poor. I just think that this
49 potentially needs to be looked at a little bit closer and
50 I think the opportunity for those two villages to have

1 access to this was part of an agreement that was made
2 when the Unit 6C moose hunt was put in place in regards
3 to who was avail -- who had the ability to put in for
4 that and that had to do with the long C&T debate that
5 went on for about 10 years. And I just think that this
6 needs to be looked at a little bit further.

7
8 CHAIRMAN LOHSE: Thank you, Tom. I think
9 one of the other things that sometimes we overlook is the
10 fact that it's a little word called ownership. If the
11 only people that have access to this are Tatitlek and
12 Chenega, and they've -- you've made very small access to
13 it, there's nobody else has access to it, nobody else
14 will be out there in the wintertime having access to it.
15 If they don't -- if something's closed and it looks like
16 it's closed permanently there's no ownership in it,
17 there's no reason to abide by a possible one moose per
18 village. And while I'm not going to say that something
19 like this is going to precipitate, I'll use the word
20 violations, basically taking moose out of season, any
21 place that there is no ownership by the local people of
22 a game resource, and this is proven all over the world,
23 any place that there is no ownership of the people by --
24 of a game resource of the local people, it encourages,
25 I'll use the word poaching. You're better off to have a
26 ownership and a small limit than you are to have no
27 ownership and no limit because poaching will take place.
28 It doesn't matter whether it's a panda or a snow leopard
29 or a moose or -- and we've had proposals like this come
30 to us before, like from one of the villages up north, I
31 mean, just basically telling us, you know, that they need
32 a cow moose season, they take X amount of cow moose for
33 handicraft purposes and we've suggested that they -- they
34 suggest -- they've given us background history, shown how
35 many moose the village takes for so many years and
36 request a cow season and we've said no, we can't justify
37 a cow season. And basically they've said well, we'll
38 take them anyhow. And, you know, because there's no
39 ownership, if you're not getting any response there's no
40 ownership. And I'm like -- I'm with Tom on this one here
41 because the only time a moose would get ever taken here
42 is if he happened to come down on the beach when somebody
43 went by. And it's -- this herd -- our original comment
44 -- original idea when we heard about this herd is that
45 it's a -- it's not a herd that's always there anyhow, it
46 comes and it goes. And I think that -- I think that the
47 closure's been there -- personally I think the closure's
48 been there long enough if you want to have any kind -- if
49 you want to have any idea that in the future somebody
50 won't just take one when they want one.

1 Tom.

2

3 MR. CARPENTER: Yeah, I would just make
4 one other point too that this hunt is -- if the Federal
5 Board and the Subsistence Council wants these small
6 villages to accept and participate in this process and
7 they want -- and the State and the Federal managers want
8 these villages to report and follow the process that's
9 been set up, then they have to make game readily
10 accessible. The example that I'm going to use is goats
11 in Prince William Sound. You know, I've had
12 conversations with people that live in these villages and
13 goats have been harvested around these areas forever.
14 And when you go and you look in the -- under harvest
15 information you don't hardly see any. And it makes it
16 look like they don't harvest anything, but they've been
17 harvesting them forever. And the reason is is that when
18 you start these new programs and these new processes you
19 have to make it as simple and you have to make it as
20 easily accessible to continue doing what they have been
21 doing forever.

22

23 And that's why I think that -- and I
24 don't know if we need to make a propose -- or ask the
25 Federal staff to put this -- to make a proposal to reopen
26 this hunt or if we need some more information, but I
27 think that we're keeping this hunt closed for relatively
28 poor reasons.

29

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

32

33 Polly -- Mr. Henrichs.

34

35 MR. HENRICHS: Yeah, you know, I actually
36 -- you know, I'm aware of the moose hunting in this area
37 long time ago, even before we had a moose season in
38 Cordova. And Jerry O'Brien and Dean Kramer went over
39 there and found out there was -- there might be moose up
40 there and they didn't wait for them to come down to the
41 beach, they went up the river and they shot a moose and
42 they floated it down to their boat and hauled it into
43 Cordova, they had a little 30 foot boat. All of a sudden
44 they showed up with a moose in Cordova, it was great.
45 And those people want to have access to those, I have no
46 problem with setting up a hunt there, a permit hunt or
47 whatever for the village. They may not be there all the
48 time, but when they are, you know, good for them. It's
49 a -- a lot of the people from Chenega, you know, got
50 relocated after the earthquake and they went to Cordova

1 and then they tried to make them part of Tatitlek and
2 then they formed their own village again. But a lot of
3 them think that when there's moose hunts, drawing moose
4 hunts around Cordova, that they should be included as
5 Cordova residents and it's kind of a sore point with
6 them. And it's too bad Don Kompkoff isn't here today
7 because he would really speak to this.

8

9 CHAIRMAN LOHSE: Any other comments.

10

11 Tom.

12

13 MR. CARPENTER: So can I ask a question,
14 if we want this to be brought up as a RAC, if we want the
15 season to be reopened or at least to be considered to be
16 reopened, what do we need to do?

17

18 DR. WHEELER: Mr. Chair. You can do one
19 of two things, you can direct staff to put together a
20 proposal to do that or, I mean, that would be the easiest
21 way and I think we've got pretty clear direction. I
22 guess the question that I would have is I'm assuming you
23 want it opened to Federally-qualified users, not open the
24 full -- open it to all users and then you may want to
25 suggest that there be a quota attached to opening up a
26 season or something like that, a Federal permit and a
27 quota or something like that within the body of the
28 proposal. And then we can act accordingly and it'll be
29 before you at your fall meeting.

30

31 Mr. Chair.

32

33 CHAIRMAN LOHSE: But, Polly, wasn't it
34 originally just open to one moose for each of the
35 villages, I mean, there was a quota on it, there was just
36 basically -- Chenega was allowed one, if they took one,
37 and Tatitlek was allowed one if they took one and they
38 were the only people qualified to take a moose if there
39 was a moose there and there was a limit of one?

40

41 DR. WHEELER: That's correct, Mr. Chair.
42 I would note though that the -- during the last cycle the
43 customary and traditional use determination for that hunt
44 changed, there were -- Hope was added to it. So the C&T
45 is a little bit more broad, but those -- the devil's
46 always in the details and so this full discussion can
47 happen before you at your fall meeting, but I think we
48 have it pretty clear that you want a proposal submitted
49 on behalf of this Council to open up to Federally-
50 qualified users and a quota of, you know, one moose per

1 village or some sort of a quota system.

2

3 Mr. Chair.

4

5 CHAIRMAN LOHSE: And any additional
6 information that can be gathered between now and then.

7

8 DR. WHEELER: Duly noted.

9

10 CHAIRMAN LOHSE: Judy.

11

12 MS. CAMINER: I think it would be great
13 because Don isn't here, if someone contacts him and tries
14 to get some input towards the proposal also. I think
15 that would be very useful.

16

17 Thanks.

18

19 CHAIRMAN LOHSE: Okay. Thank you, Polly.

20 Thank you, Tom.

21

22 Okay. The next one we have is the
23 Mentasta Caribou Herd. And I do have a request for
24 public comment on this one here. I think what we'll do
25 is we'll let you give your opening statement, then we'll
26 -- or opening on it and then I'll ask for public comment
27 and then we'll discuss it as a Council.

28

29 MS. BROWN: Thank you. Mr. Chair. The
30 WCR 10-34 begins on Page 35 of your Council books. The
31 closure location is Unit 11 for caribou.

32

33 In 1993 Proposal 34 was adopted by the
34 Board which established the original closure. In 1996
35 the National Park Service proposed establishing a limited
36 caribou hunt, a 15 bull quota based on the objectives of
37 the Mentasta Caribou Herd Cooperative Management Plan.
38 The management objectives in the cooperative plan were
39 based on productivity and not the population size.
40 Therefore the plan called for establishing a limited hunt
41 despite the declining population, but due to increased
42 productivity. In 1996 the Federal Subsistence Board
43 adopted Proposal 17 with modification to reopen the
44 caribou season only to residents with customary and
45 traditional use and had a quota of 15 bulls. In 1998
46 Proposal 23 was adopted by the Board to close all caribou
47 hunting within Unit 11 because calf recruitment was below
48 management objectives stated in the plan. No management
49 objectives currently exist for the population other than
50 the prescribed zero harvest to promote herd growth.

1 From the 1987 fall population estimate of
2 3,160 animals, the herd steadily declined to the 2008
3 fall estimate of 445 caribou. That's on Table 1. The
4 1993 to 2005 population estimates ranged from 970 to 261
5 animals, that was a post closure trend. Results from
6 June post calving and fall post rut surveys for the
7 period revolved critically low calf production and
8 survival. Fall surveys conducted between 1987 and 2009
9 revealed severe declines in total observed cows from a
10 little over 2,000 to 79 respectively. These declines are
11 indicative of low calf production, low recruitment and
12 low survival rates among cohorts within the Mentasta
13 Caribou Herd.

14
15 There is no recent harvest data, but the
16 State and Federal seasons have been closed since 1998.
17 Preliminary OSM recommendation is to maintain the status
18 quo. Analysis of biological information reveals that the
19 Mentasta Caribou Herd has undergone substantial decreases
20 since the Federal closure was initiated. Calf production
21 and survival remain critically low. Federal public lands
22 within Unit 11 should remain closed to caribou hunting
23 for the conservation of a healthy population.

24
25 Thank you. Mr. Chair.

26
27 CHAIRMAN LOHSE: Thank you. With that
28 I'd like to call Wilson Justin for public testimony on
29 this.

30
31 MR. JUSTIN: Thank you. Good morning,
32 Council. Wilson Justin, Cheesh'Na Tribal Council. And
33 before I speak directly to the Mentasta Caribou Herd
34 issue I'd like to add a couple comments with the Chair's
35 permission.

36
37 CHAIRMAN LOHSE: You may.

38
39 MR. JUSTIN: Thank you. First comment,
40 I really, really appreciate the Council members speaking
41 out on various issues this morning. Over the years I've
42 always felt that a tremendous amount of skill and
43 expertise was kind of muzzled, I guess you maybe used the
44 word in terms of these deliberations and I've always been
45 a little mad about it because a lot of people that I knew
46 that had direct and meaningful knowledge of the kind of
47 stuff that I was doing never were able, it seemed to me,
48 to speak out on these issues. So this morning was a
49 revelation, I appreciate it.

50

1 Second item I want to speak to is there's
2 been a slight change in my employment and it has a lot of
3 impact here at this level and I want to speak to that.
4 For 16 years I worked for Mount Sanford Tribal Consortium
5 and as the health director for Mount Sanford Tribal
6 Consortium I spend a lot of time working on behalf of
7 tribal councils in the Copper River region. But
8 primarily in an analytical basis, I analyze impact, look
9 at data sets and try to provide direction. And all of
10 the -- primarily because Mount Sanford Tribal Consortium
11 was a health consortium. So my interest was both
12 nutritional derived and also what we would refer to as
13 mental health because outdoor activities, particularly
14 hunting, is a traditional value that serves issues like
15 suicide prevention very well. So I had a legitimate
16 reason as a Mount Sanford Tribal Consortium vice
17 president, health director, to participate on both an
18 analytical basis and also in terms of trying to provide
19 direction which I did. At times I had to dance around
20 the issue of directed presentation, and on those few
21 occasions where I was directed to represent legally
22 Cheesh'Na, I did. From here on out I work only for
23 Cheesh'Na and this began in June of 2010. I am the
24 direct, legal representation of Cheesh'Na Tribal Council.
25 I do not have to dance around issues. If we have a legal
26 issue on anything I will tell you. I don't have to couch
27 my words in terms of reflecting an analysis and I don't
28 have to couch my words in terms of rep -- general
29 representation. I am told to tell you what needs to be
30 said. And that goes to any particular public arena that
31 I'm in, especially with the State. So I wanted to make
32 sure you understand that because I know all of you and I
33 know very well how you think, other -- in many other
34 arenas that really reflects my own thinking. And I don't
35 want you to think that I'm here to rile Council or to
36 create problems. At this point in time I am what you
37 would refer to as the legal -- highest legal
38 representation of a tribe with express and direct orders
39 to speak directly and bluntly to the issue which I have
40 done on -- in the past and will always continue to do so.

41
42 So having said that for the record I want
43 to make a note of how this plays into these discussions
44 and then I'll get to the Mentasta Caribou, I promise
45 we'll get to it.

46
47 In 1996 I brought Katie John on behalf of
48 Mount Sanford Tribal Consortium down to Cordova to the
49 Fisheries Board meeting. And we wanted to speak to the
50 issue of climate change and some of the discussion

1 related to the inability of king salmon to continue to
2 access their traditional spawning grounds because of the
3 drought that had been place for 20 some odd years. Katie
4 at that time said this is our law, and everybody there
5 assumed that she was talking about clan law. But they
6 couldn't understand how we would impact or affect salmon.
7 Later on I explained, which didn't show up in the record,
8 and we'll talk about that, I said Katie wasn't talking
9 about laws in a clan sense, she was talking about the
10 fact that she was a legal representation of a tribe. And
11 she expected her words to have the impact, same impact as
12 let's say the attorney general of the State of Alaska.
13 What Katie wanted to do was to speak in Indian to the
14 issue. And have somebody interpret her words for the
15 record, but she wasn't allowed to do that, English only.
16 Now you know why a lot of the northern tribes have all
17 their concerns brought up at the Federal Subsistence
18 Board, what the Inupiat and the Yup'ik want to do is
19 their best, most knowledgeable person don't use English.
20 They expect the Federal Subsistence Board to provide
21 interpreters, just like everyplace else in the world
22 including Canada. No country except America would allow
23 indigenous people to come and testify in a legal sense
24 without using their own language and providing
25 interpreters, only America. So now you know why Tim
26 Towarak had all those concerns brought to him in terms of
27 local representation, the ultimate meaning of that was
28 that go out there and listen to these people in their own
29 language, bring it back and accept it as data. Now I
30 don't think that's ever going to happen, but you and I
31 both know that there's a certain amount of truism to that
32 stand. And I as Cheesh'Na Tribal Council representative
33 I have to let you know that I support that. I think that
34 the Federal Subsistence Board has to learn to not only
35 bring interpreters into these activities, but they --
36 when they ask elders, they don't ask elders to speak in
37 English. That's not only respect, that's really about
38 traditional values.

39

40 Going past that one step, I spoke at Tok
41 last fall on the medicine people's caribou, commonly
42 referred to as Chisana Herd and I spoke about how that
43 the Chisana Herd originated. It was actually a gift to
44 the Nelchina people from eastern or east Canadian Indians
45 to end the medicine man wars back in the 1800s. And I
46 just reviewed the minutes not so long ago, there was
47 nothing in the minutes about that. And I reiterate, I am
48 the legal representative of Cheesh'Na. My words were not
49 brought into the minutes of that meeting and that's
50 really an issue or concern and a problem, both in a --

1 what you would call a Federal sense, ANILCA sense and a
2 participation sense. I meant my words and that story to
3 be remembered as a legal basis for access to those
4 caribou by Cheesh'Na, but it didn't even make it into the
5 minutes.

6
7 Having said that now Mentasta Herd. I
8 want to be able to say to this issue that we object to
9 the term Mentasta Herd for those caribou, they never were
10 Mentasta Herb. There's only two caribou around, the big
11 medicine people's bull caribou, sometimes called the
12 Glacier Caribou and then the Nelchina Herd. There was a
13 local herd between the head of Jacksina all the way down
14 to Sanford River, down to Dadina, that was a part of the
15 Nelchina Herd that never really moved out. That herd
16 would be anywhere from three to 400 to sometimes 1,000,
17 rarely more than 500 in that whole arena because they
18 would also roam into the Tetlin. We never considered
19 them as Mentasta or Chisana Herd, they were always just
20 portions of the Nelchina Herd that didn't move out.
21 They've been as low as a couple hundred. I was over
22 there flying out caribou meat in 1968 and there was
23 probably not less -- there was probably not more than 100
24 in that entire area. I packed out about six bull caribou
25 in 1968 in late august so I flew that area extensively.
26 However by 1981 or '82 when I flew that area again there
27 was even fewer. But there were other areas, odd years
28 like 1977 when there was probably 1,000 over there. And
29 there were several hundred around Tanada Lake alone. So
30 I object to the terminology, it's not Mentasta Caribou,
31 it's nothing more than Nelchina Caribou and they have
32 come in there sometimes staying over through the winter
33 into the summer in large numbers, sometime in small
34 numbers, depending directly on predation, hunting
35 pressure or in many cases the food source. So this
36 number of 3,000 down to 400 is erroneous, it should not
37 be used for managing that game.

38
39 I want to also mention the fact that in
40 other avenues, venues we -- Cheesh'Na has spoken to the
41 issue of C&T. My advice to Cheesh'Na over the years from
42 Mount Sanford had been not to buy into the C&T process.
43 I have advised tribal councils over the years that tribal
44 councils as governments do not have to adhere to C&T
45 process, we're exempt. But very few tribal councils want
46 to challenge that issue in a process that's related to
47 game management unless they're sure of their legal facts.
48 And to date only Cheesh'Na has maintained the position
49 that no, we are not required as a tribal council, to
50 adhere to a C&T process within the Federal system.

1 Acknowledging that you'll note that Cheesh'Na has also
2 sidestepped the issue to a certain point by participating
3 in a past in C&T process, but recently since I've assumed
4 the position of tribal administrator for Cheesh'Na, I've
5 said we really need to determine one way or the other
6 whether we're going to play the game the way they make
7 the rules or we're going to have to say that no, the
8 rules cannot apply to us, they are rules that are
9 specifically developed for individuals, not tribal
10 governments. And Cheesh'Na has said that at this point
11 in time, in 2011, we're going to start looking at the
12 issue of challenging that process of tribal councils
13 having to acquire C&T in order to access game in their
14 own backyard. That has not happened, but it will happen.
15 I just want to let you know that as a representative of
16 Cheesh'Na, that issue is now coming to the forum.

17
18 The final comment I want to make on this
19 Mentasta Herd is that in other venues, including the
20 State, Cheesh'Na has asserted that the game management
21 unit boundaries are arbitrary, they're a construct and a
22 relic of the past and they have no business being used to
23 determine how community residents are to access those
24 game resources they need to access in their backyard.
25 I've asserted that from the beginning over the years.
26 Basically I was just ignored for the first 10 years, but
27 as a representative of Mount Sanford Tribal Consortium I
28 did not have the wherewithal to reply to that kind of an
29 activity. With Cheesh'Na I can and I'm going to make
30 that a statement for the record here and now that
31 Cheesh'Na does not believe that the game management unit
32 boundaries under any conditions should ever be used to
33 determine community harvest and access of those resources
34 that are directly related to that community under all
35 conditions. We believe that the game management unit
36 boundaries -- and I was there when it was -- I was young,
37 but I was there when it was formulated. It was
38 formulated for the sole purpose of diverting general
39 public hunting from the cash crops of the guiding
40 industry which is Dall sheep and grizzly bear. We know
41 that, we know that as second generation guides, all of my
42 uncles and aunts were first generation guides, my father,
43 Old John, was a territorial predator control officer for
44 the Federal government. So in my family runs extensive
45 knowledge about game management.

46
47 And there I would like to thank you for
48 the opportunity to speak, I do have to leave to go back
49 to the village here in a couple hours and I very, very
50 much appreciate given the opportunity to speak to you up

1 front.

2

3

Thank you.

4

5

CHAIRMAN LOHSE: Thank you, Wilson. Can
6 you -- can you kind of summarize what your -- what your
7 thoughts on this Mentasta closure is. I know that you've
8 said and you've said it in the past and we've seen it in
9 the past that basically caribou migrate into -- I mean,
10 it would be like saying that there was a -- like there
11 was a Kenny Lake Herd or a Willow Lake Herd of caribou
12 four years ago, you know, when they came over there. And
13 you and I both know that caribou don't take rivers as
14 boundaries. But what would be your thoughts on the
15 Mentasta Herd at this point in time, is it something that
16 the closure should stay in place or is it something that
17 is a non-entity simply because of the fact that the
18 caribou migrate back and forth?

19

20

MR. JUSTIN: My thoughts as reflected by
21 the elders is that number 1, there never was a reason to
22 close the herd, all of the reasons cited was dependent on
23 data sets and the caribou, of course, don't respond to
24 data sets. They -- so there was never a reason to close
25 the herd. Number 2, there's also never a reason to take
26 a lot of those caribou, their numbers fluctuate so much
27 that it's a year to year decision. We think that there
28 should be a -- either a drawing or an allocation to each
29 of the communities along that river system. I think
30 there's probably five communities including Glennallen
31 that can have a limited access to those caribou and not
32 really impact that caribou herd because it's
33 representative of a far larger herd, the Nelchina Herd.
34 And I would not refer to those caribou as the Mentasta
35 Caribou, I would call them the Sanford River Caribou and
36 I would call them a sub-herd of the Nelchina. But they
37 never -- summarize, no, there was never any legitimate
38 reason to close those caribou, number 2, the game unit
39 boundaries confuse the issue even further and I would
40 refer to those caribou separately in a different context.

41

42

CHAIRMAN LOHSE: Thank you.

43

44

Any questions for Wilson.

45

46

Lee.

47

48

MR. ADLER: Wilson, I agree with you 100
49 percent on what you state about there is no Mentasta Herd
50 as such, they're a segment of the Nelchina Herd and

1 always have been, I think. I've hunted that herd from
2 1970 up until they closed it in, I think, about 1990.
3 And from the Chistochina south to Chakachatna. And I
4 took -- me and my son took almost all our caribou, we fly
5 -- flew in there. And also as a biologist I used to
6 watch them from the air and they would cross very heavily
7 -- one of the main crossing areas is around Chistochina,
8 thousands of them. They'd go over into the -- the
9 Wrangells and the forest slope there and you never can --
10 you never can tell when they're going to come or go, they
11 just do as they please. And suddenly the population did
12 go down, but I noticed even at that three or four years
13 ago quite a big bunch moved over there and I thought oh,
14 boy, they're repopulating that, but then they disappeared
15 again. So they have four legs and they move. And so
16 even though they're down a little I don't think it's
17 necessary to close it. I think that we should consider
18 them part of the Nelchina Herd and I couldn't give a
19 specific recommendation now on hunting, but I don't think
20 we should close the door on it.

21

22 CHAIRMAN LOHSE: Gloria.

23

24 MS. STICKWAN: You said that there should
25 be a drawing permit, so how many drawing permits would
26 you propose?

27

28 MR. JUSTIN: I use the drawing permits as
29 an alternative. Myself personally outside of Cheesh'Na,
30 I think that there's enough animals there to have an open
31 season without a permit, but Cheesh'Na said -- the
32 Council member thought that a permit would be a good way
33 to explore the issue.

34

35 And in response to Lee, Mr. Lee there
36 about the issue of coming and going, the main problem
37 with that slope over there is it dried out during the big
38 heat waves in the '70s and the '80s and mid '90s. The
39 very feed that those caribou need to sustain themselves
40 year round is gone. So when it comes back in,
41 particularly in those marshy areas that refills, it
42 attracts the caribou and they stay there. So it's not
43 like a mystery and it's not like it's something that
44 biologists and managers couldn't understand if they just
45 went up there and walked around for a few days it would
46 become very clear.

47

48 So I would just leave it at that.

49

50 CHAIRMAN LOHSE: Well, we saw evidence

1 just, you know, a few years ago how far the quote,
2 unquote, Nelchina Herd travels outside of Nelchina. And
3 I've always wondered about the caribou tracks and trails
4 that I've seen up in the Chitina Valley and up over by
5 the Hanageta and I have a sneaking suspicion that at one
6 time or another caribou went -- had a lot bigger range,
7 but like you said the feed changes more than the -- well,
8 look what happened during the fires, the fact that they
9 wintered in a different place simply because the feed was
10 affected.

11
12 So I thank you for your comments on that,
13 I think that fits a lot of what local observation on the
14 caribou is too.

15
16 MR. JUSTIN: I'd like to mention one
17 other item. On the Chistochina River itself every summer
18 there's probably five to 15, it depends on how far down
19 the river or up the river you want to go, five to 15 of
20 these caribou on the river itself and the islands. And
21 they're there primarily because of bugs. The river is
22 cool, the wind's always on the river, so they go out
23 there mainly to get away from bugs. Sometimes you see
24 their tracks up the Chistochina, but primarily they're
25 down on the river itself. And they're pretty impressive
26 looking animals, not size or not horns, but they're in
27 very good shape so you know that they spend time up on
28 the slopes, they're not roaming around the back country.
29 But you never see a whole bunch of them, it's two, three
30 animals at a time.

31
32 Thank you.

33
34 CHAIRMAN LOHSE: Tom.

35
36 MR. CARPENTER: Yeah, Wilson, thanks for
37 your comments. I thought something was interesting that
38 you said and I believe you're correct that the three main
39 reasons that animals tend to leave maybe some of their
40 traditional areas is hunting pressure, predation and food
41 source. And you touched on the food source. And I
42 believe that's true especially in regards to predation.
43 Do you think that the predatory control policies that
44 have been used up in that area have forced these caribou
45 to relocate to other parts that they traditionally might
46 not have been because -- I mean, face it, animals know
47 where the predators are.

48
49 MR. JUSTIN: Well, the -- in ans -- the
50 first question is yes, I mean, the first response is yes.

1 The caribou is one of the most sensitive animals to
2 predators and this includes not only wolves and bears,
3 but also to human hunting.

4
5 The second part of the question is
6 whether or not predator control as is practiced today has
7 a meaningful impact on game population of that type. And
8 the answer is -- to me is yes. And I have to say a
9 modified yes because one of the things that I don't have
10 the capability of doing is to be out there with these
11 herds when they're running into predators on the ground.
12 The best time for me to be out there is -- doing this is
13 usually springtime and I haven't been out in springtime
14 for years, I'm only out there during hunting season. If
15 you want to study predator impact control and general
16 affect, you need to go out there I'd say from the first
17 of -- first week in April until the first week in June,
18 you need to be out there on snowshoes, snowmachines,
19 planes and on foot. And you need to be out in those
20 migratory areas where you can see the interaction.
21 Otherwise if you're like me you take the impact on the
22 basis of what it looks like in the falltime because
23 that's the only time I'm really out there.

24
25 CHAIRMAN LOHSE: Tom.

26
27 MR. CARPENTER: I think it's interesting
28 that -- I actually spent a little bit of time up there
29 this fall, about 10 days, I was sheep hunting. And I
30 have to say that it's the only time that I've seen a pack
31 of wolves flying into an area, killing an animal and
32 leaving the area after a hunting trip killing an animal.
33 And flying in we saw wolves kill a sheep and leaving, we
34 saw them kill a caribou. From the air we saw it and it's
35 the first time I've ever seen that. And so I know quite
36 dramatically that the amount of predators up there and
37 the impact that they've had on these animals is pretty
38 terrific and it's unfortunate for your people that some
39 of the policies in place up there can't address some of
40 those concerns.

41
42 MR. JUSTIN: If I may, I appreciate that
43 comment because I had an interesting exchange with Becky
44 Schwanke out of the Glennallen office, State of Alaska
45 biologist on this issue of the change in the mentality of
46 the wolf packs. They're not the wolf packs I knew when
47 I was growing up. Now that Boulder Creek area wolf pack
48 seemed to hunt in their traditional boundaries and
49 traditional sense, whatever they pull down they finish it
50 off to the hair. That bunch of the Chistochina and the

1 bunch that's up at the -- on the Nabesna Road, has
2 entirely different habits. At times they will leave an
3 animal which I've never seen. And when I had the email
4 dialogue with Becky I mentioned this, I said you know
5 there's -- too me there's a good logical reason to think
6 that these wolves may have started to interbreed with
7 dogs to a greater extent than is recognized because only
8 a hybrid wolf-dog will kill to kill. A wolf in -- a full
9 blooded wolf in my estimation won't do that. And I may
10 be wrong on that, but that's after a lifetime of
11 observations. I've seen this happen in Kodiak Island
12 where feral dogs will simply pull an animal down just to
13 pull it down for the thrill of the hunt. And that -- and
14 I'm seeing changes in wolf packs in terms of taking
15 animals like you observe which I've never seen before and
16 that is a major cause of worry.

17
18 CHAIRMAN LOHSE: Wilson, it's interesting
19 to me some of the things that I've talked to Toby and
20 that about certain bears have learned to target and
21 actually just like what we've seen with the killer whales
22 in Prince William Sound that they then end up teaching
23 their cubs to do the same and they actually have more
24 learning ability that way to train the next generation to
25 target the calves as their -- the calf moose and the calf
26 caribou as they're coming out and that there's an
27 increase in that.

28
29 MR. JUSTIN: In -- well, directly in
30 response, all of the old timers and I think a number of
31 you here at this meeting who are on board know of some
32 these people who will tell you directly that these
33 animals on a predator basis are far more trainable and
34 more -- far more easier to teach how to gain food easy
35 than anything else. I was just speaking about the
36 elderly gentleman called Moose Moore that was a friend of
37 my stepfather, Lee Hancock. And Moose Moore used to live
38 out somewhere on the Palmer Flats. One of the things he
39 did was raise moose, that's how he got his name. And the
40 other thing that he did was keep black bears as pets.
41 And whenever he rode into Anchorage and I found one
42 reference to this in the Alaska Sportsmen Magazine back
43 in 1967 or '68 where they wrote a short story about him.
44 He taught his black bear, Moose Moore did, not to treat
45 moose as food. Now if you can teach a black bear not to
46 look at moose as a natural food you can certainly teach
47 bears how to do selective use of food on a species basis.
48 You can't have dumb on one side and not dumb on the
49 other, it's all one and the same. So I really have a lot
50 of issues with game management today in terms of the data

1 sets that are being provided. I think the real
2 information needed to make informed decision is at the
3 level that we're talking about today and that's never
4 ever used in terms of game management.

5
6 CHAIRMAN LOHSE: Thank you, Wilson. Any
7 other questions for Wilson.

8
9 (No comments)

10
11 CHAIRMAN LOHSE: Any other comments.

12
13 (No comments)

14
15 CHAIRMAN LOHSE: Thank you, Wilson.

16
17 MR. JUSTIN: Thank you.

18
19 CHAIRMAN LOHSE: Okay. Cole, this again
20 is a preliminary conclusion to maintain the status quo.
21 Again we don't have any current information on it, we
22 just have the trend. And it's interesting to me that
23 when I look at the -- the last information we have is
24 2008 for a population estimate, and we haven't got
25 anything since 2008 and 2008 was above 2007, but it's not
26 anywhere near what it had been back in '87.

27
28 What's the rest of the Council's thoughts
29 on this. Lee, you've worked in that area, you've flown
30 that area, have you got any specific thoughts on this?

31
32 MR. ADLER: Well, biologists quite often
33 work by percentages and if there's 500 caribou there it's
34 not going to hurt to take 10 percent. So that's 50
35 animals and that's a significant contribution to
36 subsistence and the users. And so I see no problem if
37 they have the season open if there are not too many
38 caribou there, they're not going to take too many, but
39 you may even want to consider a drawing hunt for the area
40 and restrict it to local subsistence residents. But I
41 don't think it would hurt to take some caribou out of
42 there and it would open the opportunity for subsistence
43 users to harvest some animals in the area and escape the
44 rat race of the Richardson Highway.

45
46 CHAIRMAN LOHSE: Tom.

47
48 MR. CARPENTER: Yeah, I guess -- I see
49 Barbara has her hand up there. I guess I'd be curious to
50 know if she has any comments, maybe what the Wrangell-St.

1 Elias Resource Commission, what they had to say because,
2 you know, that is -- that's their -- that's their spot.

3

4 MS. CELLARIUS: Thank you. Mr. Chair.
5 Member Carpenter. The Commission did have a presentation
6 on this closure review, but didn't make any
7 recommendations. I was also going to offer that we could
8 try to get Judy Putera, who's our wildlife biologist on
9 the phone. She was unable to travel to come to this
10 meeting, but she may have some additional information.
11 I talked to her yesterday, she's been in touch with Lane
12 Adams and actually just recently got some additional
13 information from him. So if you are thinking about doing
14 something, it might be good to let her get you the
15 information that she has.

16

17 CHAIRMAN LOHSE: We appreciate that,
18 Barbara. Can we -- what does it take to do it right at
19 this point in time, just.....

20

21 MS. CELLARIUS: I can call her and see if
22 it would work for her to call in on the conference phone.
23 So I would just need a couple minutes to do that.

24

25 CHAIRMAN LOHSE: Okay.

26

27 MS. CELLARIUS: And we could either do
28 it, you know, now or we could do it after lunch,
29 whatever.

30

31 CHAIRMAN LOHSE: Would it be -- if it
32 only takes a couple minutes we could do it before lunch
33 otherwise maybe what we should do is put it off to after
34 lunch and go on to something else. But do you think that
35 you can get her in a few minutes? You could try.

36

37 MS. CELLARIUS: I'll call her and.....

38

39 CHAIRMAN LOHSE: Right.

40

41 MS. CELLARIUS:just.....

42

43 CHAIRMAN LOHSE: Would that be acceptable
44 to the rest of the Council?

45

46 (No comments)

47

48 MS. CELLARIUS:see if I get her on
49 the phone right then, then I can just ask her to call in.
50 If I get her voicemail then we should just do it after

1 lunch.

2

3 CHAIRMAN LOHSE: Then we'll just set up
4 a time certain after lunch. Okay.

5

6 MS. CELLARIUS: So I will go call her
7 and.....

8

9 CHAIRMAN LOHSE: Okay. Okay. With that
10 we can -- is there any other discussion any other Council
11 members would like to have on this?

12

13 (No comments)

14

15 CHAIRMAN LOHSE: You know, we live in a
16 -- we live in a statistical culture that when it comes to
17 game management I like to use the word likes to micro
18 manage. And it's interesting to me because we try to
19 apply this stuff to so many and all species. And micro
20 managing when you have I'll say cyclical species or
21 species that migrate and change their habitat based on
22 food supplies, doesn't always work. I was thinking of a
23 friend of mind that was someplace just after this last
24 big blow and this last big snow storm that we had up in
25 the Interior and a certain species that you don't ever
26 see very much of because the mountains blew the snow off
27 and everything that wasn't blown off was packed, like he
28 said he's never seen so many of them at one time in his
29 life. But you'd have thought if he had gone through the
30 same area prior to that that they were at a low cycle.
31 And something like that can happen with anything that
32 migrates or anything that's dependent on a food source.

33

34

35 It really was interesting to me that, you
36 know, after the fires and we had the -- we had the
37 caribou all the way -- running around on the Kenny Lake
38 Road and all the way out to -- I had friends that had
39 them out at -- out at the (Indiscernible) River out there
40 and in Fireweed Mountain Subdivision. The caribou were
41 up the Chitina Valley and my gosh they're recolonizing
42 all of this area. Well, they didn't stay, they went back
43 because the food -- you know, the food is not caribou
44 food up in that country, but where they would -- would
45 have gone that winter wasn't accessible. So they spread
46 out and went all over the place. And it's all the same
47 herd, it was the Nelchina Herd. And it would have been
48 nice if we could have then had a Willow Lake Caribou Herd
49 and a (Indiscernible) River Caribou Herd, I would have
50 appreciated that immensely and we could have started

1 managing to keep that dozen caribou that was there right
2 in my backyard, but we didn't.

3

4 So I think when you -- I don't know, when
5 I listen to and I'll use the term older people, and that
6 means people older than me that know more than I do, they
7 don't believe in micro management, they recognize the
8 fact that if there's one constant in life and if there's
9 one constant in wildlife it's change, I mean, things
10 don't stay the same. We have a tendency and if we look
11 at our game and fish management we want to maintain the
12 same level over time and you can't do that. And I think
13 we're going to find some of that information when we
14 listen to the report on climate change, we're going to --
15 we can -- any one of us -- I can go up to my trapping
16 cabin and I can see the change. My trapping cabin was
17 built in a grove of trees that were 125 to 140 years old.
18 We had lots of chickadees, we had lots of jays, today
19 I've got lots of woodpeckers. Today I could stand on my
20 cabin porch and out of the 30 trees that were in my yard
21 that are anywhere from 18 inches to 30 inches in
22 diameter, I can see three live ones. The whole thing's
23 changed. I can walk up on the ridge that was a stately
24 grove of beautiful spruce trees that had great gray owls
25 and everything else in it, it's loaded with woodpeckers,
26 but they're dead, the trees are dead. And you go down on
27 the Kenai and it was interesting to me because I just
28 came from the Kenai and areas that had been trees have
29 now been cut long enough that they have a totally
30 different kind of growth and a totally different kind of
31 ecosystem where at one time if you had gone to Kenai 30
32 years ago, those would have been spruce forests and today
33 they're grasslands and so they support a totally
34 different kind of life.

35

36 And so I don't know, I've really been
37 thinking about what Justin said about that being part of
38 the Nelchina Herd because I've heard that for years, and
39 -- but we've been trying to manage it because it's inside
40 the Park as a separate herd. So we'll see what the
41 biologist has to say when Barbara gets her on the line.

42

43 Doug.

44

45 MR. BLOSSOM: Yeah. Mr. Chair. I don't
46 want to see it maintain the status quo. I think that the
47 status quo is doing nothing. And so I think we need
48 people to start looking at that herd and I hear the
49 people that live in that part of the world think that
50 it's part of a bigger herd. And if that kind of holds

1 true I think there should be some kind of a hunt on it.

2

3 One additional thing is I kind of look at
4 it -- several -- well, I don't know, 15 years ago we had
5 a brown bear task force put on the Kenai Peninsula and
6 until that time our brown bears were like everybody
7 else's brown bears. But because that task force decided
8 they were different we haven't been able to hunt our
9 brown bears since. And kind of parallels this, as far as
10 I'm concerned our brown bear were still just a brown bear
11 like every other place.

12

13 CHAIRMAN LOHSE: Thank you, Doug.

14

15 Gloria.

16

17 MS. STICKWAN: I'd like to hear the
18 biologist's report and then if there's -- if we decide we
19 want to open it, I'd rather see the people out there make
20 a proposal from our area than coming from this.....

21

22 CHAIRMAN LOHSE: Coming from the people.

23

24 MS. STICKWAN: Yes.

25

26 CHAIRMAN LOHSE: I think that's a good
27 idea.

28

29 Polly.

30

31 DR. WHEELER: Well, I was going to
32 suggest that this -- that this Council could submit a
33 proposal or go to the -- once you hear from the biologist
34 go to the local people. I mean, once you get a proposal
35 out there then you'll generate the information. So
36 you'll hear it next fall regardless of who submits it.
37 You'll hear the information next fall. So the key is by
38 the 24th make sure that somebody submits a proposal so
39 that the issue can be fully discussed by the Council.
40 But the deadline is the 24th. So just to keep that in
41 mind, you may want to have a backup plan in case there's
42 not a local plan -- you know, in case a proposal isn't
43 forthcoming from a local area. Just a thought.

44

45 CHAIRMAN LOHSE: Barbara, were you
46 successful?

47

48 MS. CELLARIUS: Thank you. Mr. Chair.
49 We are going to try to get you some additional
50 information, but it would really be better if we could do

1 it tomorrow. Judy's going to try to put together some --
2 a handout that we could give to you and today's not a
3 good day for her to try to talk -- she's dealing with
4 some medical stuff and tomorrow would be better.

5
6 CHAIRMAN LOHSE: Okay. What's the wish
7 of the Council, do we want to wait for her information
8 before we make a statement or do we want to make a
9 statement that we feel that we'd like that kind of
10 information, but we don't think we should maintain the
11 status quo or should we just put it off until tomorrow
12 and take care of it then?

13
14 Greg.

15
16 MR. ENCELEWSKI: Well, I will not be here
17 tomorrow, I got some medical stuff also so I'll just
18 express my opinion. I would support putting in a
19 proposal now and Gloria would have her group put it in
20 also and just to get it on the books and get it moving.

21
22 CHAIRMAN LOHSE: Doug.

23
24 MR. BLOSSOM: Yeah, one thing though, I
25 don't want this Council to put it in, I believe it's our
26 job to act on proposals. So you folks put them in so we
27 can act on them.

28
29 CHAIRMAN LOHSE: It seems to me like the
30 consensus and maybe that's all we need at this point in
31 time, if somebody else puts a proposal it's going to be
32 dealt with, but it seems to me that from what I'm hearing
33 is that the consensus of this Council is that unless
34 there's sufficient evidence to warrant it, maintaining
35 the status quo is not acceptable, am I correct on that,
36 would that be kind of a take on -- I mean, if there is
37 sufficient evidence to maintain the status quo we're
38 willing to maintain the status quo, but we would suggest
39 somebody puts in a proposal. And our consensus at this
40 time kind of is that unless there's sufficient evidence
41 we don't see any reason to maintain the status quo.

42
43 (Council nods affirmatively)

44
45 CHAIRMAN LOHSE: Greg.

46
47 MR. ENCELEWSKI: Yeah, I'm looking at
48 this review and this closure, I think we should -- we'll
49 review it and say that we think it should be opened and
50 get another proposal submitted.

1 CHAIRMAN LOHSE: Okay. That we're open
2 for review and if a proposals submitted then we'll get
3 the information we need to deal with it at that time.

4
5 Judy.

6
7 MS. CAMINER: Mr. Chair. Does that mean
8 we need the information from Judy tomorrow or we kind of
9 made a decision and the info will be useful later?

10
11 CHAIRMAN LOHSE: I think the information
12 will be useful later and I think -- like I forgot that
13 Barbara said that she was having some medical problems so
14 maybe out of just -- we could just have Barbara tell her
15 that she doesn't have to hurry up with something for
16 tomorrow because if it's going to come on the agenda
17 she's going to have to have that information at that
18 time. And then out of respect to her we can just --
19 don't put pressure on her.

20
21 Does that sound acceptable to the rest of
22 the Council?

23
24 (Council nods affirmatively)

25
26 CHAIRMAN LOHSE: Okay. And then we'll be
27 expecting some proposals to come on this then.

28
29 MR. JUSTIN: I speak only for Cheesh'Na
30 Tribal Council, but there are, I think there's enough
31 people interested that you can generate several proposals
32 if you want. But if no one else is willing to Cheesh'Na
33 will submit a proposal.

34
35 CHAIRMAN LOHSE: Which brings up an issue
36 that I keep stressing and I stress it for this Council
37 and I try to stress it to everybody I know for the Alaska
38 Board of Fish and the Alaska Board of Game, if there's a
39 problem and you think a proposal is necessary, put the
40 proposal in, even if it's been proposed before and been
41 proposed before, put the proposal in. We need to keep
42 these issues in front of these different Boards so that
43 they have to act on them. And if it's something that's
44 important to you, put it in again, put it in a different
45 way. But there's all these things that directly affect
46 us, I'll say as users, that if they don't go before the
47 Board or don't come before our Council, they don't get
48 acted on. And never feel bad about putting a proposal
49 in.

50

1 Gloria, you had something you were going
2 to say?

3

4 MS. STICKWAN: I'm just going to say we
5 might be meeting this month, the C&T Committee before the
6 Board of Game and we could talk about it there and
7 Cheesh'Na should -- if we could work together on a
8 proposal.

9

10 CHAIRMAN LOHSE: But we do need a
11 proposal to the Federal Subsistence Board by the 24th of
12 March, even if it's a rough proposal, it doesn't -- it's
13 not necessarily going to come out with the same bag limit
14 or anything like that, but it needs to put a proposal to
15 put the hunt on the table. And then we can act on it
16 from -- then they can act on it from there. If it's not
17 on the table nothing will get done. Am I correct?

18

19 (Nods affirmatively)

20

21 CHAIRMAN LOHSE: Okay. Was there anybody
22 else that would like to say anything on this? Lee.

23

24 MR. ALDER: Does this proposal begin with
25 our Board or the Fish and Wildlife Service?

26

27 CHAIRMAN LOHSE: It begins with our --
28 this -- if they put a Fed -- if a proposal goes to the
29 Federal program it comes to us first. We would deal with
30 it on our next Board cycle and then from there it goes to
31 the Federal Subsistence Board, it doesn't go to the Fish
32 and Game.

33

34 MR. ALDER: I was thinking I could put
35 one together and have it ready for tomorrow, but -- if
36 that's appropriate, but if it's not I'll just wait for
37 whatever.

38

39 CHAIRMAN LOHSE: Polly.

40

41 DR. WHEELER: Mr. Chair. Just to speak
42 to the process, the -- anybody can submit a proposal, the
43 public, the Council, I mean, some Councils don't submit
44 proposals on a -- as a general rule just because they're
45 acting on them, but other Councils do. So the proposal
46 can be submitted by an individual, by the Council, by the
47 Fish and Wildlife Service. We often submit kind of
48 housekeeping proposals or proposals that have been around
49 for a while. So there's -- anybody can submit a
50 proposal, but then once it goes into the mill then it'll

1 be analyzed by staff and at your fall meeting you'll have
2 a full analysis of whatever proposals address your issue
3 or whatever proposals are within your region. So anybody
4 can submit it and we stand -- we stand by to help, that's
5 our job, our staff can help out -- can help craft a
6 proposal, but I do -- there's the -- I think next Friday
7 is the 24th so that's when it closes at 5:00 p.m. Alaska
8 time. So we just to want to make sure that it gets in
9 how -- in whatever form. And, you know, there's nothing
10 wrong with having two proposals that address the same
11 issue, that happens. And then your basis are covered.

12

13 Mr. Chair.

14

15 CHAIRMAN LOHSE: And that's -- you did
16 bring up something else and that's something that I
17 wanted to say is that even if we as a Council don't put
18 a proposal in, any Council member as a, I'll use the word
19 citizen, as a citizen of the State of Alaska can put a
20 proposal in, but you can't put it in as a Council member,
21 you're putting it in as an individual.

22

23 Doug.

24

25 MR. BLOSSOM: Thank you. Mr. Chairman.
26 I just encourage you not as a Council member to put it
27 in, get someone else to put it in. I just -- you know,
28 62 years I've commercial fished and I've watched that
29 Board of Fish come up with proposals that the public
30 never talked about and that's wrong. It's our job to act
31 on a proposal when the people put it in. And so get
32 someone to put it in then we can act on it.

33

34 MR. ALDER: Even if it's submitted it
35 wouldn't become -- until the next hunting season -- it
36 wouldn't be ready by this fall, would it.....

37

38 CHAIRMAN LOHSE: No.

39

40 MR. ALDER:it would have to be
41 acted on in October so it would be 2012 before it would
42 become a regulation?

43

44 DR. WHEELER: That's correct. It'll be
45 -- this Council would act on it next fall, then the
46 Federal Subsistence Board -- or this Council would make
47 a recommendation on whatever proposals are before it next
48 fall and then the Federal Subsistence Board will take up
49 the wildlife proposals in January of 2012. Then they'll
50 be -- the -- they'll be effective July 1, 2012 to June

1 30th, 2014.

2

3 MR. ALDER: Okay. Good.

4

5 CHAIRMAN LOHSE: And, Justin, you had
6 your hand up for a second?

7

8 MR. JUSTIN: Thank you. Mr. Chairman.
9 Wilson Justin again for Cheesh'Na. We'll submit a
10 proposal, we can beat the deadline easily.

11

12 CHAIRMAN LOHSE: Okay. Thank you.

13

14 MR. JUSTIN: Thank you.

15

16 CHAIRMAN LOHSE: We'll count on that
17 then. Okay. Do we have anything more on the closure
18 policy or closure review?

19

20 MS. BROWN: No, Mr. Chairman,

21

22 CHAIRMAN LOHSE: Thank you.....

23

24 MS. BROWN: Thank you.

25

26 CHAIRMAN LOHSE:Cole. And with
27 that we're going to go on to a call for proposals which
28 is exactly what we've been talking about. And we have
29 another -- okay. Good. And we have a request for public
30 comment on this call for proposals by Thomas McDonough.

31

32 Tom.

33

34 MR. MCDONOUGH: Thank you. Mr. Chairman.
35 I don't have a formal proposal to address here, I would
36 like a chance to talk about the current moose population
37 situation on the Kenai and some conservation concerns and
38 talk about some Board of Game issues that are coming up
39 here in a couple weeks if the Chairman would allow.

40

41 CHAIRMAN LOHSE: You're -- you have them.

42

43 MR. MCDONOUGH: Thank you. I'll be
44 brief, respecting your commitments, but I can expand on
45 this if you want.

46

47 The moose population in 15A has declined
48 about 50 percent since the early '90s. In 15B we've
49 documented about a 60 percent decline from the 1990s.
50 Similar declines in Unit 7. In 15C there's been about a

1 10 to 20 percent decline in population size in the last
2 10 years. Along with those declines we've seen declines
3 in bull/cow ratios that we believe are a major
4 conservation concern at this point. And, you know, why
5 is bull/cow ratios an issue, I'm sure you all know, but
6 hunting allows us and the mating behavior of moose allow
7 us to skew the sex ratio to reduce the number of bulls
8 and still ensure maximum productivity and mating success.
9 There's a threshold though, I mean, there's not enough
10 bulls to successfully breed with all the available cows.
11 And this is somewhat a loose threshold, but generally in
12 many parts of the state 20 bulls per 100 cows is the
13 threshold used. And we're below that threshold in many
14 different parts of the Kenai. The most stark example is
15 in Unit 15C where an extensive compensation survey this
16 fall has tallied nine bulls per 100 cows. The only place
17 on the Kenai Peninsula where bull/cow ratios are not an
18 issue is in the eastern side of 15B where spike-fork
19 bulls have not been a legal animal in the harvest.

20

21 And because of these declines in bull/cow
22 ratios, the Department has several recommendations that
23 we'll present to the Board of Game meeting which starts
24 March 26th. And I'm going to be brief, there's a lot of
25 different proposals and different nuances, but we are
26 going to propose eliminating the spike-fork portion of
27 the bag limit on the Kenai Peninsula which if the Board
28 adopts that will decrease State harvest by 65 to 70
29 percent. And the reason we're doing that is because of
30 bull/cow ratios, we want to increase the number of bulls
31 that are getting into the population and we believe the
32 most effective way to do that in the short term is
33 allowing yearlings to be protected.

34

35 We're also proposing to shorten the
36 general season for moose 12 days, from August 20th
37 through September 20th to the 1st through the 20th of
38 September.

39

40 I guess basically that's a quick summary
41 of the status and concerns and some Board proposals and
42 I just thought it was relevant information to the RAC, to
43 bring this before you.

44

45 CHAIRMAN LOHSE: Thank you, Tom. That
46 does -- that has a ripple effect, that affects moose
47 hunting all over the State, proposals like that. It's
48 interesting to get a heads up on it ahead of time that
49 those kind of things are there.

50

1 I was going to ask you something on the
2 cow/calf -- oh, I was going to ask you what is your
3 cow/calf ratio, do you have any idea on that?

4
5 MR. MCDONOUGH: Mr. Chairman. It
6 depends what area you're talking about, what count area.
7 We've had long term declines in the northwestern part of
8 the Kenai Peninsula in Unit 15A and calf/cow ratios have
9 been low for a while. And that's been predicted due to
10 the lack of fire regenerating the habitat. We've seen
11 these declines before and it was predicted.

12
13 In 15C which is, compared to other places
14 on the Kenai, more of the bright spot, the population was
15 doing well before this recent decline in bull/cow ratios.
16 The calf/cow ratio in our March, 2010 census was 16
17 percent calves in the population. It was a March survey
18 so we didn't have a -- couldn't determine bulls and cows.

19
20 In this recent fall survey we tallied 19
21 calves per 100 cows which is low. And this is anecdotal
22 and we have some hope that we're going to get some money
23 to do more research to quantify some of these limiting
24 factors. But anecdotally during these comp surveys in
25 15C, I saw many examples of yearling bulls tending cows
26 in November which is a pretty clear indication that not
27 only is the cow going through a second estrus, but is not
28 very choosy about who her mate is.

29
30 So we believe that the recent low numbers
31 in calf to cow ratios could very well be related to the
32 low bull/cow ratios and available cows not getting bred.
33 Certainly there's other factors with habitat quality and
34 predation that certainly can contribute as well.

35
36 CHAIRMAN LOHSE: That was my question was
37 whether you thought the calf ratio was due to lack of
38 impregnation or if it was due to predation. And the low
39 bull ratio would be almost directly related to hunting
40 then wouldn't it, I mean, that's -- that would be your
41 biggest predator on the bulls?

42
43 MR. MCDONOUGH: Yeah, I agree. Mr.
44 Chairman. And.....

45
46 CHAIRMAN LOHSE: Doug.

47
48 MR. BLOSSOM: Yeah. Mr. Chair. Tom,
49 I've got an observation and then a question. The
50 observation is a reliable source in Ninilchik reported a

1 yearling bull impregnating cows in December around
2 Ninilchik. And my question is what do you intend to do
3 about the cow hunt in -- south of Anchor River?

4
5 MR. MCDONOUGH: Thank you. Mr. Chairman.
6 Member Blossom. I appreciate that anecdote, I don't
7 doubt it.

8
9 Regarding the cow hunt, we are going to
10 proceed with the cow hunt. It's a low level hunt, it's
11 a small area relative to the greater lower Kenai
12 Peninsula and it focuses on animals that tend to use the
13 Homer Bench as a wintering grounds. And I'm the
14 unfortunate soul that gets to cart out all the moose that
15 starve in people's yards this time of year in Homer and
16 it's still happening quite a bit. The habitat in the
17 Homer Bench is severely browsed, there's research done by
18 my colleagues in -- out of Fairbanks that show that when
19 moose start browsing over 35 percent of the current
20 annual growth of the available browse, then you might
21 have too many moose. And although I don't have any
22 formal browse surveys, the available, you know, high
23 quality willow browse in and around Homer is pretty much
24 100 percent hit every year. And that's the reason we're
25 seeing high level of starvation.

26
27 CHAIRMAN LOHSE: Doug.

28
29 MR. BLOSSOM: Yeah. Mr. Chair. Okay.
30 I'm going to give you two observations that I totally
31 disagree with you. Kalgin Island out in the middle of
32 Cook Inlet, you have a moose population there that you've
33 been unable to get rid of. You didn't like it getting so
34 big and it's still there. Even some of your biologists
35 went out there and got moose this year and to the best of
36 my knowledge they're in perfect shape and there's no
37 browse out there at all.

38
39 My second observation is I've lived in
40 Ninilchik for 62 years and starting with my father and
41 then we me and my grandkids, we have harvested hay for 62
42 years and the moose eat that hay every single winter and
43 I have never found a moose around my place that's died
44 from starvation. And I guess come up and look, you know,
45 they get into my hay every night. And to the best of my
46 knowledge I've never found a dead moose around there from
47 eating hay.

48
49 So that's two observations that I
50 disagree with you on.

1 CHAIRMAN LOHSE: Tom.
2
3 MR. MCDONOUGH: Thank you. Mr. Chairman.
4 I'll address those a little bit, I don't want to get into
5 a debate here, it's kind of off topic of what I was
6 talking about.
7
8 Kalgin Island is an anomaly, but I don't
9 think Kalgin Island moose is a model for how we want to
10 manage moose because the moose are -- there's no
11 predation there, but they're not in great condition.
12 Their teeth are -- wear down way faster than moose in
13 other populations. So people point out Kalgin and
14 Scandinavia and other places as examples of what, you
15 know, we -- how we can manage moose. It's, I think, not
16 a real good direct comparison.
17
18 Regarding the hay, I should remind you,
19 Member Blossom, that if you negligently leave animal
20 food, pet food or garbage out in a manner that attracts
21 a moose you're in violation of a law.
22
23 (Laughter)
24
25 MR. MCDONOUGH: But, you know, regarding
26 hay and moose, moose can eat hay. They feed them on hay
27 at the moose pens when they're doing captive experiments.
28 But encouraging moose to eat hay is not something we
29 support because that creates a dependence and creates
30 potential for human safety issues, having moose come in.
31
32 CHAIRMAN LOHSE: Doug.
33
34 MR. BLOSSOM: Mr. Chair. Tom, I've got
35 you covered there. In the fall when the snow flies I
36 call protection and I tell them the moose are in my hay,
37 I can't do anything about it, it's up to you. And so I
38 cover myself every fall. I've put up six and seven foot
39 fences and they jump them. So I do try to keep them out,
40 but you can't keep a hungry moose out. So anyway I cover
41 myself every fall because of this problem and we've done
42 it forever, I don't know any way around it.
43
44 CHAIRMAN LOHSE: Judy.
45
46 MR. BLOSSOM: They get right in with the
47 horses and eat, they jump over the fence and eat with my
48 horses. I don't know how to keep them out.
49
50 (Laughter)

1 MS. CAMINER: I was just wondering if
2 you're planning on submitting a proposal to the Federal
3 Program.

4
5 MR. MCDONOUGH: There's -- the higher ups
6 in my agency are talking about it, there's nothing
7 confirmed at this point.

8
9 CHAIRMAN LOHSE: Thomas, I would have --
10 I've got some neighbors that would be very interested if
11 you could come up with a way to get moose out of their
12 hay. And these new covered bales, the silage bales, the
13 moose will ignore all of the other stuff to get that, I
14 mean, they go nuts over that. They tear the plastic off,
15 eat the plastic, eat the silage that's inside of it and
16 they -- short of shooting them they can't do anything to
17 keep them away. One of the farmers even went and parked
18 his truck and tractor in front of his shed that had his
19 hay and the moose crawled underneath it and got in there
20 and then they couldn't get out. I mean, it -- you know,
21 it -- you know, for.....

22
23 (Laughter)

24
25 CHAIRMAN LOHSE:but, I mean, it's
26 -- I know it's illegal to feed them, but they would love
27 it if they -- if you could come up with some way to
28 convince the moose that it was illegal to eat the hay,
29 you know.

30
31 (Laughter)

32
33 MR. MCDONOUGH: I appreciate that, Mr.
34 Chairman, and I mentioned that just to kind of tease
35 Member Blossom.

36
37 CHAIRMAN LOHSE: I know you did.

38
39 MR. MCDONOUGH: I know it's an issue and
40 it's a hard one to overcome.

41
42 CHAIRMAN LOHSE: Yeah. It's an issue
43 anyplace we've got agriculture in the State of Alaska, I
44 mean, it's -- it's an issue in Southcentral on the Kenai,
45 it's an issue in Southcentral in the Mat Valley, it's an
46 issue in Southcentral up in the Kenny Lake area. There's
47 no question that the moose like the hay. And it's not
48 just the hay that's in bales, you see the moose down on
49 their knees eating the grass in the pasture in the
50 wintertime. We've seen as high as nine moose in the

1 field across from where we live, down on their knees
2 eating the grass that's growing in that field. And
3 what's really bad, what's really aggravating about it is
4 there's totally good browse on the edge of the field, I
5 mean, there's willows that are young, there's cottonwoods
6 that are young and they're out there eating the grass.

7

8 So I think.....

9

10 MR. ENCELEWSKI: Ralph.

11

12 CHAIRMAN LOHSE: Greg.

13

14 MR. ENCELEWSKI: I got a couple of
15 questions or comments, Tom, for you. I'm also a resident
16 of Ninilchik as you know and I've been there 63 years,
17 hate to admit it, but I'm getting up there.

18

19 (Laughter)

20

21 MR. ENCELEWSKI: But anyway I also am on
22 the local AC and I take quite an interest with the moose
23 population there and I've made a lot of local anecdotally
24 observations. And one of my big concerns is I'm totally
25 opposed to shutting down the spike-fork because it's a
26 very good resource for the people there, they depend on
27 it very heavily. And I don't think that's our problem.
28 I think one of our big problems is the mid range bulls,
29 the good breeder bulls are getting wiped out. All these
30 guys with fancy camps and rigs and they're taking out a
31 lot of what I call in betweeners that are -- they
32 shouldn't be taking out. So I really would like you to
33 take a good look at that. I do agree the bull/cow ratio
34 is down, it's down bad and something needs to be done
35 about it. But I just wanted to make that statement.

36

37 And I got a bunch of neighbors, old
38 Linderman, he's having a hell of a time with his hay too.
39 So you're not the only one, Doug, we got to cite a whole
40 bunch of you down there.

41

42 (Laughter)

43

44 MR. MCDONOUGH: Mr. Chairman. May I
45 comment to that?

46

47 CHAIRMAN LOHSE: Yep.

48

49 MR. MCDONOUGH: Regarding the spike-fork
50 portion of the harvest, back in 1993 Fish and Game

1 research, Chuck Schwartz, published a paper that modeled
2 the pre and post spike-fork 50 success on the Kenai. And
3 all models are wrong, some of them are useful. One of
4 the -- two of the major assumptions he had in his model
5 is that populations remain stable, that's an assumption
6 that has been clearly violated on the Kenai Peninsula.
7 And the second big assumption is he assumed that out of
8 all the yearlings that are on the ground come hunting
9 season, half of them are going to be legal spike-forks
10 and half of them are going to be protected, they're going
11 to be a bigger antler configuration. From what we see in
12 the harvest statistics and comp surveys in the fall,
13 that's not a 50/50 ratio, it's closer to -- and this is
14 a bit of a, you know, piecing together different pieces
15 of the puzzle, but it looks more like three-quarters of
16 the moose are spike-forks and 25 percent are protected.
17 So with that high level of harvest on the bulls, I think
18 we're seeing the chronic affects of taking that high
19 proportion year over year.

20

21 It was another contention back in the
22 days where it was -- when the spike-fork 50 was being
23 considered and ultimately adopted is that spike and forks
24 are genetically inferior animals versus bigger yearlings.
25 And this was based on some, you know, published work from
26 white tail deer and red deer in other places in the
27 world. I think that assumption has clearly been rejected
28 because if that antler configuration was governed
29 genetically having that high harvest would decrease the
30 proportion of those characteristics in the population
31 over time. And we've seen a pretty much steady 55 to 65
32 percent of the harvest is spike-forks year after year.

33

34 So I think we're -- the Kenai was the
35 first place in Alaska to adopt the spike-fork 50
36 regulation and I think we're seeing some of the long term
37 affects when you have declining populations. And along
38 with the declining populations, if an animal
39 nutritionally stressed they're going to tend to put out
40 a smaller antler. So as that population declines we're
41 getting more and more, I believe, spike-forks that are
42 unprotected in the harvest.

43

44 CHAIRMAN LOHSE: Greg.

45

46 MR. ENCELEWSKI: Yeah. Thanks, Tom. I
47 got a -- you know, from the AC meeting we got -- it was
48 a little different information, about 60 percent I think
49 they thought were the spike-fork take is what I heard
50 from Jeff Saunder. But regardless I do know it's a

1 problem and I support conservation, but I don't think
2 that's the whole total thing, I don't think they should
3 take the brunt of the restrictions and the hit. That's
4 the point I'm trying to make. I mean, I do know that
5 these are four legged, they're migratory as we heard
6 before, move and we've had a lot of burns in the Kenai,
7 in the hills in our areas, we've had them move out of
8 some areas into other areas, we recently had some road
9 cut that I support and I came from Clam Gulch the other
10 day, I was going to call Mr. Blossom up and let him know
11 because he said there's no moose around, but I counted
12 probably 20 moose from Clam Gulch to my house. I got
13 bull moose in my yard, little spike-forks, ate up all my
14 wife's pines and boy, I tell you if there ain't someone
15 want to take a few bulls out there, we got a problem.
16 But anyway they also eat pine trees.

17

18 CHAIRMAN LOHSE: Thank you, Greg.

19

20 Doug.

21

22 MR. BLOSSOM: Yeah. Mr. Chair. Tom. I
23 agree with Greg that -- I think originally the spike-fork
24 50 worked, but I think because of lack -- I would say
25 lack of protection, I have visually seen horrendous
26 amounts of the mid size moose being taken and no one
27 checking on it. And I think that's our problem, the mid
28 size moose have disappeared and that's what Spraker
29 always counted on to keep it going. And that class of
30 moose is gone now.

31

32 CHAIRMAN LOHSE: Thank you.

33

34 MR. MCDONOUGH: Mr. Chairman. I
35 appreciate that comment, Mr. Blossom. Another proposal
36 before the Board is to require all moose taken in the
37 State harvest to have hunters bring in the antlers for
38 some sort of sealing or plugging or something. And the
39 Department has not supported that in the past just
40 clearly because of the demands issue, I mean, we have
41 three staff working there. But seeing the bull issue
42 coming before us, the lack of bulls, and the, you know,
43 potential of the Board reducing the harvest drastically,
44 we wouldn't (ph) mind having the Board adopt that
45 regulation and have us monitor that. Again you assume
46 that people that are taking illegal moose are still going
47 to bring them in to get the antlers checked which may or
48 may not be the case, but I wouldn't mind getting that
49 data and seeing the antler configuration coming out.

50

1 CHAIRMAN LOHSE: Any other questions.
2
3 Greg.
4
5 MR. ENCELEWSKI: No, I'll just make a
6 comment. The only antlers you're going to see is the
7 legal ones anyway. So.....
8
9 CHAIRMAN LOHSE: Yeah. That's what I'm
10 afraid of.
11
12 Well, thank you for the report and you
13 gave me some insights. I just was down there last month
14 for my granddaughter's birth in Homer and I saw all those
15 moose alongside the road eating there. And you know what
16 my wife's comment was, is how can they have so many small
17 calves at this time of the year. And you just explained
18 it, I mean, if you've got moose breeding in November and
19 December, no wonder these calves are so small at this
20 point in time. Does -- and that probably affects the
21 survival then too, doesn't it, I mean, a late -- a cow
22 that's bred in December's going to have an awful going
23 into the following year.
24
25 MR. MCDONOUGH: Uh-huh. Very much so,
26 Mr. Chairman. Yeah, that -- any breeding outside of the
27 prime estrus month of October is going to compromise
28 survival. And the further you go -- and moose will
29 continue going into estrus, you know, five, six cycles
30 until they get bred so any breeding that occurs after the
31 prime October time is not good.
32
33 CHAIRMAN LOHSE: Any other questions or
34 comments.
35
36 (No comments)
37
38 CHAIRMAN LOHSE: Does anybody have the
39 time?
40
41 MR. HENRICHS: Mr. Chairman.
42
43 CHAIRMAN LOHSE: Mr. Henrichs.
44
45 MR. HENRICHS: Maybe they ought to feed
46 those bull moose viagra in October.
47
48 (Laughter)
49
50 CHAIRMAN LOHSE: They have to -- they'd

1 probably need more than that if there's only that many of
2 them.

3

4 But with that it's pretty -- does any --
5 if nobody has any questions for Thomas we'll thank you
6 muchly for your report.

7

8 MR. MCDONOUGH: Thank you.

9

10 CHAIRMAN LOHSE: We've been talking about
11 a call for proposals to change Federal subsistence
12 wildlife regulations and we've been talking about that in
13 all of these things that we're doing. Basically what
14 we've -- what we have is we have until March 24th to get
15 a proposal in to change regulations that will apply in
16 2012 because those proposals will be worked on this fall
17 by the RAC, they'll be worked on next spring or next --
18 middle of winter by the Board. So they're not going to
19 take effect until 2012. And so this is a call for
20 proposals and if you want a game regulation proposal --
21 you want any proposal regarding game, have it in by March
22 24th.

23

24 Have you got anything else to add to that
25 Polly?

26

27 DR. WHEELER: (Nods affirmatively)

28

29 CHAIRMAN LOHSE: Okay. With that I think
30 we're awful close to noon, aren't we?

31

32 MR. CARPENTER: Five after.

33

34 CHAIRMAN LOHSE: Five after. Okay. With
35 that we're going to recess for lunch. What's the
36 consensus of the Board, should we recess for an hour,
37 hour and a half, hour 15 minutes, give me an idea.

38

39 MR. CARPENTER: Where is there a place to
40 eat?

41

42 CHAIRMAN LOHSE: Where's a place -- we
43 have to go someplace to find a place to eat, I think.

44

45 K.J..

46

47 MS. MUSHOVIC: Thank you. Mr. Chair.
48 There is a Village Inn very close to here, you can
49 actually go to the BP cafeteria in their building across
50 the parking lot.

1 CHAIRMAN LOHSE: Okay. What's the idea,
2 hour and 15 minutes, does that sound good for everybody?
3
4 (Council nods affirmatively)
5
6 CHAIRMAN LOHSE: Okay. Hour and 15
7 minutes. We'll -- let's just -- we're five after 12:00,
8 let's just recess, we'll basically get started at 1:30.
9 So be back -- be back in time to get started at 1:30.
10
11 (Off record)
12
13 (On record)
14
15 CHAIRMAN LOHSE:when I said 1:30 so
16 we'll blame it on Polly that I'm ringing the bell, but
17 it's time to get started. Actually thank you for
18 reminding me.
19
20 DR. WHEELER: I really wasn't going to
21 remind you, I was just looking at my watch.
22
23 CHAIRMAN LOHSE: Yeah, but that was
24 because it was after 1:30.
25
26 (Laughter)
27
28 CHAIRMAN LOHSE: Okay. We were on call
29 for proposals.
30
31 Do we have everybody at the table yet?
32
33 No, not quite. We'll give it -- we'll
34 give everybody a minute or so yet.
35
36 Here comes Chuck.
37
38 (Pause)
39
40 CHAIRMAN LOHSE: We were on the call for
41 proposals to change Federal subsistence wildlife
42 regulations and we finished a lot of it. I had a -- I
43 had a few things written right underneath this that we'd
44 gone through when we went through the agenda change to go
45 on to -- which is the RFR and the military operations.
46 But I also have a request to -- for -- oh, boy, come on,
47 Ralph, to speak out to our Council. And so I'm going to
48 take Sky Starkey right now and then we will go on to the
49 RFR and to a little bit of comment and what we want to do
50 for commenting on that military operations thing.

1 And we'll go into that in a little bit
2 more detail when we get there.

3
4 MR. STARKEY: Thank you, Mr. Chairman,
5 for accommodating me in letting me speak to the RAC.
6 It's great to be here in front of this RAC. It's done so
7 much and has been so active and engaged.

8
9 I wanted to start out by talking to you
10 a little bit about the community harvest hunt because I
11 know that's on your agenda and then I would like to also
12 talk a little bit about chum bycatch which is also on
13 your agenda and then tribal consultation.

14
15 The -- essentially the community harvest
16 hunt, I don't know how much you do know about it, but
17 it's something that the Board of Game adopted on a --
18 based on a proposal that AHTNA submitted that sets aside
19 some caribou and some moose for communities to hunt. And
20 I think -- I don't really know how much detail to go into
21 and you all can ask me questions, but here's the take
22 home message on the community hunt. The subsistence law
23 is -- the State subsistence law is very similar to yours
24 in that it -- you know, subsistence users are customary
25 and traditional uses. And the customary and traditional
26 use determinations that the State's made and that the
27 Federal government have made frankly are of little worth,
28 they're -- you know, all of you who live in rural areas
29 know that a community uses all the resources that are
30 near or reasonably accessible to it and so to go species
31 by species for long established communities is really in
32 my view a waste of time.

33
34 What is important about customary and
35 traditional use is the State of Alaska has this -- you
36 know, by law cannot implement a rural priority. So for
37 a long time there's been this interpretation that all
38 Alaskans are eligible for subsistence users -- for
39 subsistence uses and that's probably accurate under the
40 law. Well, what that's meant up until recently is that
41 all Alaskans are considered subsistence users and all
42 hunting uses are considered to be subsistence uses. And
43 so in the case of the Nelchina Caribou Herd all hunting
44 was considered to be a subsistence use. And the Board of
45 Game knew that that wasn't actually true and I think the
46 Chairman was referring earlier to, you know, come to,
47 maybe it's the corner where Glennallen and the Glenn and
48 the.....

49
50 CHAIRMAN LOHSE: Richardson.

1 MR. STARKEY:Richardson meet there
2 and see the RVs, the big hunting vehicles that are there
3 in the -- you know, for the hunt. And, you know, some --
4 those -- some of those users are not subsistence uses.
5 And so the -- you know, the -- what the Board did because
6 they wanted to figure out how to structure the Nelchina
7 Caribou Hunt in a way where subsistence users were being
8 taken care of, but they were also able to provide, you
9 know, a broader opportunity for all Alaskans to hunt.
10 Okay. Previously it had been a Tier II hunt, for years
11 and years and years and years it's been a Tier II hunt
12 and only a certain small group of Alaskans were getting
13 to hunt.

14
15 So what the Board did was they started --
16 they took customary and traditional use findings another
17 step and I think that's the real use to customary and
18 traditional use. And they looked at, okay, we need to
19 identify what use pattern -- what is the use pattern that
20 is customary and traditional subsistence use. So when
21 they took a look at that use pattern they developed some
22 findings which reflected that subsistence users are
23 community use, they involve sharing and so they
24 distinguish this pattern of subsistence use, this
25 communal pattern of subsistence use that goes on in
26 villages and then they also identified a more individual
27 pattern of use and they provided different opportunities
28 for the different patterns of uses. Because the
29 subsistence law requires a reasonable opportunity for
30 subsistence use, so it -- so long -- if you're
31 identifying a different use pattern you can provide a
32 different reasonable opportunity for different uses.
33 That starts to make a lot of sense on the subsistence
34 law. And where it's relevant here in my view is
35 something like on the Kenai Peninsula where you've had
36 Ninilchik asking to have certain uses of populations
37 because they feel like it's necessary for their community
38 and the Federal Subsistence -- not the staff or the
39 Board, but essentially their lawyers have been saying
40 well, you can't do that because you have to treat every
41 community on the Kenai exactly the same. And that's not
42 really accurate. You can treat different communities
43 according to what their use patterns are and what their
44 needs are.

45
46 So that's really the important thing
47 about the community hunt is that the State of Alaska now
48 and the Board of Game has actually started to move in
49 this direction of looking and identifying what
50 subsistence use patterns are and how to provide for them.

1
2 And the last thing I would say about the
3 community hunt is that, you know, there are times when
4 I've seen the Board of Game and the Board of Fish act
5 that I've really disagreed with them and questioned what
6 was going on, but this particular Board of Game has been
7 incredibly courageous on the community hunt. There has
8 been political maneuverings that you really would not
9 believe. The Attorney General's Office has refused to
10 defend the Board of Game in an appeal for the Supreme
11 Court, the first time that I can ever know -- remember
12 that the Board -- the State has refused to defend its own
13 Board. The attorney general actually inserted himself
14 personally into a Board of Game meeting to try to
15 influence the way the Board decided an issue and those
16 Board members told him where he could take that. And now
17 the Alaska Outdoor Council who does not want to see this
18 happening is putting incredible pressure on the governor
19 to not appoint anybody who agreed with this hunt and
20 they're going to fight confirmations and on and on. So
21 it's taken a lot of courage for some of these Board
22 members to, you know, do this, but they just believe it's
23 the right thing.

24
25 So that's all I would say about the
26 community hunt.

27
28 Moving into the chum bycatch issue, I
29 know this is probably an issue that doesn't directly
30 affect this Council because the chum bycatch issue that
31 we're -- that you're going to hear about later has to do
32 with inner -- with high -- with the trawl fishery, the
33 pollack trawl fishery. Inner -- and you -- we -- you
34 were familiar with the chinook bycatch issue and now you
35 have your own chinook bycatch issue here in the Gulf.
36 But this chum bycatch issue is another place where the
37 trawl fleet, the pollack fleet is essentially
38 unregulated. They took 700,000 chums in 2005, that's a
39 lot of fish. They're wasted, they're not -- you know,
40 they're not put into any market. And although they do
41 provide some chum to -- well, they provide some salmon to
42 food banks somewhere, the truth of it is that they --
43 very few of them can be provided anywhere because of the
44 way they fish, they're all scooped together and there's
45 this incredible weight and they all get smooched and
46 they're not really worth anything. And the -- that's
47 okay for the pollack because they're just going to turn
48 them into paste and food and fish sticks anyway.

49
50 But so essentially what I'm asking and

1 what some of the other Councils have done in the Interior
2 in the ABC P region is it was really helpful last time
3 when all the Councils pushed the Federal Board, and I
4 don't think they -- the Federal Board had to necessarily
5 be pushed, but authorized the Federal Board to take a
6 really strong position on chinook position and then the
7 Federal Board developed that position and came into the
8 North Pacific Fishery Management Councils as a Federal
9 Board and as the Fish and Wildlife Service with really,
10 you know, a low bycatch level. And so I would ask this
11 Council to consider sending that same kind of message to
12 the Federal Board asking them to develop a position on
13 chum bycatch and make it public before June when the
14 Board starts to deal with this issue, that would take a,
15 you know, very conservative subsistence oriented position
16 on chum bycatch.

17
18 So that's what I would say about chum
19 bycatch.

20
21 On tribal consultation, I'll just offer
22 that the problem with tribal consultation up to this
23 point is that the tribes themselves have not really had
24 a way to meaningfully weigh in on what that should be.
25 There was the meeting in January, but I think that for
26 those -- I know Ralph was there and Greg was there and I
27 don't know who else was there, maybe Bob was, but -- and
28 Judy was, but there wasn't a lot of really focused
29 discussion on tribal consultation and what the tribes
30 would really like to see out of it. And I think the
31 concern of some of the tribal people that I know is that
32 they'll be recommendations developed and they'll be in
33 good faith, but people won't really know, have a good
34 sense of what really will work from the tribal
35 perspective. And so there's been some thinking and the
36 YK Delta RAC passed a resolution that it would be good if
37 the Federal agencies, they're all going to do this, Park
38 Service is going to do their own consultations, Forest
39 Service, Fish and Wildlife Service, Federal Board, what
40 they should actually do is come together with their
41 funding and convene a tribal leaders summit so that the
42 tribal leaders could get together, spend some days
43 talking about what they want out of consultation with
44 these agencies and then provide them with recommendations
45 about what they want rather than it come the other way --
46 the other way down.

47
48 So that's just a suggestion for this
49 Council, if they decide to take any action on it.
50

1 Thank you. Mr. Chairman. That'll wrap
2 up my comments.

3
4 CHAIRMAN LOHSE: Thank you, Sky. Any
5 questions or comments.

6
7 (No comments)

8
9 CHAIRMAN LOHSE: Sky, I would agree with
10 you on your last point right there because I was there in
11 January, there was some very good discussion, a lot of
12 points brought out, but none of them really came out with
13 what was expected or what would work for tribal
14 consultation, it was more of an airing of frustrations
15 and issues and things that had come up in the past and
16 comments and everything else. And I think that that
17 would -- what you're talking about would be about the
18 only way that you could actually come up with something
19 is, you know, somehow or another there's going to have to
20 be ownership taken of it by the tribes to the point where
21 they understand what is meant by tribal consultation,
22 what they think is meant by tribal consultation and how
23 best to accomplish it. And that's going to have to come
24 from the bottom up, not the top down. And that's only
25 going to happen if they, you know, like I said, have a
26 roundtable, sit around long enough and have time to first
27 of all get the issues out and clear the air that way, and
28 then sit down and meaningfully discuss. I thought a lot
29 of issues were brought up at that January meeting and I
30 think a lot of angst was taken care of, but I didn't see
31 anything come out of it that said, okay, now here's how
32 we should do this.....

33
34 MR. STARKEY: Right.

35
36 CHAIRMAN LOHSE:you know, and I
37 think that's going to have to come from the bottom up and
38 that's only going to come with, you know, a lot of
39 involvement because expectations or perception is going
40 to be 80 percent of it or more, you know, you've got to
41 know what you're expecting to get and then how to
42 accomplish it before you can do that.

43
44 MR. STARKEY: Thank you. Mr. Chairman.
45 I agree with all that.

46
47 CHAIRMAN LOHSE: Mr. Henrichs.

48
49 MR. HENRICHS: Yeah, it seemed to me like
50 in the past tribal consultation was oh, yeah, I guess we

1 got to use tribal consultation and we'll do the
2 consultation and then we'll go ahead and do whatever we
3 were planning on doing before anyway is the impression I
4 always got. And now maybe they're actually going to
5 listen to tribes. And I do know that on the Copper
6 River, on the research our tribe does up the river there,
7 everything we told the Fish and Game before that turned
8 out to be true, so maybe we're not so far off base.

9

10 MR. STARKEY: Thank you.

11

12 CHAIRMAN LOHSE: Okay. At this point in
13 time with our coordinator we're going to review the
14 Council Charter.

15

16 MR. CARPENTER: Are you going to do these
17 things?

18

19 CHAIRMAN LOHSE: Oh, my fault. My fault.
20 I skipped things that I wrote down. It would be helpful
21 if I'd stopped at Fred Meyer's and bought a pair of
22 glasses over lunch.

23

24 (Laughter)

25

26 CHAIRMAN LOHSE: I left my glasses in
27 Kenny Lake. So -- okay. A little catchup on the RFR and
28 maybe we -- Polly would like to take care of that. You
29 have some papers in front of you on it, the position on
30 it and what's going on.

31

32 DR. WHEELER: Thank you. Mr. Chair. As
33 you know the State of Alaska submitted a request for
34 reconsideration of the decision that was made by the
35 Board regarding the Ninilchik customary and traditional
36 use determination. We received the RFR, verified that it
37 could, in fact, be -- that an RFR of an RFR of an RFR
38 could be RFR'd. And it appears that that is the case.
39 So we haven't done anything with it yet. We will be
40 dealing with it this spring and this summer and it will
41 likely be before you in the fall in some way, shape or
42 form. But what that form is, I can't say.

43

44 CHAIRMAN LOHSE: So basically, Polly,
45 what you're telling us is it's the same thing as
46 proposals. If a proposal is turned down it can be
47 resubmitted and resubmitted and resubmitted and an RFR
48 can do the same thing?

49

50 DR. WHEELER: Well, this is a -- the

1 process is this is an RFR of a decision that was made on
2 the basis of an RFR. It's a procedural -- it's
3 procedurally allowed, but keep in mind the State wants
4 the decision changed. If the State -- if the RFR is not
5 accepted then that will satisfy the administrative remedy
6 and then the State could go to court if the State so
7 choose. So it's basically exhausting the administrative
8 process and it's a.....

9

10 CHAIRMAN LOHSE: Prior to the.....

11

12 DR. WHEELER:step that needs to be
13 done before the State goes to court if that what's the --
14 I'm not saying that's what they're going to do.....

15

16 CHAIRMAN LOHSE: Uh-huh.

17

18 DR. WHEELER:but that -- it would
19 allow them to do that because it would close out the
20 procedural.

21

22 CHAIRMAN LOHSE: Okay. It would be the
23 final step in the procedure if they wanted to go to
24 litigation?

25

26 DR. WHEELER: Correct.

27

28 CHAIRMAN LOHSE: Okay. Gloria.

29

30 MS. STICKWAN: I have a question, but I'm
31 not sure if it's the right time to call -- to ask that is
32 it -- we did a policy in the past about whoever's going
33 to bring a RFR for reconsideration that they have
34 substantial new evidence presented before they could.
35 Could it -- could we also add in there that once a Board
36 makes a positive C&T that they don't review it for the
37 next three to four or whatever number of years, that is
38 has to say in place until -- can that be done?

39

40 DR. WHEELER: So it'd be basically saying
41 that once a customary and traditional use decision was
42 made it would have to -- it would have to be left alone
43 for a period of time. By regulation I don't believe that
44 that could -- I mean, that's not in current -- it's not
45 in current regulation, it could certainly be, I guess,
46 proposed, but that's -- that -- I'm not -- I -- whether
47 or not that would hap -- I think it's probably highly
48 unlikely it would happen, but I also think that that
49 would -- it could be proposed to the Federal Board and
50 the Federal Board could then consider it.

1 MS. STICKWAN: (Nods affirmatively)
2
3 DR. WHEELER: I -- but I think that, you
4 know the beauty of this process is that it's an open
5 public process, that anybody can submit a proposal again
6 and again as we've seen in the case on the Yukon, just as
7 an example that comes to mind of proposals that we've
8 seen repeatedly. But the problem is when they're seen
9 repeatedly then there's no new information added, but
10 this decision -- the -- our regulations allow for once a
11 Board makes the decision for that decision to be
12 reconsidered and anybody can do that.
13
14 CHAIRMAN LOHSE: Doug.
15
16 MR. BLOSSOM: Mr. Chair. Polly. So as
17 I get this -- let me get this right. You can reject
18 their request altogether, but you have to research it or
19 what -- what's the procedure?
20
21 DR. WHEELER: The State requested a --
22 submitted a request for reconsideration. The Board
23 hasn't taken action yet on whether or not it accepts that
24 request, if it doesn't accept that request that would end
25 the process, it would close out the administrative
26 process and then somebody could file suit if that's what
27 they wanted to do. If it is accepted then we'll go
28 through that review process again like you've gone before
29 on more than one occasion.
30
31 MR. BLOSSOM: The reason I ask is reading
32 their request, this RAC did not go on any of the points
33 that's in that request. We didn't talk about fish off
34 Ninilchik or Deep Creek, we went up into the Kenai and
35 the Kasilof and showed that harvest was done there that
36 one of the Coopers from Ninilchik founded Cooper Landing.
37 And so we never, ever talked as their request tries to
38 show that because the fish went by Ninilchik we had a
39 right to them.
40
41 CHAIRMAN LOHSE: Yeah.
42
43 MR. BLOSSOM: So if you go back in our
44 RAC records you'll see that we never once used that as a
45 criteria and I think we prove by any that people
46 harvested in those areas so you need to look at that.
47
48 DR. WHEELER: I assure you we will.
49 And.....
50

1 (Laughter)
2
3 DR. WHEELER:it's just been --
4 there's been a lot going on in the past few months and
5 we're just trying to get to things as we can, recognizing
6 that, you know, there's no time stipulation on addressing
7 an RFR and they -- we felt that there were other items
8 that were a little bit more time sensitive than that one.
9 But I can assure you when we do turn our hands to it and
10 our heads to it that we will uncover all rocks and stones
11 and anything else.
12
13 CHAIRMAN LOHSE: Stir up the water too.
14
15 DR. WHEELER: Uh-huh. As long as it's
16 not in the spawning stream.
17
18 (Laughter)
19
20 CHAIRMAN LOHSE: Greg.
21
22 MR. ENCELEWSKI: Yeah, Ralph -- through
23 the Chair. Polly, I just wanted to make a statement.
24 I'm hoping that you reject the RFR, the reconsideration
25 for reasons cause, I don't think it's -- I don't think it
26 should even be considered myself and I hope they do take
27 it to court. But when they -- if all this does
28 transpire I want to make sure that Ninilchik is brought
29 in with the Feds on the consultation because we would
30 like to support it with whatever we can including legal
31 support.
32
33 DR. WHEELER: That's heard and that's why
34 we have a transcript. And I would say that the
35 regulations are published. So until the regulations
36 change there they are. So Ninilchik is included in that
37 positive C&T.
38
39 CHAIRMAN LOHSE: Any other questions for
40 Polly on this.
41
42 (No comments)
43
44 CHAIRMAN LOHSE: Thank you, Polly.
45
46 DR. WHEELER: Thank you.
47
48 CHAIRMAN LOHSE: At this point in my
49 agenda I've got the -- and I don't -- I wish I was real
50 good at acronyms, but I don't have the acronym on the tip

1 of my tongue. But basically for those of you that aren't
2 from the Copper River Basin, what we're talking about is
3 the military expanding their practice zone into the area
4 that's used by residents of the Copper Basin, residents
5 of Eastern Interior, residents of the -- I don't think
6 Western Interior gets in there, but basically what we'll
7 call it is up in the Tango Lakes, Denali, Upper Copper
8 Basin area, for low flying aircraft, for bombing
9 training, for all kinds of things like that. And the
10 local people are in -- and I'm just going to talk from
11 talking with people, the local people are extremely upset
12 about this because of its affect on subsistence, on game
13 travel on everything from berry picking to flying your
14 own little light aircraft up there. I think like Lee
15 would probably tell you if you've got jets flying around
16 at 500 feet and you're up there in a Super Cub you don't
17 have much reaction time.

18

19 And so what we have before us and I think
20 I'll ask K.J. to give me a hand on this. We have a
21 letter that the Eastern Interior submitted. And, K.J.,
22 can you tell me what color dot I'm looking for right
23 there?

24

25 MS. MUSHOVIC: I believe it's the yellow
26 dot.

27

28 CHAIRMAN LOHSE: It's the yellow dot.
29 And if you take your yellow dotted paper you'll see how
30 the Eastern Interior reacted to it. And if I understand
31 K.J. right, the time for replying is past, but I don't
32 know if they exactly gave us an extension, but basically
33 have said it's worthwhile for us to put something in
34 because it's not going to be totally ignored.

35

36 MS. MUSHOVIC: That is correct, sir.

37

38 CHAIRMAN LOHSE: So would you like to
39 give us a heads up on all this, K.J., would you mind
40 doing that because you've been following it even closer
41 than I have.

42

43 And I think Gloria's probably got
44 something to add to it because I think your Subsistence
45 Council's dwelt on this one too, hasn't it?

46

47 MS. STICKWAN: Yes.

48

49 MS. MUSHOVIC: Okay. Well, one -- the
50 Alaskan Command, a lot of the people refer to this

1 process as dealing with MOAs, military operation areas,
2 because when they established them the first time that's
3 what they called them. The acronym associated with this
4 expansion is JPARC, so you might hear both of those terms
5 thrown around, for Joint Pacific Army -- well.....

6

7 CHAIRMAN LOHSE: Alaska Range Complex.

8

9 MS. MUSHOVIC: There you go. Anyway it
10 -- and it covers actually a myriad of eight -- 10
11 different proposals and actually there would be over
12 water in your guys' area as well, not just in the Copper
13 Basin and Denali Highway area. So when I approached the
14 Alaskan Command about the fact that this body would be
15 meeting, but it would be after their deadline, they did
16 say that they -- if they got comments after the end of
17 the formal scoping period, they'll continue throughout
18 their NEPA process to make themselves available to brief
19 and listen to potentially affected stakeholder
20 organizations on their proposals and make every effort to
21 include the perspectives that they receive into the EIS.
22 So they've indicated that it'll be at least a year before
23 the EIS comes out, they extended and then re-extended
24 their comment period, it ended on March 4th which is how
25 the Eastern Interior Council was able to slip in their
26 comments just as the official period ended. But as Mr.
27 Lohse pointed out, they are willing to consider your
28 input even though it's after the formal, official
29 deadline. So it may be very well worth your while to
30 consider.

31

32 CHAIRMAN LOHSE: I wish I would have
33 requested that we had and I've looked at it all on the
34 time on Winger Store and that, but I wish I would have
35 requested that we have a map here that would have shown
36 the areas affected. Do we have anything -- do we have a
37 small black and white one in here that I missed?

38

39 MS. MUSHOVIC: I have a color copy of the
40 brochure, if that would help.

41

42 CHAIRMAN LOHSE: Yeah. Because I don't
43 have a brochure along. It's quite extensive, it covers
44 quite an area and it's really -- it's really pretty
45 invasive for lack of a better way of putting it. I don't
46 know if -- I don't know, maybe what we should do is put
47 this off until after a break and on the break time we can
48 all take -- kind of take a little look at this. But I --
49 what I would like to do is I would at least at this point
50 to get you started thinking I would like to -- I'd like

1 to read the Eastern Interior's letter into our minutes so
2 that you have an idea -- everybody's got it, don't they?

3

4 (Council nods affirmatively)

5

6 CHAIRMAN LOHSE: Okay. If everybody's
7 got it then I don't need to read it into there, but I
8 would suggest that what we do, I have it down for now,
9 but I would suggest that we put this off until after our
10 next break and then over the break everybody can have a
11 chance to take a look at it. It -- the -- it was -- you
12 know, it's not like it's a -- it's not like it's a little
13 range extension, you know, to make another target range,
14 it's basically turning the whole Copper River Basin into
15 a war zone for practicing war, you know.

16

17 (Laughter)

18

19 CHAIRMAN LOHSE: Judy.

20

21 MS. CAMINER: Mr. Chair. I guess just
22 for a little bit of history, it's probably been about --
23 at least 15 or more years ago that the military proposed
24 expanding its use of air space and that expansion, that's
25 where this term the MOAs, the military operating areas
26 got started, certainly affected a lot of the public lands
27 around the State, but not so much the Copper River area,
28 a little bit of Denali, a lot of Yukon Charlie, a lot of
29 the refuges along Yukon River. And Department of
30 Interior played a very strong role at that time and
31 requested that military spend quite a bit of money,
32 \$500,000, on studies as to the effects of these
33 operations on a variety resources and the noise or
34 tourism and so on and so forth. After that money ran out
35 there was still continued operations and kind of small
36 expansions, but my understanding here is that this is
37 much more low level flights and probably higher number of
38 flights and, of course, a greatly expanded area. The
39 military told us after that money ran out that well,
40 national defense, national security, no money left, so on
41 and so forth, but I think as someone suggested to me the
42 requirements that FERC is asking for in terms of
43 subsistence information on communities, some of those
44 requirements might be interesting ones that we could ask
45 the military to have before they fly over some of these
46 areas as well.

47

48 CHAIRMAN LOHSE: That's a good idea.
49 That would be something to incorporate in a letter that
50 we write.

1 MS. CAMINER: Uh-huh.
2
3 CHAIRMAN LOHSE: Yeah, there's a -- quite
4 a difference between low level flights at 5,000 feet and
5 low level flights at 500 feet.
6
7 MR. ENCELEWSKI: That's where I was
8 going.
9
10 CHAIRMAN LOHSE: That's where you were
11 going, Greg?
12
13 MR. ENCELEWSKI: That's exactly where I
14 was going.
15
16 CHAIRMAN LOHSE: Yeah.
17
18 MR. CARPENTER: Especially in an F-2
19 Raptor.
20
21 CHAIRMAN LOHSE: Right. Well, the whole
22 thing is that, you know, it's not that you're against --
23 it's not that you're against national security or
24 anything like that, but that this is taking place in the
25 most road accessible part of Alaska which has the highest
26 use of all the residents of Alaska. And, I mean, that to
27 me is part of what needs to be brought out is that this
28 area's used by the subsistence users, but it's also one
29 of the highest recreation areas in the State. And I
30 don't know, it's.....
31
32 Gloria.
33
34 MS. STICKWAN: The SRC wrote up comments
35 too, but it's not in our packet I don't think. Will
36 you.....
37
38 CHAIRMAN LOHSE: You have cop -- yeah.
39
40 MS. STICKWAN: Yeah, I see somethings in
41 here that are in our letter that's not in here.
42
43 CHAIRMAN LOHSE: Right. So when it comes
44 time to consider it let's, you know, take -- let's take
45 a -- we'll take it after a break and have time to talk
46 about it, look at the SRC's comments. And we'll read the
47 SRC's comments and Eastern Interior's comments into our
48 meeting so we have them in front of us and then we can go
49 from there and develop our own. But I think it's pretty
50 important that -- because I know subsistence users and

1 just neighbors all over the Copper Basin have written
2 their comments and sent them in because it's really
3 important to them.

4

5 So with that that would cover that one
6 that I wrote down and we will bring that one back up
7 after a break. And maybe what we -- you know, maybe what
8 we should do is we should bring it up tomorrow morning
9 after people have had a chance to look at it this
10 evening.

11

12 Does that sound okay to the rest of the
13 Council? Mr. Henrichs.

14

15 MR. HENRICHS: You know, that's not the
16 only thing that's going on, the military is planning
17 exercises in the Gulf of Alaska right now and they've
18 actually done an environmental impact statement and it's
19 out for public comment right now. So I just thought I'd
20 mention that for the record. And that could have a huge
21 impact on us.

22

23 CHAIRMAN LOHSE: Now is that part of this
24 same one, K.J., or is that a different one totally?

25

26 MS. MUSHOVIC: Same thing.

27

28 MR. HENRICHS: It's different.

29

30 UNIDENTIFIED VOICE: It's the navy.

31

32 MS. MUSHOVIC: It's the same thing.

33

34 CHAIRMAN LOHSE: Oh, this is the navy,
35 right?

36

37 MR. HENRICHS: Yeah, and they did an
38 environmental impact statement too and it's out for
39 comment.

40

41 CHAIRMAN LOHSE: Okay.

42

43 MS. MUSHOVIC: I'm sorry, but that one
44 must have escaped me. I'll have to look into that one
45 for you all.

46

47 CHAIRMAN LOHSE: Yeah. Okay. At this
48 point in time we have review of the Council Charter and
49 I'll turn this over to K.J..

50

1 MS. MUSHOVIC: Thank you. Mr. Chair.
2 Your Charter can be viewed on Page 24 of your books.
3
4 CHAIRMAN LOHSE: And some of these are
5 action items on here too, aren't they, are they items
6 that we can comment on and change or are these just for
7 our information?
8
9 MS. MUSHOVIC: Well, I'm not sure what I
10 -- what action items you are referring to?
11
12 CHAIRMAN LOHSE: I mean, if there are
13 something in this Charter that we think needs change can
14 we take action on it or is this for our information?
15
16 AUTOMATED VOICE: Three.
17
18 MR. CARPENTER: Two.....
19
20 MS. MUSHOVIC: I'll let Dr. Wheeler
21 handle that one.
22
23 MR. CARPENTER: One.
24
25 (Laughter)
26
27 DR. WHEELER: They're going to say two,
28 one here shortly I know, but.....
29
30 CHAIRMAN LOHSE: Oh, we got to take off,
31 huh?
32
33 (Laughter)
34
35 DR. WHEELER: No, I don't know.
36
37 (Laughter)
38
39 DR. WHEELER: On the -- this is one of
40 those weird ones where it's saying the Council can review
41 and recommend changes to its Charter. In reality you can
42 do that and -- but what you would changes to -- you would
43 recommend changes to the Federal Board, the Federal Board
44 would then recommend or not to the Secretaries of
45 Interior and Agriculture. So my advice is that -- and
46 then who knows what the Secretary of the Interior or
47 Agriculture would do. So you're certainly welcome to
48 review that and recommend changes, but one could argue
49 that your time might be better spent.
50

1 Mr. Chair.
2
3 CHAIRMAN LOHSE: Okay. Thank you. So we
4 will review it so that we know what our Charter is.
5
6 AUTOMATED VOICE: Two.
7
8 (Laughter)
9
10 CHAIRMAN LOHSE: You were right. What --
11 everybody wait for one.
12
13 (Laughter)
14
15 CHAIRMAN LOHSE: Okay. We'll wait for
16 K.J. to get back.
17
18 MS. MUSHOVIC: Okay. So as Polly was
19 saying there are these few items, the name, membership
20 size, SRC appointments and cause for removal that you can
21 recommend changes on. But yes, her advice is
22 appropriate. So if we can just confirm in the record
23 that you all have reviewed this document and consider it
24 adequate to meet your needs at this time, it can go
25 forward to the Secretary to be recharged and renewed, re-
26 launched.
27
28 CHAIRMAN LOHSE: Okay. With that then,
29 K.J., I'm going to give everybody five minutes on the
30 Council to re-read the Charter and if they have any
31 individual questions we'll bring them up.
32
33 And if there's anything you don't
34 understand bring it up.
35
36 And if everybody understands the Charter
37 and has nothing they want change we'll consider it
38 acceptable if that's agreeable to the rest of the
39 Council.
40
41 (Council nods affirmatively)
42
43 CHAIRMAN LOHSE: Okay.
44
45 (Pause)
46
47 CHAIRMAN LOHSE: Polly, you want to.....
48
49 MR. CARPENTER: Polly, I have a question
50 for you. I was reading under section 6, letter h, duties

1 of the Council. It says provide recommendations on
2 establishment and membership of Federal local advisory
3 committees. The -- there's no such thing anymore, right,
4 I mean, that's what this body was intended to be before
5 when there was -- it was all under State management. So
6 is there any reason it's still in there?

7
8 DR. WHEELER: It's an artifact of time,
9 but this Council could certainly make the recommendation
10 to delete that item since it doesn't have any relevance.

11
12 MR. CARPENTER: It wouldn't have anything
13 to do with establishing subcommittees still, would it?

14
15 DR. WHEELER: No.

16
17 MR. CARPENTER: Okay.

18
19 DR. WHEELER: It's separate.

20
21 CHAIRMAN LOHSE: Okay. While you're
22 sitting there, on the number 10, ethics responsibilities
23 of members. No Council or subcommittee member will
24 participate in any specific party matter, including a
25 lease, license, permit, contract, claim, agreement or
26 related litigation with the department in which the
27 member has a direct financial interest. I'm having
28 trouble understand that, that.....

29
30 DR. WHEELER: My take on that is that
31 that is a legal -- it's a legal provision to basically
32 ensure that there's no conflict of interest with the
33 decisions that are -- you know, with the decisions that
34 are made. I'll consult -- I'm not a lawyer, so I will --
35 I will -- I can give our solicitor's office a call and
36 just make sure that that's my understanding -- that my
37 understanding is correct. But I will do that and get
38 back to you if that's okay, Mr. Chair. I don't want to
39 lead you astray with my non-lawyer mind.

40
41 (Laughter)

42
43 CHAIRMAN LOHSE: Yeah, it's just kind of
44 interesting, any specific party matter, you know, which
45 -- so it's -- it doesn't.....

46
47 DR. WHEELER: I think the permit, the
48 permit is the one that's confusing. Permit or license,
49 because we all, you know, it -- I don't think that's
50 referring to hunting license or a Federal wildlife

1 permit. I think it's referring to something else. But
2 I'm -- but before I get myself into trouble on the record
3 I'll call our solicitor's office and just double check.

4

5 Mr. Chair.

6

7 CHAIRMAN LOHSE: Well, I know at one time
8 we had to -- and that's kind of gone by the wayside, but
9 we have to give a statement of no conflict of interest at
10 the start of all of our meetings and dealing with the
11 specific matters that were in front of us. And then I
12 know that it came out that actually the idea was that
13 we're dealing with matters that are in front of us, I
14 mean, when we're dealing with a moose hunt we have a,
15 I'll say vested interest in it, because as we were just
16 pointed out by Mr. Henrichs, a moose is worth \$8,000. So
17 do we have a conflict of interest trying to have a moose
18 hunt in which I hope to take place and take an \$8,000
19 moose. I mean, that.....

20

21 DR. WHEELER: No, I mean, the direct
22 financial interest, I mean, I will tell you as a Federal
23 employee I have to file a conflict of interest statement
24 that deals with my financials. And that's very specific,
25 they're not going to do the conversion factor from a
26 moose to cash, we hope. I guess I shouldn't say -- never
27 say never, but this is speaking to direct financial
28 interest. So if you break the sentence down, now Council
29 -- no Council or subcommittee member will participate in
30 any specific party matter including a lease in which the
31 member has a direct financial interest, a permit in which
32 direct financial. So if you break it all down it's
33 referring to direct financial interest in business with
34 the department. So.....

35

36 CHAIRMAN LOHSE: In the business with the
37 department?

38

39 DR. WHEELER: With the department, right.
40 Litigation or business.

41

42 CHAIRMAN LOHSE: Litigation against the
43 department?

44

45 DR. WHEELER: Correct.

46

47 CHAIRMAN LOHSE: Okay.

48

49 DR. WHEELER: If you remember we did have
50 a Council member one time that was party to litigation

1 that had -- that he had to be conflicted out when issues
2 were discussed.

3

4 CHAIRMAN LOHSE: Okay.

5

6 MR. ADLER: Question.

7

8 CHAIRMAN LOHSE: Lee.

9

10 MR. ADLER: It sounds like if you're an
11 active guide then you couldn't be on this Board because
12 you're the financial conflict or if you're actually
13 guiding for animals; is that true?

14

15 CHAIRMAN LOHSE: No.

16

17 DR. WHEELER: No. Because we have guides
18 on the Board. I think it may be that you'd -- if this
19 Council was weighing in on how many guides were allowed
20 in a certain area or something like that, that would be
21 an area where you'd probably have a conflict out. But I
22 don't think it -- you're dealing with subsistence on this
23 Board, you're not dealing with general hunts and other
24 things so I think your -- the tie to the financial
25 interest is pretty obscure at best when you're talking
26 about just subsistence regulations.

27

28 CHAIRMAN LOHSE: Any other questions.

29

30 (No comments)

31

32 CHAIRMAN LOHSE: Any other questions on
33 this Charter, does everybody pretty much understand --
34 Gloria.

35

36 MS. STICKWAN: Somewhere in here I'd like
37 to see us put in there due deference.

38

39 CHAIRMAN LOHSE: What?

40

41 MS. STICKWAN: Due deference in here.

42

43 CHAIRMAN LOHSE: Due deference?

44

45 MS. STICKWAN: Yeah.

46

47 CHAIRMAN LOHSE: That comes under another
48 section doesn't it, Polly, that's not part of our
49 Charter, but that's under the.....

50

1 DR. WHEELER: That's in statute.
2
3 CHAIRMAN LOHSE:that's in statute.
4
5 DR. WHEELER: That's actually in ANILCA
6 that the Federal Subsistence Board.....
7
8 CHAIRMAN LOHSE: That's an ANILCA
9 statute.
10
11 DR. WHEELER:will refer to the
12 Regional Advisory Councils.
13
14 CHAIRMAN LOHSE: Right.
15
16 DR. WHEELER: So that's in statute.....
17
18 CHAIRMAN LOHSE: So that.....
19
20 DR. WHEELER:and this falls
21 underneath that.
22
23 CHAIRMAN LOHSE:that's already
24 covered. This is telling us what our Charter is.....
25
26 DR. WHEELER: Correct.
27
28 CHAIRMAN LOHSE:not what the Board
29 has to do. So.....
30
31 DR. WHEELER: Correct.
32
33 CHAIRMAN LOHSE:but I think that
34 the idea of dropping something like what Tom was saying
35 that doesn't have any current bearing would be just
36 simplifying.
37
38 MR. CARPENTER: Should we put that in the
39 form of a motion?
40
41 CHAIRMAN LOHSE: Wouldn't hurt.
42
43 MR. CARPENTER: Mr. Chairman. In
44 reviewing the Southcentral Charter under number 6, duties
45 of the Council, letter h, I would make a motion that the
46 Federal Subsistence Board recommend to the Secretaries of
47 Interior and Agriculture that letter h providing
48 recommendations on establishment and membership of
49 Federal Local Advisory Committees be stricken from our
50 Charter as it has no apparent -- there's no apparent

1 reason that it needs to be on there at this point in
2 time.

3

4 MR. HENRICHS: Second.

5

6 CHAIRMAN LOHSE: It's been moved and
7 seconded by Mr. Henrichs. Discussion.

8

9 MS. CAMINER: Mr. Chair.

10

11 CHAIRMAN LOHSE: Yes.

12

13 MS. CAMINER: I think if we passed this
14 it would be good then if other Councils are made aware of
15 this so they could look at their Charters as well, which
16 I'm sure you'll do.

17

18 Thank you.

19

20 CHAIRMAN LOHSE: Any other discussion.

21

22 (No comments)

23

24 CHAIRMAN LOHSE: With that the question's
25 in order.

26

27 MR. BLOSSOM: Question.

28

29 CHAIRMAN LOHSE: The question's been
30 called. All in favor of the motion that's on the table
31 to recommend that 6h be stricken from the Charter signify
32 by saying aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN LOHSE: Opposed signify by
37 saying nay.

38

39 (No opposing votes)

40

41 CHAIRMAN LOHSE: Motion carries. Okay.
42 At this point in time we go on to a climate change
43 presentation by U.S. Fish and Wildlife staff. Are we
44 ready for that one? We're not.

45

46 MS. MUSHOVIC: That's the one where he
47 has time certain issue tomorrow morning.

48

49 CHAIRMAN LOHSE: Okay.

50

1 MS. MUSHOVIC: But I may want to pull
2 your attention back to the item before the charter review
3 which was the annual report.

4
5 CHAIRMAN LOHSE: Oh, yeah, again. Nice
6 to have glasses on. Okay. We skipped one, we skipped an
7 important one, review and finalize draft of 2010 annual
8 report. And you'll see the draft with what color dot?

9
10 MS. MUSHOVIC: Pink.

11
12 CHAIRMAN LOHSE: Pink. And it says
13 draft, draft, draft all the way across the top of it.
14 And I'd like everybody to take a look at the page that's
15 following it which is a recommendation from -- I think
16 it's Yukon, isn't it, Yukon-Kuskokwim Council thought that
17 we should add a little bit more to our predator control
18 request other than just the small statement that we have.

19
20 (Pause)

21
22 CHAIRMAN LOHSE: These were issues that
23 we brought up for K.J. to put in our annual report. And
24 the following page is -- like I said it's a letter from
25 -- I think it's the Yukon, isn't it?

26
27 MS. MUSHOVIC: Yukon-Kuskokwim, correct.

28
29 CHAIRMAN LOHSE: Yukon-Kuskokwim, right.

30
31 (Pause)

32
33 CHAIRMAN LOHSE: Comments from Council
34 members.

35
36 (No comments)

37
38 CHAIRMAN LOHSE: Does the draft address
39 the things that we brought up as a Council?

40
41 (No comments)

42
43 CHAIRMAN LOHSE: Does anybody have any
44 additions that they would like to add to the draft?

45
46 Gloria.

47
48 MS. STICKWAN: I'm not sure about this,
49 but maybe Barbara could help me, Cellarius. But at our
50 SRC meeting they had suggested in a working committee,

1 working group before the meeting, we had a public
2 meeting, that we bring up this woodcutting issue. And
3 then they -- I wasn't present at the meeting when they
4 talked about some of these things that were on the
5 agenda, I missed part of the afternoon session. So I
6 think they're going to try and get the superintendent to
7 work on the issue of the definition of cutting and then
8 we're going to go through that process first before
9 bringing it up to get ANILCA changed or something because
10 of the word cutting. I wasn't present at the meeting so
11 I'm kind of confused.

12

13 CHAIRMAN LOHSE: Barbara.

14

15 MS. CELLARIUS: Mr. Chair. I can talk
16 about it now if this is the right time to talk about it.

17

18 CHAIRMAN LOHSE: If it's something we
19 might want to include in our annual report?

20

21 MS. CELLARIUS: Sure. I can -- let me
22 find my notes because I wrote up some notes. So the Park
23 Service in addition to Fish and Wildlife, we have
24 allowances for subsistence use of various kinds of plant
25 materials, including firewood. And a couple of years ago
26 the word live was removed from the Park Service
27 regulations that has to do with firewood cutting for
28 subsistence. And this sort of started a discussion about
29 how we manage firewood and whether there's a permit
30 required. And it also led us to a regulation that
31 requires a permit for the use of portable motors in a
32 park. And this is a national regulation so it would
33 apply -- basically require that someone has a permit to
34 use a chainsaw in a national park, including a park in
35 Alaska. And so the park has been trying to work towards
36 a solution that is workable for subsistence users while
37 at the same time being consistent with the regulations.
38 There's a concern about the permit requirement is what
39 we're hearing from subsistence users.

40

41 So at its last meeting the SRC passed a
42 motion to pursue as a first choice a park specific
43 regulation that would allow the use of portable motors in
44 support of subsistence in Wrangell-St. Elias without a
45 permit. Its second choice should that option not move
46 forward, was for the superintendent to designate areas
47 open to portable motor use without a permit. So it
48 wouldn't be the parkwide, but the superintendent would
49 have the authority to say in these places you can use a
50 portable, but without needing a permit.

1 So as Gloria mentioned at the SRC meeting
2 earlier this month, the chief of resources explained that
3 we're not going to be able to move forward on a parkwide
4 regulation that would remove the permit requirement, but
5 we do plan on pursuing their second choice. And so
6 specifically the Park plans to include in its upcoming
7 front country management plan authorization for the
8 superintendent to designate areas that would be open to
9 portable motor use without a permit and this is for
10 subsistence. And portable motor is the term that the SRC
11 seemed to be more interested in rather than simply
12 restricting it to chainsaws because there's other thing
13 like ice augers that subsistence users may want to use if
14 they're ice fishing in the winter.

15
16 There's also been some concern about this
17 removal of the word live and whether gathering firewood
18 under another part of the regulation includes cutting.
19 So in response to that the superintendent is writing a
20 letter that will be placed in the Park's subsistence plan
21 clarifying the allowance that in -- it's 36 CFR
22 13.485(b), to gather dead or downed wood for firewood
23 without a permit includes cutting the firewood. This
24 doesn't address the portable motor issue, but it does
25 clarify that cutting is a means for gathering the
26 firewood.

27
28 CHAIRMAN LOHSE: I think it's part of
29 gathering.

30
31 MS. CELLARIUS: And so the SRC passed a
32 motion at its meeting in support of basically these two
33 things happening.

34
35 CHAIRMAN LOHSE: Okay. And portable
36 motors don't include things like snowmachines, RVs or
37 anything -- ORVs or anything like that?

38
39 MS. CELLARIUS: There's already a
40 specific allowance in ANILCA for the use of surface
41 transportation. Well, it talks about snowmachines,
42 motorboats and surface -- other means of surface
43 transportation traditionally employed. And in Wrangell-
44 St. Elias -- in most of Wrangell-St. Elias we consider
45 off road vehicles to be traditionally employed.

46
47 CHAIRMAN LOHSE: Okay. So the catch is
48 the portable motor?

49
50 MS. CELLARIUS: So it's the portable

1 motor that isn't used for transportation. Sort of motors
2 used in transportation -- oh, aircraft, that's the other
3 means, I knew there was another means of access. So
4 those means of access. So those means of access are
5 covered by ANILCA, but portable motors that aren't
6 associated with transportation are not.

7

8 CHAIRMAN LOHSE: In other words things
9 that make noise?

10

11 MS. CELLARIUS: And the nationwide permit
12 requirement is an audio disturbance regulation.

13

14 CHAIRMAN LOHSE: I -- I don't know, I
15 think that the -- and that explains some of the angst
16 that some of the people that I talked to on my last trip
17 up to Long Lake for ice fishing was, that I didn't
18 understand exactly. I don't think that that would be a
19 bad thing for us to include on our annual report because
20 firewood is extremely important to the subsistence
21 community, at least it is out where I come from. At 30
22 below zero a good stack of firewood's more than a moose,
23 I mean, that's about what it boils down to. I think that
24 -- I personally I would make the motion, I would think a
25 motion to support the SRC's stand and put that into our
26 annual report that we think that that's a worthwhile
27 cause for the Park superintendent to address.

28

29 Any comments on that one?

30

31 (No comments)

32

33 MR. CARPENTER: Want me to make the
34 motion for you, Ralph?

35

36 CHAIRMAN LOHSE: I sure. would.

37

38 MR. CARPENTER: Mr. Chairman. I'd make
39 a motion that the Southcentral RAC include the comments
40 put forward by the Wrangell-St. Elias Resource Commission
41 in regards to firewood cutting issues, portable motors,
42 I believe that's what she said, and that we include that
43 in our letter to the Federal Subsistence Board.

44

45 CHAIRMAN LOHSE: Do I hear a second?

46

47 MR. BLOSSOM: Second.

48

49 CHAIRMAN LOHSE: It's been moved and
50 seconded that we address the portable motors firewood

1 gathering for subsistence in our annual report.
2
3 Any discussion on it.
4
5 (No comments)
6
7 MR. CARPENTER: Question.
8
9 CHAIRMAN LOHSE: The question's been
10 called. All in favor signify by saying aye.
11
12 IN UNISON: Aye.
13
14 CHAIRMAN LOHSE: All opposed signify by
15 saying nay.
16
17 (No opposing votes)
18
19 CHAIRMAN LOHSE: That's a real
20 interesting one to me because I never would have even
21 thought of the fact that chainsaw -- I mean, chainsaws
22 are so much of a part of life in Alaska that the though
23 you can't use the chainsaw would be.....
24
25 MS. STICKWAN: You just have to get a
26 permit from.....
27
28 CHAIRMAN LOHSE: Huh?
29
30 MS. STICKWAN: You have to get a permit.
31
32 CHAIRMAN LOHSE: You have to get a permit
33 to use a chainsaw. And that would apply to the Preserve
34 too, wouldn't it, Barbara?
35
36 MS. CELLARIUS: (Nods affirmatively)
37
38 CHAIRMAN LOHSE: But does it apply to
39 private property in the preserve, can you make noise on
40 private property with your chainsaw right next to.....
41
42 MS. CELLARIUS: (No audible response)
43
44 CHAIRMAN LOHSE: Oh, okay. No, I like
45 the way the SRC was going on that the idea of having the
46 superintendent designate areas around the places where
47 people live, that they can use that for gathering
48 firewood.
49
50 Tom, did you have something more to add?

1 MR. CARPENTER: Do we need a motion to
2 send this forward now?
3
4 CHAIRMAN LOHSE: Do we -- do we want to
5 do anything with the letter from Yukon, do we want to
6 include any part of it, part of it, none part of it,
7 allow them to do it.
8
9 Judy, did you have something just now?
10
11 MS. CAMINER: It's not on the Yukon,
12 but.....
13
14 CHAIRMAN LOHSE: What is -- what -- you
15 know, we brought up predator control again, do we want to
16 just let the Yukon's go through as the Yukon or do we
17 want to include any part of this underneath ours, have we
18 had time to study it enough that we want to include it in
19 our annual report?
20
21 What's the wish of the rest of the
22 council?
23
24 (Pause)
25
26 CHAIRMAN LOHSE: Okay. Any -- no comment
27 on it?
28
29 (No comments)
30
31 CHAIRMAN LOHSE: If not we can leave our
32 little simple statement stand as it and knowing that this
33 other one is going to go forward too.
34
35 (Council nods affirmatively)
36
37 CHAIRMAN LOHSE: Judy.
38
39 MS. CAMINER: Well, I know that we'll be
40 talking later today on the Secretarial Review and so I
41 don't know if this is literally information from 2010
42 that we're passing forward or if we can include some of
43 the discussion from today in this letter.
44
45 CHAIRMAN LOHSE: I see what you
46 talking.....
47
48 MS. CAMINER: Yeah.
49
50 CHAIRMAN LOHSE:where we're coming

1 from.

2

3 MS. CAMINER: I mean, I think we could
4 expand -- I think we did expand quite a bit on our
5 discussions of the Secretarial Review before and, of
6 course, today and tomorrow we probably will even some
7 more. So timing wise maybe we want to wait to the end of
8 the meeting to do it or if we're talking just about the
9 last meeting and then I had a few comments on that.

10

11 DR. WHEELER: I think the annual reports
12 are meant to transmit concerns by the Council and I guess
13 I would recommend that you not be circumscribed the
14 calendar year. So in order for something to be timely,
15 I would say whatever discussions you have today and
16 tomorrow on the subsistence program review, it's
17 perfectly appropriate to include it in your annual report
18 because if you wait for a year from now then some
19 decisions may already be made. So I think that
20 recognizing that bureaucracies move slowly maybe it's a
21 good thing for you to include your discussions from today
22 or tomorrow and count it as 2010 annual report.

23

24 MS. CAMINER: Mr. Chair.

25

26 CHAIRMAN LOHSE: Yes, Judy.

27

28 MS. CAMINER: Yeah, in that case I guess
29 I would suggest that we table a final decision on this
30 letter until -- well, almost to the end of our meeting.
31 I think we could expand quite a bit comments on the
32 Secretarial Review in many aspects on it. And also
33 based on our discussions this morning, Unit 6 and that
34 very little bit of data that we had on the -- on the
35 moose population, I mean, I wonder if we want to ask that
36 a survey be considered for that area. And then maybe we
37 want also to say something about the military operations
38 just as part of an annual report too, that just seems a
39 very far sweeping proposal that could impact a lot of
40 this region.

41

42 Thank you.

43

44 CHAIRMAN LOHSE: Thank you, Judy. I
45 think that's a good idea. And so let's take that right
46 before we confirm the date and location of our fall
47 meeting, we'll review our annual report at that time and
48 if we've come up with things that we would like to add to
49 it or things that we feel need added to it, that gives us
50 this starting point right here, that gives each of you

1 time to read all the other information and we can go from
2 there.

3

4 (Council nods affirmatively)

5

6 CHAIRMAN LOHSE: Okay. So now we didn't
7 finalize it, but we reviewed it. And now we go on to
8 community hunt briefing. And that says tomorrow and the
9 climate change one is tomorrow, right?

10

11 MR. CARPENTER: Uh-huh.

12

13 CHAIRMAN LOHSE: So we're going on to
14 agency and organization reports at this point in time.
15 And the first one we have is the Bureau of Land
16 Management. It's almost as bad as having your
17 organization start with an A, B is the next one.

18

19 MR. CEBRIAN: That's right. Mr. Chair.
20 Merben Cebrian from BLM in Glennallen. Unfortunately I
21 don't see a representative from the Anchorage State
22 office. I'll be quick. I have one page really to pass
23 out. And this is just a chart of the moose and caribou
24 permits issued and harvests for GMU 13 Federal hunt.

25

26 The moose hunt closed last year and we
27 had 1,171 permits issued of which 76 were harvested, 76
28 moose. And the caribou hunt is ongoing until the end of
29 the month and today's Wednesday, as of last Friday we
30 issued 2,839 permits and so far we've had 372 harvest
31 taken. So there's a slight uptick in the harvest of
32 moose and also the same pattern is apparent in caribou.

33

34

35 And then I noticed in the map that was
36 handed out, there's still some discrepancies with land
37 conveyance. We have -- the BLM lands in Unit 13 actually
38 has grown a little bit. On the northern section of Unit
39 13, let's take a look at your Page 62 of the handy dandy.
40 So in the area of the delta controlled use area within
41 Unit 13 in Black Rapids Glacier, BLM lands has expanded
42 towards the west. It doesn't show on this handy dandy
43 and this is effective until 2012, but we've acquired more
44 ice.

45

46 (Laughter)

47

48 MR. CEBRIAN: And that's about it. We
49 are also -- we're waiting on the State of Alaska for
50 prioritization and as far as personnel processing this

1 conveyance, the BLM is currently experiencing some folks
2 exiting the agency so the staff to do the conveyance is
3 dwindling. Funding is also dwindling, but we're pushing
4 on with what we have.

5
6 CHAIRMAN LOHSE: Is the end result going
7 to be an increase in the Maclaren River area for the BLM
8 or is that pretty much status where it's at right now?

9
10 MR. CEBRIAN: The status is where it's at
11 right now mainly because the acquisition is glacial
12 areas. Yeah, the State relinquished selection of that
13 area.

14
15 CHAIRMAN LOHSE: They let you have the
16 ice?

17
18 MR. CEBRIAN: Yes, sir. Yeah. So we
19 acquired more ice basically, rock and ice. So status
20 quo.

21
22 CHAIRMAN LOHSE: Okay.

23
24 MR. CEBRIAN: Yeah. As far as the
25 caribou hunt is concerned, we experienced an increase in
26 harvest and also more mixing of State hunters and Federal
27 hunters on that portion of the Richardson Highway where
28 the caribou cross. And I expect that the same will
29 happen again this coming year as the Board of Game has
30 passed some proposals here last -- two weeks ago I think
31 it is. And there's also some -- there's one proposal
32 that was passed by the Board of Game to have an
33 antlerless moose hunt in Unit 13. So I don't know if
34 Becky Schwanke is going to implement that, I think that's
35 just something that she can put in her pocket and
36 implement whenever necessary.

37
38 And that's all I have.

39
40 CHAIRMAN LOHSE: Question, we've got an
41 increase in both the moose take and the caribou take,
42 have we had an increase in the populations of moose and
43 an increase in the population of caribou since we've had
44 the -- we've had fairly extensive predator control there
45 for the last few years?

46
47 MR. CEBRIAN: Right. There is a list of
48 figures from the State of Alaska and the survey areas
49 around -- there's 12 or 13 count areas for moose. And
50 the numbers of moose in Unit 13 has increased.

1 CHAIRMAN LOHSE: It has increased?
2
3 MR. CEBRIAN: Yes. Yes. And this is
4 mainly due to predator control and good habitat I
5 believe. Yeah.
6
7 CHAIRMAN LOHSE: That would be the
8 anecdotal information that I've got and even just from
9 personal travel through the area, I know I've seen more
10 moose this winter than I've -- fall and winter than I've
11 seen for a long time. So.....
12
13 MR. CEBRIAN: Right.
14
15 CHAIRMAN LOHSE:and I was wondering
16 if the same thing happened with the caribou herd. I know
17 you got quite an increase, you got a 300 increase in
18 permits.....
19
20 MR. CEBRIAN: Uh-huh.
21
22 CHAIRMAN LOHSE: so that was a big
23 increase in permits and, you know, a smaller increase in
24 take, but if I remember right the take wasn't very big
25 before the October 21st closure because they just weren't
26 accessible. Am I correct on that?
27
28 MR. CEBRIAN: Yes. Yes. Mr. Chair.
29
30 CHAIRMAN LOHSE: So.....
31
32 MR. CEBRIAN: And with the caribou
33 population also it's increased from last year. They did
34 -- Fish and Game did a photo census this year and they
35 found in excess of 40,000.
36
37 CHAIRMAN LOHSE: Yeah, those photo
38 censuses are pretty good when you take your photos and
39 count the feet and divide by four, you come up with
40 pretty good numbers.
41
42 (Laughter)
43
44 MR. CEBRIAN: Pretty expensive to do too.
45
46 CHAIRMAN LOHSE: Yeah.
47
48 MR. CEBRIAN: Yeah.
49
50 CHAIRMAN LOHSE: Now are they using

1 satellite photos or airplane photos?
2
3 MR. CEBRIAN: Airplane photos, I believe.
4
5 CHAIRMAN LOHSE: Airplane photos. Okay.
6
7 MR. CEBRIAN: Okay.
8
9 CHAIRMAN LOHSE: Any other questions on
10 the caribou for the BLM.
11
12 Polly.
13
14 DR. WHEELER: Mr. Chair. I just wanted
15 to take this opportunity. I mentioned to you probably
16 about a year ago that we had completely revamped our
17 wildlife permitting system on the Federal side, we had
18 noticed some problems with it and took it off line for
19 about eight weeks and created a whole new data base and
20 it's field accessible. And I just wanted to commend
21 Merben for the work that he's done on that, he's been one
22 of our star participants in terms of helping us identify
23 issues, issuing permits. How many permits did you issue
24 in Delta Junction last fall?
25
26 MR. CEBRIAN: Fifteen hundred.
27
28 DR. WHEELER: Fifteen hundred. So he's
29 been key to the whole restructuring of the program and to
30 making it as good as it now, I mean, it's actually state
31 of the art, it's actually I'm proud to say like right up
32 there. It might even surpass the ability of the State's
33 permitting system. No digs intended there. But anyway
34 I did want to thank Merben for his work and just let you
35 know that he's really been really, really helpful on this
36 and we really appreciate his efforts.
37
38 So just wanted to say that publicly.
39
40 MR. CEBRIAN: Thank you, Polly. One
41 thing I can say is that it's -- the system has improved
42 so much that you don't even have to be present in the
43 village anymore, you can issue permit from Fairbanks or
44 from out of the country. And either mail it or fax it or
45 email it to a person. And if need be you can be present
46 in the village and still handwrite permits if that really
47 is the only thing to do.
48
49 But it's so improved now. Yeah.
50

1 CHAIRMAN LOHSE: Any other questions or
2 comments.
3
4 (No comments)
5
6 CHAIRMAN LOHSE: Has the reporting
7 improved?
8
9 MR. CEBRIAN: Yes, because you are able
10 to follow it in more real time than.....
11
12 CHAIRMAN LOHSE: Okay.
13
14 MR. CEBRIAN:before. Yes.
15
16 CHAIRMAN LOHSE: Okay.
17
18 MR. CEBRIAN: Yeah.
19
20 CHAIRMAN LOHSE: Okay. With that we go
21 on to the Office of Subsistence Management, Secretarial
22 Program Review Update and Actions Needed.
23
24 Do we need to take a break at this point
25 in time? I think we do. Stretch your legs, get yourself
26 a new cup of coffee, look at some of the papers that are
27 in front of you, take a bite of your apple.
28
29 (Off record)
30
31 (On record)
32
33 CHAIRMAN LOHSE: Okay. We are on the
34 Secretarial Program Review Updated Actions Needed by
35 Polly Wheeler. And I'm going to request something from
36 the rest of the Council. And that is that when we are
37 done with this and we get to item number 2, we'll skip
38 item number 3 and go on to item number 4 because the
39 person's around that could deal with that one and then
40 we'll go back to item number 3 if that's okay with the
41 rest of the Council.
42
43 (No comments)
44
45 CHAIRMAN LOHSE: Okay. Letter from the
46 Secretary, Federal Subsistence Board.
47
48 Polly, have you got something to tell us?
49
50 DR. WHEELER: Thank you. Mr. Chair.

1 I'll be walking you through these items number, it's
2 what, 16, B, 1, all of those items under there and item
3 number 2 as well. So and my understanding earlier you
4 had amended your agenda to include a discussion of
5 converting to an annual cycle or going back to an annual
6 cycle as item number 16, B, 1, viii.....

7

8 CHAIRMAN LOHSE: Right.

9

10 DR. WHEELER:so I'll cover those
11 items. They're -- not all of these items are action
12 items, a lot of them are informational items, but we'll
13 just walk on through and I'll prompt you appropriately
14 when it's an action item, Mr. Chair.

15

16 The first item in your book is on Page
17 39. That is a letter from Secretary Salazar to Tim
18 Towarak, the new Chair of the Federal Board. This is
19 included to all of you. I believe most of you have
20 already gotten this letter, but it is included in the
21 book again to give specific information of what the
22 Secretarial Review is directing the Federal Board to do.
23 There were a lot of items that came of the Secretarial
24 Review, but the Secretary highlighted a few that he
25 thought were critical to address.

26

27 The Board took that direction seriously.
28 I will say that there's a press release attached to that,
29 the press release was dated August, the actual letters
30 didn't come through until mid December, shortly before
31 Christmas, but the Federal Board took that direction very
32 seriously and it met on January 5th in Executive Session
33 to kind of craft a plan for how it's -- you know, discuss
34 a lot of these items and craft a plan for how it was
35 going to address these items. So that letter basically
36 outlines what the Secretary wants the Board to look at
37 and the time frame which is fast or sooner rather than
38 later.

39

40 The first item, and you're all familiar
41 with this, is expanding the Federal Board to include two
42 new members representing rural Alaska subsistence users.
43 There's a briefing in your book on Pages 43 -- on page --
44 beginning on Page 43 and it covers the -- what the actual
45 language says. Now we worked with, we being OSM, worked
46 with Pat Pourchot to craft the proposed rule. That was
47 published on, I've got all these dates flying around my
48 head, it was published February 11th and the public
49 comment period ends on April 12th, it's a 60 day public
50 comment period.

1 The proposed rule was lengthy, but the
2 gist of the proposed rule is on the bottom of Page 43 and
3 top of Page 44 where it's looking at -- there's the
4 existing regulation and the proposed Federal regulation
5 on the top of Page 44. The part in bold saying two
6 public members representing rural Alaska subsistence
7 users to be appointed by the Secretary of the Interior
8 with the concurrence of the Secretary of Agriculture.
9 And then at the bottom of that there's a little change to
10 each Federal agency member of the Board may appoint a
11 designee so the Chair of the Board or these two new rural
12 users should they be -- should that actually take effect,
13 wouldn't be able to appoint a designee. And then a
14 quorum consists of five members because when you add more
15 people you got to have a bigger quorum.

16
17 So that's the gist of the proposed
18 language change, Mr. Chair. We are asking for public
19 comment by one of three ways, they're bulletized on that
20 page, by close of business April 12th. If we get the
21 comments -- remember a couple years ago the Obama
22 Administration had us go to -- or a year ago, I guess,
23 had us go to looking at putting in regulations
24 electronically. So even public comments on proposed
25 rules are supposed to be put in electronically, but you
26 can submit them to us and we'll ensure that they get
27 captured. And that's that www.regulations.gov, but
28 unless you have a lot of time to spend slogging through
29 that portal, I suggest you just submit written comments
30 and have us worry about putting them into
31 www.regulations.gov.

32
33 So that's the gist of the expansion of
34 the proposed rule, Mr. Chair. I will say having -- we've
35 had, I think, six or seven -- this is the seventh
36 Regional Advisory Council meeting so far this cycle, a
37 lot of the comments have focused on the process, by which
38 those people will be selected, who they'll represent,
39 regional coverage and they've all been -- every Council
40 thus far has been very supportive of adding the two -- of
41 expanding the Board to include members.

42
43 I will say we have gotten some public
44 comment, this is one of those things where the first two
45 public comments we got were all in capital letters with
46 a lot of exclamation points. So there's a lot of energy
47 around some of the public comments that are being
48 submitted on this proposed rule. So it'll be interesting
49 to see how many comments we get, I suspect we'll get a
50 fair amount. And then the process is that the Board will

1 review these public comments, they'll make a
2 recommendation to the Secretary and the Secretary makes
3 the final decision because keep in mind this is subpart
4 B regulations, it's the program structure so it's
5 actually within the Secretary's purview to make this
6 change.

7
8 So, Mr. Chair, now's the opportunity for
9 the Council to weigh in, give their -- give its comments
10 on this proposed rule, however you want them to be. And
11 just to add -- just to remind you that you can also
12 submit comments as an individual or obviously as an
13 individual that's a member of another entity. So this is
14 the opportunity for the Council to weigh in, but there's
15 other ways to weigh also.

16
17 Mr. Chair.

18
19 CHAIRMAN LOHSE: Okay. Thank you, Polly.
20 Does anybody on the Council have a way that they would
21 like to weigh in on this?

22
23 MR. CARPENTER: Can I ask her a question?

24
25 CHAIRMAN LOHSE: Sure can. Tom.

26
27 MR. CARPENTER: Holly, could you briefly
28 if you know maybe summarize -- I know you said that the
29 other RACs were pretty much in favor of these two people
30 being added to the -- but could you maybe summarize as to
31 how they thought that they should be done, you know,
32 proportioned to the State, southern representative,
33 northern representative, is that anything like that that
34 you might be able to summarize?

35
36 DR. WHEELER: I can summarize generally.
37 Just to give you a little bit of background, when we have
38 -- every meeting OSM sends a lead person and that person
39 is responsible for summarizing the comments. So we have
40 the comments from the seven -- or this is the seventh
41 Council. And the comments basically are some of the
42 Councils thought that these two seat should be held by
43 people that were actually Federally-qualified subsistence
44 users so that there was no doubt about their experience
45 and familiarity with the program. There were some people
46 -- some of the Councils have thought that there should be
47 -- at least one of these seats should be a tribal seat.
48 There's -- one of the Councils thought that try -- that
49 it was going to be really difficult for two people to
50 represent rural Alaska subsistence users so there maybe

1 should be some thought to getting regional
2 representation, however that might work. And I think
3 that just about covers it.

4

5 Mr. Chair.

6

7 CHAIRMAN LOHSE: Thank you, Polly. I
8 think we also have -- if I remember right we have a
9 letter from AHTNA on this very issue on what they were
10 thinking of as -- oh, let's see where I put that.

11

12 (Laughter)

13

14 CHAIRMAN LOHSE: The Wrangell-St. Elias
15 Commission.

16

17 MS. STICKWAN: AHTNA didn't address this,
18 it was from Wrangell-St. Elias.

19

20 CHAIRMAN LOHSE: Wrangell, St. Elias,
21 yeah. Wrangell-St. Elias Resource Commission. And I
22 think that that is right here. I've got it in front of
23 me.

24

25 Gloria.

26

27 MS. STICKWAN: Did you say that they're
28 also going to take up designated seats for the Board,
29 they could -- the discussion -- part of this -- I seem to
30 remember something about the Board -- yeah, it is, the
31 Board may import a -- appoint a designee. So that's part
32 of the things that we could make comments on as well.

33

34 DR. WHEELER: Yes, the change -- the
35 existing regulation reads every -- each member of the
36 Board shall appoint a designee. And the practice has
37 been that the Chair is the Chair, the Chair doesn't have
38 a designee. So the language was changed to reflect that
39 and said each Federal agency member of the Board may
40 appoint a designee. So there's no room for the Chair or
41 potentially these two new people.....

42

43 CHAIRMAN LOHSE: Yeah.

44

45 DR. WHEELER:to appoint a designee.

46

47 CHAIRMAN LOHSE: Okay.

48

49 DR. WHEELER: So that was sort of a
50 housekeeping change to the regulation language.

1 Mr. Chair.

2

3 CHAIRMAN LOHSE: Judy.

4

5 MS. CAMINER: Just another question on
6 process although I know we're not nearly this far, but
7 will the Chair and the two new members have staff either
8 through OSM or through some other entity?

9

10 DR. WHEELER: That's one of the questions
11 out there, I mean, it's not fair to put somebody in that
12 position without giving them the appropriate level of
13 support. So without knowing -- without being able
14 respond to the specifics, I mean, currently we provide
15 staff to the Chair and I would venture to say that we,
16 OSM, would also provide staff to the two new members.
17 But we haven't worked out the specifics and the
18 challenge, of course, with all these things is with
19 budgets and, you know, one -- the -- I know AFN is
20 interested in having a position that would provide
21 support to these -- potentially provide support to these
22 two people. How that would be funded, would it be funded
23 by OSM, I can't answer that right now. But at this
24 point, you know, like I said it would be unfair to put
25 people into a position like this without providing them
26 the adequate level of support. And we want them to be
27 successful so barring anything else there would be OSM
28 support or I imagine the other Federal agencies would --
29 we could work something out there too.

30

31 CHAIRMAN LOHSE: Any other comments from
32 anybody on the -- Judy.

33

34 MS. CAMINER: Mr. Chair. I have a few
35 comments. I actually think it would be a good idea for
36 these new members to have alternates or be able to
37 designate someone else because everybody knows how
38 difficult everybody's schedules area. And as much as the
39 program tries to schedule things very far in advance
40 sometimes there are meetings that come up quickly, you
41 can do it by teleconference, but sometimes if you want an
42 in person meeting agency kind of has somewhat endless
43 resources to a point behind a person, but if you're just
44 asking one member to be a new member and they don't
45 really have a backup could be kind of hard.

46

47 I guess maybe another thought would be to
48 consider the use of terms for these folks. The Chair is
49 basically a political appointee, I don't know if these
50 two members will basically become the same thing, and it

1 might be nice to set up somehow a staggered time frame so
2 that if you have a change you're not going to lose three
3 members all at once. Don't know if that's possible.

4

5 I think it would be also very useful for
6 the public to know what the selection criteria are for
7 these new members. I mean, I think some of the public is
8 giving you some of these ideas as in being tribal or
9 rural subsistence users and that's all fine. I think
10 whatever gets decided will probably be very useful to
11 have. And certainly you would want people familiar with
12 this program if possible. And so I know one of the
13 options that's probably been discussed is that people may
14 have been Chairs of the RAC or have been on the RAC.

15

16 That's just a few thoughts.

17

18 CHAIRMAN LOHSE: Tom.

19

20 MR. CARPENTER: Yeah, I can appreciate
21 those comments, Judy. I think it's -- you know, I think
22 it's very important that these two individuals who are
23 appointed to these two position, I think it's very
24 important that they come from the RACs initially. I
25 mean, this process has come a long way in the last 20
26 years and there's been a lot of growing pains and a lot
27 of people like Ralph and other individuals around the
28 State who have seen it from its infancy to now have a lot
29 to contribute. And I would hate to see people taking --
30 not that there aren't qualified people everywhere, but
31 just taking somebody randomly from the general public
32 that's never really participated in the RAC forum,
33 followed the process. I think it would be doing a
34 disservice to the whole idea behind subsistence if they
35 aren't at least initially, generated from the RAC.

36

37 I -- was this yours, Gloria, this -- some
38 of these ideas here on.....

39

40 MS. STICKWAN: It's the same thing.

41

42 MR. CARPENTER:you know, some of
43 these ideas are great, the duties, that the people being
44 appointed understand subsistence policies, management
45 plans, regulatory process, they're knowledgeable about
46 subsistence policies, how to deal with different Federal
47 agencies. And I think for an individual to have the
48 ability to go from the general public right into the
49 Federal process without being put in this position at
50 least for a short period of time, I think is going to be

1 very difficult. So I -- one of my recommendations is
2 that these two people be appointed, however they want to
3 decide to do it, region to region or north and south or
4 east and west, that they come from the RACs.

5
6 CHAIRMAN LOHSE: Gloria.

7
8 MS. STICKWAN: In the SRC comments they
9 said it could be from the SRC with tribal input as well.
10 And the other thing -- the other thing I wanted to
11 comment -- I think we should comment on is that each
12 Federal agency member may appoint a designee. I think we
13 should comment on that because in the past the agency
14 directors had to sit at the Board and so, you know, I
15 think we should comment saying that they should be able
16 to appoint their most effective subsistence
17 person/employee to set on that Board as a designee.

18
19 DR. WHEELER: So you support that -- you
20 support that regulatory change?

21
22 MS. STICKWAN: Yeah, with.....

23
24 DR. WHEELER: Okay.

25
26 MS. STICKWAN:the most -- the
27 person who has the most subsistence knowledge, you know,
28 about management plans and regulatory process, I mean,
29 just everything.

30
31 CHAIRMAN LOHSE: Mr. Henrichs.

32
33 MR. HENRICHS: Yeah, I'd like to see two
34 additional seats there representing subsistence users and
35 like -- I'd like to see them come from the RACs and I'd
36 like to see a tribal, you know, in there. Right now the
37 Chair of the Federal Subsistence Board's main
38 qualification, he was co-chair of AFN. AFN doesn't speak
39 for all the natives in Alaska, they never have. And I
40 don't want to see them get the funding to provide support
41 for these two positions either, I'd rather see it come
42 from the Office of Subsistence Management.

43
44 CHAIRMAN LOHSE: Greg.

45
46 MR. ENCELEWSKI: Yeah, I was just going
47 to make a comment and I tend to agree with Bob there.
48 You know, I listened to the tribal consultation process
49 there and I know a lot of frustration with people feeling
50 they're not getting represented on a Federal Board and

1 there was a big outcry for tribal representation there.
2 So anything that we could do to really help the Federal
3 subsistence users feel that they have a part or they have
4 a better say so in the process is what we need.

5
6 So I'd just throw that in as a comment.

7
8 CHAIRMAN LOHSE: Any other comments from
9 anybody else.

10
11 (No comments)

12
13 CHAIRMAN LOHSE: I'm going to kind of
14 take a little different tact than Tom here. I would --
15 while I can see that that would make sense at this point
16 in time, I would hate to limit it to somebody that's
17 already been on a RAC, I mean, I would think that that
18 might be -- a person like that might be a worthwhile
19 representative, but there's also other people out there
20 who haven't been part of the RAC, haven't been part of
21 the program who may be very qualified and very effective.
22 And I would hate to see it limited to simply a RAC member
23 or somebody who's served on the RAC simply because there
24 may be somebody out there that's even more effective.

25
26 Tom.

27
28 MR. CARPENTER: Well, let me rebut your
29 statement a little bit. While I appreciate your
30 statement, the reason that I feel that it's so imperative
31 that they come from the RAC is that like Greg has said,
32 a lot of people have felt that they haven't really been
33 rep -- they didn't -- they don't feel they've been fairly
34 represented on the Federal Board. And while the Chairman
35 of the Federal Board is really a political appointee, you
36 know, he may have some ties to AFN, but in Bob's respect
37 to that, that might be just as political of an appointee
38 as anything else. And I feel that if these two people
39 that are placed on this Board don't come from the
40 subsistence community, and I'm talking about this format
41 right here where they've been involved from the bottom up
42 because that's where the process is supposed to be coming
43 from, that I think a lot of these people might still feel
44 that if they just pick somebody from wherever that hasn't
45 really been a part of the process, they might be -- they
46 might feel that these two positions are just as much of
47 a political appointee as the Chairman is and that's the
48 main reason I think that it ought to be coming from the
49 RAC. But.....

50

1 CHAIRMAN LOHSE: Okay. Tom, you and I
2 could get into this pretty good, but.....

3
4 (Laughter)

5
6 MR. CARPENTER: Let's do it.

7
8 (Laughter)

9
10 CHAIRMAN LOHSE:that is -- that is
11 what I see as part of the problem to a lot of people even
12 those of us that are sitting here on the RAC, while we're
13 subsistence users and while we've done our best to
14 represent subsistence use, we are basically political
15 appointees. The people have not elected us, the people
16 have not appointed us, the people have not had a say in
17 us sitting here. And so we can conscientiously do our
18 best, but I honestly -- well, I happen to know a few
19 people who don't consider me their representative and
20 they are neighbors, you know.

21
22 (Laughter)

23
24 CHAIRMAN LOHSE: And they don't have any
25 objection to what I've done, don't get me wrong, and
26 they're not objecting to the stands I've taken or
27 something like that, but they don't consider themselves
28 part of the process because I'm sitting here because they
29 had nothing to do with putting me here. And that's why
30 I'm saying I would hate to see it limited to that because
31 it's possible that we can find a way to take, and I don't
32 know how, to take this so that people feel like the
33 person that's sitting there on the Board is somebody
34 that's actually representing them. And I don't know how
35 we would go about that, I don't know how we would take
36 somebody that we would think would be an appointee and
37 somehow or another present it to the subsistence
38 community in a way that they could take ownership of it.
39 And that's what I'm -- that's where I'm at right now and
40 I really think that that's the crux of our problem right
41 here is that subsistence user sits out there I'll say in
42 the Bush, but I -- you and I both know that the Bush
43 isn't what the Bush used to be, but they sit out there
44 and they look at the people on the Board and they hmmm,
45 those are the people making subsistence decisions and
46 they've all got good jobs, they've all got retirement,
47 they've all got health benefits, those guys are
48 professionals, they really don't live where I live. And
49 then they take a look at those of us that are sitting on
50 this Council and they say oh, that's a neighbor. He does

1 understand where I live and everything else, but I didn't
2 have anything to do with putting him there. And I don't
3 know about anybody else, but when you get out in the Bush
4 politics become -- politics -- you don't stay up -- maybe
5 in town you don't stay up when somebody comes over to
6 visit you, you don't stay up until 4:00 in the morning
7 talking politics, religion and everything else because
8 you're so happy to have a neighbor stop in, you know, and
9 that happens in the Bush. And so they do take it
10 seriously and, I mean, I've had people say that to me, I
11 mean, they thank me for the job I've done, but they
12 basically said, but you don't represent me, you know.
13 And so from that standpoint at this point in time I would
14 hate to say -- see -- and that's where I see it, is if we
15 say they have to be a member of the RAC or the SRC,
16 everyone will say what you're doing is you're limited --
17 you're limiting it to people who already have been
18 appointed, not elected, but appointed. Now how we can
19 step out of that I don't have any answer, but I do know
20 that if we want the people -- if we want the rural
21 residents of Alaska to buy into it, somehow or another
22 they're going to have to feel like they have some
23 ownership in the program.

24

25 Judy.

26

27 MS. CAMINER: And I agree, Ralph, I think
28 that's where this eligibility or selection criteria would
29 come in if that becomes pretty clear what are going to be
30 the needed characteristics for these new members. It's
31 certainly knowledgeable and active and/or having been
32 active in subsistence activities, knowledgeable or
33 participating in tribal activities, not having any
34 violations, things like -- I mean, there's several key
35 criteria that I think people could accept. And if it
36 appears that that's how a person is selected based on
37 those criteria, maybe there will be a little bit of buy
38 in. But I think people need to know ahead of time what
39 is expected.

40

41 CHAIRMAN LOHSE: And that's what I was
42 getting at, Judy, though it's not that's how they're
43 elected, that's they're selected.

44

45 MS. CAMINER: Right.

46

47 CHAIRMAN LOHSE: And there's a difference
48 between selected and elected. Now did I throw a can of
49 worms in this or something. But any other comments, I
50 mean, Council members, this is the time to give your

1 thoughts and your feelings on this and your ideas. And
2 there are no such thing as bad ones. And the fact that
3 Tom and I don't totally agree on it, there's a whole
4 bunch of things we haven't agreed on.

5
6 (Laughter)

7
8 CHAIRMAN LOHSE: Mr. Henrichs.

9
10 MR. HENRICHS: You know, if you select
11 people for these subsistence seats on the Federal
12 Subsistence Board and they don't come through the RACs or
13 anything, that's a slap in the face to everybody that
14 ever served on these in my opinion.

15
16 CHAIRMAN LOHSE: Well, that's what I was
17 saying, we have differences of opinion and that's what we
18 want to bring out on the table.

19
20 MR. HENRICHS: We'll get together in
21 Cordova, Tom and I can take you.

22
23 (Laughter)

24
25 CHAIRMAN LOHSE: Okay. Doug.

26
27 MR. BLOSSOM: Mr. Chair, I'm with Tom on
28 that and with Bob.

29
30 CHAIRMAN LOHSE: Thank you, Doug.

31
32 Gloria.

33
34 MS. STICKWAN: Well, I support Wrangell-
35 St. Elias' SRC, what we wrote up and adopted. And I
36 think it should come from the SRC or the Subsistence
37 Resource Commission from a rural area because they have
38 -- they're familiar with the process, they've worked the
39 subsistence sitting on these seats and I think they're
40 knowledgeable and they understand whereas if you get
41 somebody that hasn't been doing that they have to catch
42 up and learn a lot of new things and that's going to take
43 a long time for them to learn. Because I think Tim
44 Towarak also said at the last meeting it's a learning
45 process for him because he wasn't involved in subsistence
46 as -- so if get somebody that's out and not -- it's going
47 to be a learning process for them.

48
49 CHAIRMAN LOHSE: Thank you, Gloria.

50

1 Tom.
2
3 MR. CARPENTER: Do we need to formulate
4 these ideas into some kind of a motion or are you just
5 generally taking our comments and are you going to just
6 submit the general array of comments to the -- well, what
7 are we -- what do we need to do exactly there?
8
9 DR. WHEELER: Mr. Chair. Mr. Carpenter.
10 I think you could do it either way. I've taken pretty
11 good notes here and we have a word for word transcript.
12 The Western Interior Council opted to have their
13 transcript submitted as commented with sort of a summary
14 on top of it and we could do that, between K.J. and
15 myself I think we've captured -- I mean, I think it's --
16 we've -- you know, the Council had differences of
17 opinion, you know, there was a strong sentiment to having
18 somebody -- having the appointment process include people
19 that have been on an SRC or Regional Advisory Council,
20 but they also saw the merit of having somebody from the
21 public to make sure that people were well represented.
22 I think we could craft a letter based on what we hear
23 today and also attach the transcript if that would be
24 your preference.
25
26 Mr. Chair.
27
28 MS. STICKWAN: Ralph was a minority
29 opinion.
30
31 CHAIRMAN LOHSE: Yeah.
32
33 MR. CARPENTER: I guess I'd just like to
34 follow-up although I do disagree with Ralph on this one.
35 I do think that his opinion is valid and that it should
36 be presented to the Federal Board for consideration. And
37 so my suggestion would be is that if the transcript like
38 one of the other RACs could be submitted with our annual
39 report that the comments from the transcript would be
40 available, is that possible?
41
42 DR. WHEELER: The closing -- the deadline
43 for submitting public comments because this is a Federal
44 rulemaking process is April 12th. So it would be most
45 expeditious to submit.....
46
47 MR. CARPENTER: Okay. So, well, we could
48 just submit -- just submit the transcript.
49
50 DR. WHEELER:a summary and I'm not

1 exactly sure how a transcript gets submitted to
2 www.regulations.gov, but we'll figure it out, we'll keep
3 somebody busy typing.

4

5 MR. CARPENTER: Okay.

6

7 CHAIRMAN LOHSE: Thank you, Polly. I
8 think that like Gloria says, what you need to do is you
9 need to state that the Chair had a minority opinion.

10

11 And but I would like to bring up one
12 other thing that I really think the SR -- that was
13 brought up before and it sounds like it's brought up by
14 other Councils that the SRC brought up. I really think
15 the idea of a three year staggered term makes sense so
16 the person that's up there working on it doesn't -- is
17 not on a -- I'll say isn't subject to political removal,
18 in other words that has a stated term and not if politics
19 change all of a sudden you're going to change, you know.
20 I think that that would be worthwhile to go with what the
21 SR -- I would support the three year staggered term and
22 I don't know what the rest of the Council thinks on that.

23

24 Polly.

25

26 DR. WHEELER: Mr. Chair. Just to remind
27 the Council that these are all comments that the Board
28 will consider and then forward to.....

29

30 CHAIRMAN LOHSE: Right.

31

32 DR. WHEELER:to the Secretary. Now
33 I do know because Mr. Pourchot and I had had several
34 conversations about this earlier, that it's a regulation
35 change. Now it's unlikely that process will be included
36 in regulation and he had said at one point, and I don't
37 mean to speak for you, Pat, but that he didn't want to
38 tie his boss' hands in terms of how these appointments
39 were made, having the terms in there or anything else.
40 So just keep in mind that it's recommendations going
41 forward to the Board, those will go to the Secretary, but
42 I don't know how much of this will actually make it into
43 regulation, it may be advising the process.

44

45 CHAIRMAN LOHSE: That's a good point
46 right there and I think that's something, you know -- I
47 think that's something we need to realize with all of
48 that, that we're -- even when we deal with tribal
49 consultation and stuff like that they're seeking input,
50 they don't have to go along with it. I mean, it --

1 they're going -- they can give it their best shot, it's
2 up to us and that's why I consider it very important to
3 express as many different views and as much of our views
4 and our strongness of our views as we can because all
5 we're doing is giving them consultation, we're basically,
6 for lack of a better way of putting it, advisors not
7 rulemakers. And what comes out in the end may not even
8 be close to what we considered we wanted, but we hope it
9 is.

10

11 Judy.

12

13 MS. CAMINER: This is process also in
14 that I noticed in the SRC letter, it says that the SRC or
15 the RACs would want involvement in a nomination process.
16 So I know we're still far away from how a person would
17 apply for this position or whether a person could be
18 nominated or be recommended by various groups, but that
19 just might be something we want to either think about now
20 or bring up later on.

21

22 CHAIRMAN LOHSE: I think the first bullet
23 is pretty interesting, two public members, rural
24 residents recommended by the 10 Regional Advisory
25 Councils which means somewhere along the line we have to
26 get 10 Regional Councils together to agree.

27

28 MR. CARPENTER: That's going to be tough.

29

30 CHAIRMAN LOHSE: Well, I don't know if
31 that's going to be tough, but that means that -- that's
32 something we did at the start of this program, that was
33 some -- that was one of the most valuable experiences I
34 had on this Council was when we brought all 10 Councils
35 together and I think we did it -- I know we did it once,
36 I'm trying to remember if we did it twice. But when we
37 brought all 10 Regional Councils together it did more for
38 shaping those of us that were there, to understand the
39 needs and concerns of the rest of the State, than I think
40 anything else that I've ever been in. Now it's been --
41 I've been fortunate, I've been able to be there with 10
42 Regional Council Chairs and that in itself is very
43 informative because you see the difference. But when we
44 had all 10 Regional Councils there, there was a lot of
45 power there, that was a very moving experience, for lack
46 of a better way of putting it. And I don't know, I
47 realize that it was different economic times back then,
48 a different part of the program, but that would sure make
49 a difference as far as the authority acceptance or
50 whatever of any appointees would be is if the -- if you

1 could have that kind of a body do it, you know.

2

3 Okay. Do we need to -- do we need to
4 make any motions or should we just let them take the
5 comments that we've talked as part of this, does anybody
6 have anything really strong that they would like to put
7 into a motion?

8

9 Tom.

10

11 MR. CARPENTER: Mr. Chairman. I would
12 make the motion that the RAC have OSM submit a summary of
13 the transcript, you know, so that all parties' views are
14 represented to the Federal Board for recommendations to
15 the Secretaries. I think that's the fair and most honest
16 way to do it. And staff's already said that they would
17 have the ability to do that. So that would be my motion.

18

19 CHAIRMAN LOHSE: Do I hear a second?

20

21 MS. CAMINER: Second.

22

23 CHAIRMAN LOHSE: It's been moved and
24 seconded. Did everybody understand the motion, that we
25 will have a summary of our transcript and presented in --
26 all sides of the debate that we've discussed here will be
27 presented to the Federal Board?

28

29 DR. WHEELER: Well, it'll be -- it's be
30 -- Mr. Chair. It'll be submitted into
31 www.regulations.gov, it'll also be provided to the Board,
32 we'll provide the Board the summary of all the comments
33 or the actual comments and then the Board will make its
34 recommendations to the Secretary of the Interior. But
35 these regulations -- these comments will be put into that
36 web portal.

37

38 CHAIRMAN LOHSE: Okay. Okay. Motion's
39 on the table. Is there a question called?

40

41 MR. BLOSSOM: Question.

42

43 CHAIRMAN LOHSE: The question's been
44 called. All in favor signify by saying aye.

45

46 IN UNISON: Aye.

47

48 CHAIRMAN LOHSE: All opposed signify by
49 saying nay.

50

1 (No opposing votes)
2
3 CHAIRMAN LOHSE: Motion carries. Okay.
4 With that could we go back to deference.....
5
6 DR. WHEELER: I've got my glasses on,
7 I.....
8
9 CHAIRMAN LOHSE: You got yours, deference
10 to Council?
11
12 DR. WHEELER: I can help you out there.
13
14 CHAIRMAN LOHSE: Deference to Council's?
15
16 DR. WHEELER: Deference to Council's,
17 yep.
18
19 (Laughter)
20
21 DR. WHEELER: This is not an action item,
22 Mr. Chair, it's by way of information. Again when the
23 Board met on January 5th it was very sensitive to the
24 fact, and I think it was -- Gloria had raised this issue
25 at a prior meeting saying we get all this stuff thrown at
26 us, you know, it -- there needs to be some consideration
27 to the fact that we're volunteers, we're slogging through
28 this material, so don't throw a bunch of stuff at us all
29 at once. And so the Board was very sensitive to that,
30 saying okay, look, we don't want to throw a bunch of
31 action items at each of the Regional Advisory Councils,
32 but we want to kind of high grade the issues that we
33 think we can act on immediately. So the Federal Board --
34 expanding the Federal Board to include two new members
35 was one.
36
37 The next item that was raised
38 consistently through the subsistence review was the issue
39 of deference to the Councils. As you all know we just
40 talked about earlier by statute the Federal Subsistence
41 Board has to defer to the Regional Advisory Council
42 recommendation and the position at this point of the
43 solicitor's office has been that it has to defer on
44 matters of take and but the other issues that popped up
45 during the subsistence review were deference to the
46 Regional Advisory Councils on customary and traditional
47 use determinations, deference to Regional Advisory
48 Councils on rural determinations and deference to the
49 Regional Advisory Council recommendations on in-season
50 management actions. So those are the three items that

1 the Board covered in their January 5th meeting.

2

3

4 And I should have mentioned earlier in
5 the backs of your -- in the back of your book or towards
6 the back of your book anyway, on Pages 56 and 57 there's
7 a written summary of the Federal Subsistence Board
8 executive session meeting on January 5th. And there's
9 also a matrix on Pages 58, 59 and 60 and that matrix is
10 covering the issues that I'm going to be touching on
11 today. The -- and again the top heading is action item
12 from the Secretarial Review, the status, the next steps
13 and the RAC involvement. So you can refer back to this
14 at some point if you're interested or want to remind
15 yourself what I'm telling you right now. But anyway the
16 three big ones with regard to deference included like I
17 said C&T determinations, rural determinations and in-
18 season management.

18

19

20 And the Board pretty much came to the
21 collective agreement that it would -- it was supportive
22 of deferring to the Regional Advisory Councils on
23 customary and traditional use determinations, it wasn't
24 sure if it needed a policy or possible rulemaking, but if
25 so that would be forthcoming. So that's the first one.

25

26

27

28 The second was on -- the second one was
29 on rural determinations and the Board felt that -- after
30 discussing this for quite a while the Board felt like it
31 didn't really know enough about rural determinations at
32 this point in time to say whether it should defer to
33 Regional Advisory Councils or not on that. So towards
34 that end the Board is going to be having a workshop on
35 April 6th to kind of have a rural determinations 101
36 session. And Regional Advisory Council member -- or
37 Regional Advisory Council Chairs are invited to that,
38 it's going to be here in Anchorage over at the Fish and
39 Wildlife Service building. And that's just to get people
40 up and running, get them grounded in rural
41 determinations. We -- keep in mind we've got a
42 relatively new Board, the last time we did this we had
43 some Board members that had been on the Board for quite
44 a while, this time it's all new, none of the existing
45 Board members have been through this process. And your
46 Council Member Caminer over there has been through the
47 process and she's well aware of the complexity of the
48 process and it's going to -- people need a lot of
49 grounding in it before they can make a good decision, I
50 think. So the Board was unwilling at this point in time
51 to make a decision on deference to Councils. There was

1 some advisement from the Office of General Counsel and
2 the Solicitor's Office saying that the courts have found
3 that rural is an absolute term meaning sparsely populated
4 and because of that it's not really subject -- the term
5 itself isn't subject to interpretation. That's down the
6 road, just wanted to put it out there that there is that
7 legal opinion which may or may not affect the Board.

8
9 So the third item with regard to
10 deference to the Regional Advisory Councils is in-season
11 management. Now as those of you that are involved
12 particularly in fisheries know, when there's -- when
13 something pops up that needs in-season management
14 attention it needs it now, it doesn't need it three weeks
15 from now. If we wait three weeks from now the decision's
16 been made so it's all about the timing. And so deference
17 to RACs, there's an interest in including people in the
18 decision and most of the in-season managers do include
19 the Regional Advisory Council Chairs, but getting the
20 whole group together and kind of weigh -- slogging
21 through the decision isn't something that the in-season
22 management process really allows for. But one thing that
23 we can do is provide each of the Regional Advisory
24 Councils the letters of -- that delegate the authority
25 from the Federal Board to the in-service manager. So
26 we've committed to including those in subsequent Council
27 books so that you all know what the authority is to these
28 in-season managers for your particular area, we're not
29 going to give you the whole -- the statewide mass. But
30 so that you know who the in-season manager is and
31 typically it's delegated to a position, not an
32 individual, it's whoever holds that particular position,
33 but kind of what the process is and what their authority
34 is because of -- it's informative and U.S. Council
35 members should know that. So we're going to do that down
36 the road as time permits. We actually need to review a
37 lot of the letters because they are somewhat dated and
38 they go to -- you know, they're -- to people -- they're
39 sent to people that don't -- aren't in those positions
40 anymore and refer to people at OSM that don't exist --
41 well, they exist, they just don't work at OSM anymore.
42 So we're going to update those letters and then we'll
43 give them to you.

44
45 So that's the RAC deference, those are
46 the three issues that the Board discussed and again no
47 action item needed at this point in time, Mr. Chair, it's
48 just kind of keeping you -- the Board is committed to
49 keeping the Councils in the loop, letting them know where
50 they're going, what they're thinking about or where

1 they're thinking of going and what they're thinking
2 about.

3

4 So that it, Mr. Chair, and with that I
5 can move on to the memorandum of understanding unless
6 there's any questions on deference.

7

8 CHAIRMAN LOHSE: Any questions on
9 deference.

10

11 Judy.

12

13 MS. CAMINER: Mr. Chair. Thank you.
14 And, I mean, maybe you can help answer this question.
15 During in-season management decisions whether they be
16 with wildlife or with fisheries, I know oftentimes we had
17 in there or have in there that there will be coordination
18 with the RAC Chair.

19

20 DR. WHEELER: Uh-huh.

21

22 MS. CAMINER: And so, of course, timing
23 is very tight with a lot of those decisions, but if
24 people are reachable by phone then I assume at least that
25 attempt is being made to contact the RAC Chair?

26

27 CHAIRMAN LOHSE: Definitely. But being
28 the RAC Chair that this RAC Chair is, a lot of time he's
29 out of phone reach.....

30

31 DR. WHEELER: Right.

32

33 CHAIRMAN LOHSE:but I have been
34 consulted on in-season or at least informed, I guess, is
35 a better way of putting it, that an in-season management
36 change was needed. I don't know what would have happened
37 if I would have objected to it, because I've, you know,
38 there's never been any of them that seemed unreasonable
39 to me and there's never been any that I've ever objected
40 to. But the information has traveled that way, but one
41 thing we have to remember is a lot of the in-season
42 management decisions take place in the summertime and in
43 the summertime a lot of us aren't near a telephone
44 although life is changing rapidly in the State of Alaska.
45 When you go ski out to a river bluff and your phone rings
46 you know you're in trouble, you know.

47

48 Judy.

49

50 MS. CAMINER: I guess one other thought

1 I had in terms of other actions and I think it was
2 brought up here earlier today that deference would be
3 given to RACs regarding RFRs. So I guess that would be
4 something that this Council might like included on the
5 list.

6
7 CHAIRMAN LOHSE: I don't know if that
8 would be possible, would it, Polly, that deference could
9 be given to us on RFRs. If we recommend -- if it's our
10 recommendation that they're having an RF on a proposal
11 that we -- that we supported and they have an RFR on
12 that, wouldn't it be kind of a conflict for us to -- if
13 deference was due to us we could say no, don't consider
14 that.

15
16 DR. WHEELER: I think that we can raise
17 it as an issue, I mean, the fact of the matter is that
18 the Board takes action on a proposal, the Board by
19 statute defers to the RACs on that proposal. If that
20 decision is then challenged for the variety of reasons
21 that it can be challenged on, it does go back before
22 the RAC for its review and input. So but I don't know
23 statutorily or, you know, if it -- rulemake -- if that
24 would be embedded in that. I can't -- I can't -- I
25 haven't thought about it enough to make a decision one
26 way or the other. What I can say is that I can carry the
27 message forward to the Federal Board that that's an issue
28 that this Council is interested in having the Board take
29 a look at.

30
31 CHAIRMAN LOHSE: That sounds good.

32
33 DR. WHEELER: Okay. Can we move along to
34 the memorandum of understanding or are we okay?

35
36 CHAIRMAN LOHSE: We were going to skip
37 that and go on to customary and traditional just so that
38 -- because we had the person here that could speak to
39 that and then go back to the memorandum of understanding,
40 if that's okay with you.

41
42 DR. WHEELER: Oh, absolutely. Sure.
43 Sorry I missed that one. The.....

44
45 CHAIRMAN LOHSE: So you're going to take
46 care of this one too, aren't you?

47
48 DR. WHEELER: I am.

49
50 CHAIRMAN LOHSE: Okay.

1 DR. WHEELER: The show. Customary and
2 traditional use determinations. Okay. The Board heard
3 or the -- one of the outcomes of the Secretarial Program
4 Review was people were interested in taking a look at
5 customary and traditional use determinations, how they
6 were done. As you well know that has been an ongoing
7 issue with the -- with the program, for some more than
8 others, I guess I would say. But before the Board got --
9 went down the road of giving out options, I mean, there
10 was a lot of discussion at that meeting of kind of
11 looking at the different options that had been laid out
12 before. The Board thought rather than go down that road
13 right away, it would first take a step back and ask the
14 Regional Advisory Councils, you know, is the current
15 process working for you, the current C&T process, and if
16 it is that would be nice to know, if it's not, you know,
17 what are you -- what are you interested in changing, what
18 specifically would you be interested in changing.
19 There's -- and so before options, I know, Judy, you had
20 been interested in having that options paper handed out
21 and I guess out of respect to the Board, not wanting to
22 throw a bunch of information at people, it's kind of
23 following the Board -- the recommended Board process
24 which is ask these general questions first and then if
25 the answer is resoundingly keep it, leave it, change it,
26 whatever, then the Board can act accordingly but it
27 didn't want to go down the path of asking -- of offering
28 up options until it was kind of knowing where people were
29 standing. And I get -- I will say too with -- I've
30 actually been surprised at this one, that of the Councils
31 that have met thus far all of them have been supportive
32 of retaining the existing process, recognizing that, you
33 know, there's things that could certainly be tweaked,
34 but, you know, there's been 300 plus C&T determinations
35 that have been made since the inception of the program,
36 what would you do with those, there were some concerns
37 over that. There's some people that felt that it would
38 be kind of like throwing the baby out with the bathwater,
39 if it threw out a new -- old -- threw out the existing
40 system, brought a new one in and so that's been actually
41 kind of interesting.

42
43 So that's just what the Board is --
44 that's what the Board is asking now, how do you feel
45 about the existing process. And if you want -- if
46 there's something you're interested in changing what
47 might -- what might that be or do you want options
48 brought before you or what are you thinking of.

49
50 CHAIRMAN LOHSE: Greg, did you have your

1 hand up?

2

3 MR. ENCELEWSKI: Yeah, I'd just like to
4 comment on that. I got some options that I would like to
5 see a slight tweaking to it. The customary and
6 traditional use determinations, of course, we all know as
7 we went through many of them and I think the process
8 works. Some have been good, some have been -- you know,
9 maybe we didn't do our homework enough, but that's
10 debatable. But the one thing that does constantly come
11 before me, the tribe and our community is why do we have
12 to consistently over and over and over again answer RFRs,
13 put in for C&T, have it challenged, put in a new C&T for
14 everything from a rabbit to a moose. I mean, at some
15 point you're either eligible and you should be found
16 there and there should be some -- you know, there's got
17 to be a better way to make that system work. That's the
18 only tweaking that I can see that would help it.

19

20 Thank you.

21

22 CHAIRMAN LOHSE: Thank you, Greg. That
23 would be one thing that -- that would be my comment on it
24 too, I mean, I would think if you were eligible to take
25 ducks you're eligible to take rabbits, if you were
26 eligible to take rabbits you probably were eligible to
27 take moose, you know. I mean, the idea as we've talked
28 about in this Council a lot, subsistence is
29 opportunistic. If you don't have rabbit in the pot
30 you're going to eat a grouse, you know. And you
31 shouldn't have to say oh, I have C&T on grouse, if I've
32 already got C&T on rabbit. You've got C&T on game and
33 you -- and it should follow the same way to a certain
34 extent I would think on fish.

35

36 Otherwise I'd have to agree with Greg,
37 you know, after having been in it this long and having
38 the -- having the problems we've had with C&T and the
39 arguments and the angst and everything else, I would
40 still have to say that at this point in time I think --
41 I don't think it's perfect, but I think it's worked. I
42 think it's worked as good as any option that I can think
43 of. The only other option that would have been better
44 maybe would be that, you know, at some time if we'd have
45 said that, you know, in the distance that you can walk
46 that's how far your C&T extends, you know, like the old
47 idea of you own as much land as you can walk around in a
48 day or something like that, you know.

49

50 (Laughter)

1 CHAIRMAN LOHSE: But that's not feasible
2 in this day and age and I do think our -- I do think our
3 C&T process has worked.

4
5 Any other comments on it.

6
7 Judy.

8
9 MS. CAMINER: Thank you. I guess Greg's
10 pretty gracious about this, but I think what we saw and
11 still see in Ninilchik is a very -- is an inequity in
12 terms of the amount of information that needed to be
13 submitted and added to and studied and continued, et
14 cetera, with respect to one community on the Kenai
15 Peninsula versus probably any other community around the
16 State. And I think that's something that really does
17 need to be evaluated.

18
19 We talked about deference before and I
20 think that needs to be brought in again that years ago
21 when we were looking at revising the C&T process and the
22 C&T policy, one of the comments from this Council was
23 that the assessments of the eight factors can vary due to
24 regional, cultural and temporal variations and Regional
25 Advisory Council knowledge are particularly important
26 towards those analyses. And so I know there were
27 comments years ago from AFN on how the Board and how the
28 program did C&T and I think those comments need to be
29 reviewed as well and incorporated by reference if I can
30 do that here too. C&T's always been a challenging topic,
31 people understand it, people don't understand it, some
32 see it as inclusive and some see it as a way to exclude
33 people. I think this RAC particularly has been very good
34 in terms of making it as inclusive as possible and
35 understanding exactly what Ralph said about opportunistic
36 nature and I guess migratory nature of people as well.
37 So I think it would be worthwhile to look at some of
38 those past comments that came in on C&T with particular
39 emphasis about the value of the RACs in that analysis and
40 in that process.

41
42 CHAIRMAN LOHSE: But, Judy, would we
43 change the way we as a RAC do it from reviewing that or
44 are we -- well, are we at this point in time asking the
45 Board to change the way that they do it, I mean, like you
46 said our Council has been -- our Council has been
47 inclusive, not exclusive. Our Council has recognized the
48 value just like on Ninilchik, we've recognized the value
49 of personal knowledge and just recognition of subsistence
50 characteristics. And other than the fact that some of

1 our recommendations have been turned down, not very
2 many, but some of them have, and other than the fact that
3 outside sources have challenged some of them, we've been
4 very consistent in the way that we make them and support
5 them. And it's -- as a RAC there's been times that I
6 feel like for certain instances we ask for more
7 information from one group than we do from another, but
8 that's because we also know that that group is going to
9 have more scrutiny when the time it comes before the
10 Board and the time it comes before the public and so we'd
11 like to get more ducks in a row before we ever start.

12
13 And so, I mean, but has the process
14 worked, I just think of -- I just think of some of the
15 successes, I mean, of -- some of the things that didn't
16 even look possible to start off with, like a moose --
17 subsistence moose hunt on the Kenai Peninsula that Bob
18 brought up, I mean, I don't know how many of you were
19 there then, but he was right that there were people --
20 there were RAC members that were afraid to go down there.
21 And I'm not sure that maybe somebody doing the recording
22 couldn't have been a little afraid to go down there.

23
24 (Laughter)

25
26 REPORTER: (Nods affirmatively)

27
28 CHAIRMAN LOHSE: It was pretty hot, but
29 over time those decisions have been accepted and they've
30 accomplished what we wanted to accomplish. There are
31 still -- like Gloria brought up today, there are still --
32 there are still C&Ts that are going to be asked for
33 because they're -- you know, somebody has not felt a need
34 to ask for them to this point in time. But the majority
35 of our area -- as you noticed by the amount of proposals
36 we have in front of us right here, there's not a --
37 there's not a crying need for new C&Ts. We're dealing
38 with an RFR and that's because there is a system for the
39 State to come back and question it and question it. But
40 the Board has now supported it, the RAC has been
41 consistent in how we've looked at it. What -- you know,
42 we can't change somebody else and that's what I'm
43 wondering, is this how we as a Council feel that we need
44 to change making our C&Ts or is this how we think the
45 Board should change looking at C&Ts?

46
47 Polly.

48
49 DR. WHEELER: It's the process that we
50 use, Mr. Chair, using the eight factors and doing an

1 analysis of that -- of those sort of qualitative and
2 quantitative use of a particular resource. That's the
3 process that we're speaking to.

4

5 CHAIRMAN LOHSE: Okay.

6

7 DR. WHEELER: And with the analysis from
8 sort of getting a proposal to doing the analysis to going
9 before the Regional Advisory Councils to going before the
10 Federal Board.

11

12 CHAIRMAN LOHSE: But see that process
13 puts information at our fingertips that -- I mean, even
14 if that -- we have never said that this process, all
15 eight -- we have to have something in all eight
16 checkmarks, but it's a tremendous way to get information
17 for us to look at. I mean, I would hate to see that gone
18 even if that's not what the decision is totally based on
19 because it puts information in front of us to consider.
20 It also puts information then for the -- if you didn't do
21 the process the Board would -- the Board would -- I mean,
22 we could just say, okay, the Board gives the Council
23 deference on this and the Board doesn't need any
24 information. That's not going to work. You're going to
25 have to show them information that we've used, but also
26 at the same recognize the fact like we've talked about
27 before that we've got personal involvement in it and
28 we've just got -- you've got an understanding of how the
29 rural subsistence community works that I really feel, and
30 the more I see it I really is almost impossible for
31 somebody who doesn't live it to understand it because
32 it's like -- it's like trying to teach math if you're a
33 history teacher, you know. I can teach math to high
34 school kids and grade school kids as long as I stay one
35 page ahead of them in the book, but I don't understand
36 it. My daughter can teach math and everybody will go,
37 wow, that's what it means, you know. And that's the same
38 thing here, we can try to educate the Board on the
39 subsistence issues, but they still don't have the
40 involvement, they still don't have the, I'll just say the
41 personal knowledge, the instinct whether or not what
42 they're asking for is reasonable or not, you know. And
43 I think that that's important and I think our -- I think
44 our Board has done a pretty good job of giving deference
45 to that. There's been times we've disagreed with them,
46 there's been times they disagreed with us, but in the
47 long run I think the systems work.

48

49 But that's my opinion and I'm going to
50 shut up at this point in time and let some other Council

1 members talk.

2

3

Gloria.

4

5

MS. STICKWAN: I had a question for you
6 and Greg. What did you mean by -- are you saying that we
7 shouldn't go species by species for each community or who
8 were you talking about when you said that we shouldn't go
9 species by species, which communities and who are you
10 talking about?

11

12

MR. ENCELEWSKI: I'm talking about all
13 communities. I'm talking about, you know, for an example
14 we put in C&T for moose and bear and, you know, then we
15 have to do small game and all that. What I was getting
16 at is if you have a C&T for that community shouldn't that
17 be all inclusive, would -- or do you have to go through
18 each one, put in, you know, a determination for a C&T on
19 each species. And I'm just suggesting that maybe that
20 can be tweaked and make it a little streamlined. You
21 know, I do think the process works, I think this RAC is
22 given great consideration.

23

24

And the other thing that I don't think
25 has been mentioned here, I know on all the C&Ts that I
26 sat in on is this RAC has had a ton of public testimony
27 come to them, especially the ones that were of any deep
28 concern or conflict in, you know, supporting their C&Ts,
29 you know. So I think we've done good on it, I just think
30 that it gets -- the process gets kind of diluted and you
31 get delusional of every time you got to come back. And
32 then in Ninilchik's case and Judy's right, I was pretty
33 quiet on it, but, you know, we've been I don't know how
34 many times before this Board that someone wants to
35 reconsider something. And it's political and it's pure
36 political and we know it.

37

38

CHAIRMAN LOHSE: Gloria.

39

40

MS. STICKWAN: Well, that's what -- the
41 point I was trying to bring up this morning was, you
42 know, the Board made a C&T decision and we're having to
43 come back over and over and over again for that one
44 community. So I was thinking if there could be a policy
45 written where, you know, there would be a period of time
46 where they cannot bring it -- cannot bring the C&T back
47 to the SRC or to this -- or to the Board. That, you
48 know, there has to be a cut off period for a number of
49 years before they can bring it back again because they're
50 going to be doing this every year, they're going to be

1 challenging it and we're just going back and forth, back
2 and forth. That's what I'd like to see changed about it,
3 that could be written into policies or regulations or
4 whatever, I don't know what it would be written into.

5

6 CHAIRMAN LOHSE: Judy.

7

8 MS. CAMINER: It seems like it's been
9 stated many times by people in the program that customary
10 and traditional use means the subsistence uses of wild
11 renewable resources. If that can be put into the
12 regulation or into the policy to make it a little bit
13 clearer that's pretty basic then and it accomplishes what
14 Gloria and Greg and others are asking for.

15

16 CHAIRMAN LOHSE: Make it more inclusive,
17 not.....

18

19 MS. CAMINER: Uh-huh.

20

21 CHAIRMAN LOHSE:as far as use
22 pattern?

23

24 MS. CAMINER: Uh-huh.

25

26 CHAIRMAN LOHSE: Anybody else have any
27 suggestions on anything they would like to see changed or
28 is -- do you feel that in the area you are do you feel
29 like for the people that you're around, has C&T worked?

30

31 Tom.

32

33 MR. CARPENTER: Yeah, I'll make a couple
34 general comments. I think the C&T process has worked
35 fairly well. I think one thing that the -- that us as a
36 RAC could do in the future potentially to make it a
37 little bit better, especially for the people putting the
38 proposals in requesting C&T, is, you know, when we're
39 going through the criteria, when we find substantial
40 evidence, I think it would be -- something that we could
41 work on would be, not that we haven't done an okay job,
42 but the better the record that we can build at the time
43 when we're discussing that the easier it's going to be
44 for the Federal Board to make its determination. And
45 it's also going to be harder for somebody to challenge
46 those circumstances at a later date. I agree with Gloria
47 completely in regards to these proposals could
48 theoretically come up every cycle, challenging something
49 that somebody has done. Now not taking into account the
50 court and the -- you know, the court challenges are a

1 different topic, but, you know, for example, we only
2 review the rural determinations every 10 years. In my
3 estimation that's reasonable, you know, populations
4 change over time and you should review those things
5 occasionally. I think it would be something to be
6 considered to suggest to the Federal Board that C&T
7 determinations, you know, the ones especially that aren't
8 being challenged in court, that there should be a time
9 frame in which, you know, those would come back up for
10 reconsideration so that we aren't inundated constantly
11 and these villages are not inundated constantly with
12 having to come forward and try and prove themselves to
13 everybody.

14

15 And then the only other thing that I
16 have, and this is probably just something personal with
17 me and it always has been, and it's just a slight, slight
18 thing, but I've always -- and I understand that staff
19 likes to streamline things if they can because it's cost
20 effective. I've always been opposed to somebody that
21 requests a C&T for something that other communities are
22 lumped in in the same analysis. I don't know why it
23 bothers me, but this process is supposed to be from the
24 ground up. And I -- in my opinion when a community asks
25 for something it's because they really feel they need it,
26 they want it and it's culturally important to them. If
27 there are other communities that reside in the general
28 vicinity that doesn't mean that those feelings are
29 necessarily reflected. And so I would hope that in the
30 future that when C&T determinations or proposals come in,
31 that the -- that it would be focused on the people that
32 are asking for it.

33

34 That's all I have.

35

36 CHAIRMAN LOHSE: Thank you, Tom. Any
37 other comments.

38

39 Doug.

40

41 MR. BLOSSOM: No.

42

43 CHAIRMAN LOHSE: No. Mr. Henrichs.

44

45 MR. HENRICHS: No comment at this time.

46

47 CHAIRMAN LOHSE: Okay. Polly, do -- and
48 this -- you said this wasn't an action item, but do we
49 need to do anything more on this or have we got.....

50

1 (Laughter)
2
3 CHAIRMAN LOHSE:have we done more
4 than enough?
5
6 DR. WHEELER: I think I've got it.
7
8 CHAIRMAN LOHSE: Okay. Okay.
9
10 DR. WHEELER: The question is am I going
11 to be able to read my handwriting once I'm -- once I get
12 back to try and read it, but no, I think I've got it, I
13 think you've provided a lot of comments.
14
15 Mr. Chair. Thank you.
16
17 CHAIRMAN LOHSE: Okay. You were going to
18 offer me your watch before, can you just look at it and
19 tell me what time it is?
20
21 DR. WHEELER: It's 4:18, by my watch, it
22 may be a couple.....
23
24 CHAIRMAN LOHSE: 4:18.
25
26 DR. WHEELER:minutes fast.
27
28 CHAIRMAN LOHSE: So we have another --
29 basically we have another half an hour and then we need
30 to just.....
31
32 MR. ENCELEWSKI: Mine says 4:18 too.
33
34 CHAIRMAN LOHSE: At this point in time
35 can we go through the review of the memorandum of
36 understanding in half an hour or should we put something
37 shorter in place instead of that one?
38
39 DR. WHEELER: Given what this -- given
40 the comments receive -- I mean, there's -- I guess
41 there's two questions before you. One is given the
42 comments that you've had thus far on the items I think
43 that it may take more than a half hour for the -- for
44 your discussion of the memorandum of understanding. The
45 other concern, of course, though is if Member Encelewski
46 isn't going to be here tomorrow, if -- he'll have an
47 opportunity to submit his comments if he has any on the
48 MOU, that would be good too. So I don't know. And then
49 the third part of that would be is again we're throwing
50 a lot of information at you, we did get the books out to

1 you in advance, but if you haven't read the MOU it's
2 probably good to read it and then have the discussion
3 rather than have a discussion without having read it. So
4 it might be good to wait until tomorrow and then people
5 will have the opportunity to take a look at it tonight or
6 tomorrow morning before you meet.

7

8 But maybe, Greg, you can pass your
9 comments on to somebody if you have any and so they can
10 be heard tomorrow.

11

12 MR. ENCELEWSKI: Yeah, I do have comments
13 and I think I've passed them before, but I'll do that.

14

15 Thank you.

16

17 CHAIRMAN LOHSE: Greg, if you're not
18 going to be here tomorrow, do you see anything on this
19 agenda that you would like to see taken care of today?

20

21 MR. ENCELEWSKI: Mr. Chairman. Thank
22 you. Yeah, I got an unexpected date for some surgery so
23 I got to go, I can't pass it up. But, I mean, I did want
24 to talk a little bit on the memorandum of understanding
25 and I -- and then there's a lot of comment back and forth
26 on that for good reason. And so I think we should
27 approach that with caution on what we do on that. And
28 other than that, the rest of it, I feel bad I'm going to
29 miss on some of this global warming and some of this
30 stuff, but I'm sure I'll find out as time goes on what
31 happens.

32

33 CHAIRMAN LOHSE: Okay. So then should we
34 just go on with the agenda at this point, we'll skip the
35 memorandum of understanding until tomorrow morning. We
36 already have something else for first thing tomorrow
37 morning. No, we put that off, that's right, we said that
38 she didn't need to do that. But we have -- okay. So,
39 boy, Ralph you're -- it's been a long day.

40

41 DR. WHEELER: Mr. Chair. If I could.

42

43 CHAIRMAN LOHSE: Yeah.

44

45 DR. WHEELER: There's just -- there's a
46 couple more items that I think the Federal Board would be
47 interested in under the Secretarial Review. I think we
48 could go through those, the rural determinations, that's
49 a fairly quick one, executive session and then tribal
50 consultation. Those three items we could probably get

1 through and then that might be the end of the time that
2 you have today.

3

4 CHAIRMAN LOHSE: Okay. Let's do that.

5

6 DR. WHEELER: Oh, and the annual cycle.

7 Yeah. Okay.

8

9 Rural determinations. As I said earlier
10 with regard to deference to the Regional Advisory
11 Councils, the rural determine -- the Board felt that it
12 needed some basic information on rural determinations
13 before it was going to be able to make decisions one way
14 or the other. So as I said earlier there's a meeting
15 scheduled for April 6th here in Anchorage at the Fish and
16 Wildlife Service where the -- it -- the Board is going to
17 be getting a primer on the rural determinations process,
18 kind of what happened in 2000, the process engaged in the
19 decision points, that sort of thing. So that is April
20 6th. And Chairs of all the Regional Advisory Councils
21 are invited to that.

22

23 I got an email earlier today that said
24 that there's only six Chair -- six Councils that are
25 going to be represented at that meeting and I had a call
26 in to find out why because I think that's kind of an
27 important -- talk about a complex process that you need
28 to get in early and often on in order to have an
29 understanding of it, I think we do need to have all of
30 the 10 Councils represented at that so I will act -- I
31 will try and make that happen. But that's again April
32 6th. So the Board's going to be doing that.

33

34 CHAIRMAN LOHSE: Judy.

35

36 MS. CAMINER: At our last meeting in
37 Cordova we did have some comments on the process so I
38 don't know if those are again kind of incorporated by
39 reference or whether we ought to bring them up again
40 today. And I think quickly those points were looking at
41 the criteria for what the population in Ketchikan was in
42 1980, somehow taking into what normal population growth
43 would be over 10, 20, 30 years and the use of school
44 district as a criteria was brought into question too.

45

46 Thank you.

47

48 CHAIRMAN LOHSE: Polly, for rural
49 determination there are areas in the State that Councils
50 have that this wouldn't even be a question because there

1 are no non-rural areas in those Councils' purview. So I
2 could see where you wouldn't have an interest by all 10
3 Councils because it basically isn't -- it's a non-
4 question for them, there are no communities that have
5 that kind of a status or have the potential for that kind
6 of status, aren't there?

7
8 DR. WHEELER: Mr. Chair. I would agree
9 with you except for the fact that -- I mean, yes, but
10 this is going to take up a considerable chunk of time on
11 the part of the Federal Board over the course of the next
12 hopefully not seven years like it did with the last time
13 around, but it's going to take up a big chunk of time.
14 And I think for Council members to be engaged in the
15 overall subsistence issues, it's important to have at
16 least a baseline understanding of what's -- of what's
17 being discussed. And you're right, it doesn't -- it may
18 not have relevance for some of the Chairs now, but they
19 could move, they could -- you know, there's any number of
20 factors that could be at play. And I think just kind of
21 understanding the landscape of subsistence management in
22 Alaska, it's a pretty key feature. So I think I would --
23 I would argue for.....

24
25 CHAIRMAN LOHSE: You would disagree
26 with.....

27
28 DR. WHEELER:people being there,
29 but that's -- it's an indiv -- we're not going to force
30 them to be there, trust me. If they -- but I -- I'll
31 encourage.

32
33 CHAIRMAN LOHSE: Thank you.

34
35 DR WHEELER: Okay. Moving on to the next
36 item, Mr. Chair, is the executive session policy, that
37 was an item that came up during the subsistence review,
38 there was some thought that the Federal Board was going
39 to -- into executive sessions too often and for not good
40 reasons. The Board talked about that. Now keep in mind
41 the Board -- the guidelines for the Federal Subsistence
42 Board is that it can go into executive session and it has
43 to go into executive session if it's discussing personnel
44 matters or legal matters. But the Board is again
45 sensitive to this concern over going into executive
46 session and, of course, I think the first meeting in
47 November with Towarak we did go into executive session
48 which got some people kind of hot. But the Board talked
49 about this and what it's landing on is that it will -- it
50 doesn't want -- you know, it's sensitive to the

1 perception of going into executive session, but it
2 recognizes that at times it needs to. So it's going to
3 as much as possible before it goes into executive session
4 have that be part of the meeting announcement. And then
5 it will out report. After the executive session it'll
6 out report, provide just a written summary of who was
7 there, what was talked about within reason. Clearly if
8 it's a personnel matter they can't say -- give you all
9 the juicy details, but they'll say it was a personnel
10 matter that was discussed. So they are going to do that
11 and the first such summary is in your books. And that's
12 just a matter of business, I guess.

13

14 And then the guidelines for the Federal
15 Subsistence Board, you know, we have that green book
16 which I forgot to bring up with me, but there's a -- the
17 Board has actual guidelines and the -- that'll be amended
18 to include this report out for executive sessions. And
19 we will also include the policy guidelines for the
20 Federal Subsistence Board in a future Regional Advisory
21 Council book so that you all can see what the guidelines
22 are for the Federal Subsistence Board.

23

24 Mr. Chair.

25

26 CHAIRMAN LOHSE: Okay. Any questions for
27 her on executive session.

28

29 (No comments)

30

31 CHAIRMAN LOHSE: Thank you, Polly. Do
32 you want to go on?

33

34 DR. WHEELER: Absolutely. I want to get
35 to -- I'll do the -- I'll jump a little bit, get into the
36 annual cycle discussion that Member Caminer had asked
37 for. That has been an issue that was raised in the
38 review and there's -- we -- as you remember a few years
39 back when we went from an annual cycle where we did Fish
40 and Wildlife every year to fish one year, wildlife the
41 next year, it was a cost saving measure. We are inclined
42 to stay with the biannual cycle just because it does save
43 some -- it saves money, it saves -- well, mostly it saves
44 money.

45

46 I will say we don't know what our budget
47 looks like for 2011. As you all are probably well aware
48 there's the whole ridiculousness going back in Washington
49 with the continuing resolutions and is the -- is there
50 going to be a government shut down and are we going to

1 have a budget, that's ongoing. So we don't know what our
2 budget is. Here it's March 16th, we don't know what our
3 budget is for the year that started October 1, 2010.

4

5 (Laughter)

6

7 DR. WHEELER: And we've already been told
8 that we have to achieve a 10 percent cut -- cost savings
9 in our travel budget. We were just told that a couple
10 weeks ago which makes it really interesting when you're
11 six months into the year and you got to have 10 percent
12 savings.

13

14 We have been -- the Subsistence
15 Management Program has been put up for budget cuts the
16 last five, six years. This -- 2012 was no different. So
17 and if you've been watching the news domestically you
18 know that domestic budgets probably aren't going to get
19 an increase. So I don't -- we are sensitive to the issue
20 of annual cycles, of going back to an annual cycle, but
21 from a budget standpoint it does save us.

22

23 The other thing going back to what Gloria
24 had just said, you know, when you pass these C&Ts, can we
25 just leave them alone for a while. And there's some
26 thought that doing a regulatory process every other year
27 does give the regulation time to sort of take effect, see
28 how it works and assess. If you're doing them every year
29 you never really get the chance to kind of see if they're
30 working or not. So I think there's some logic in keeping
31 on an every other year cycle, you're all familiar with
32 the Board of Fish, Board of Game, they do a, you know,
33 two year cycle, three year cycle, I guess they're
34 changing that, but they kind of do that as a -- to give
35 these regulations time to work.

36

37 We do have the special action process
38 which allows for emergency actions to be taken if there's
39 a need, if there's an emergency out there. I was just
40 talking to Keith earlier today about NVE submitting a
41 special action to allow cow harvest for pot latch moose.
42 There's an example of where if there's an issue that pops
43 up, you know, seasons need to be lengthened because of
44 warm weather, low water, whatever else, we do have a
45 process to deal with them in an expedient manner,
46 expedient for the Federal government, but we do have that
47 process available.

48

49 So I guess the -- those are -- we hear
50 the concern, but with budget constraints, with other

1 items that have come out of the subsistence review that
2 are going to cost money, it's a juggling act.

3
4 So I guess that's my response to the
5 annual cycle and -- but that's a Polly Wheeler response,
6 that's not necessarily a programmatic response, but
7 that's all I have for you on that one.

8
9 Mr. Chair.

10
11 CHAIRMAN LOHSE: Thank you, Polly. I
12 guess I won't make any comments on that one.

13
14 Does anybody else have any comments on
15 that one?

16
17 Judy.

18
19 MS. CAMINER: I mean, I would like to
20 hear your -- I'd like to hear comments from the users as
21 to how the -- how this is affected or not.

22
23 CHAIRMAN LOHSE: Has anybody suffered any
24 adverse affects from having biennial cycles?

25
26 (No comments)

27
28 CHAIRMAN LOHSE: It takes longer for --
29 the only thing I can see is if there's an issue it does
30 -- just like we were talking before, if we deal with
31 something it's not going to go into effect until 2012.
32 And so a person has to think ahead a little bit farther
33 and like I said there is the ability to have special
34 actions, but special actions usually aren't major
35 changes.

36
37 Personally I like the biennial, but
38 that's just my personal opinion and I definitely wouldn't
39 put that forward as a Council. And I -- and part of it's
40 exactly what you said, that issues don't look like
41 they're quite so much on fire and then we have a chance
42 then to also see the effect of our decisions. And one of
43 the things that we deal with all the time is this
44 tremendous fear that what we're going to do is going to
45 totally disrupt the system and then two years down the
46 road, oh, my gosh, it didn't do the damage that we
47 thought it was going to. And from that standpoint the
48 time period is nice.

49
50 Any other comments, comments from anybody

1 else that disagrees with me?

2

3 Greg.

4

5 MR. ENCELEWSKI: No, I'll just make a
6 comment. I -- you know, there are times you might want
7 them sooner, but I kind of like the biennial as far as
8 the load on the RACs too, I think it's -- made us easier
9 to do our business.

10

11 So I just give you that comment.

12

13 CHAIRMAN LOHSE: Thanks funny, Greg,
14 because I was going to say my wife likes the biennial
15 schedule much better.

16

17 (Laughter)

18

19 CHAIRMAN LOHSE: Okay. Any further
20 comments on the annual cycle by anybody?

21

22 (No comments)

23

24 CHAIRMAN LOHSE: And then we still have,
25 I think, time to go to the tribal consultation part,
26 don't we?

27

28 DR. WHEELER: I think we do, Mr. Chair.

29

30 CHAIRMAN LOHSE: Okay.

31

32 DR. WHEELER: Okay. In your books on
33 Page 54 there's a letter from Tim Towarak to all Council
34 members. It was sent out to you right between Christmas
35 and New Year's. I did hear from a number of people
36 saying I didn't get it and I said well, I can assure you
37 it was sent. And I know that because we personally put
38 stamps on a lot of these letters because the Fish and
39 Wildlife Service postage meter ran out of postage. So we
40 had to actually go and buy stamps and put stamps on these
41 envelopes. So the letters did go out and it was just to
42 describe the process that you've been talking about today
43 of where the Board is going or where the Board -- how the
44 Board is addressing tribal consultation. And I'm just
45 going to read a couple of points here just to make sure
46 I hit on the highlights.

47

48 As you know, Title VIII of ANILCA
49 provides a foundational role for the 10 Regional Advisory
50 Councils and the development of regulations guiding the

1 taking of fish and wildlife on Federal public lands in
2 Alaska. Deference to the Councils ensures that rural
3 residents have a meaningful role in the management of
4 fish and wildlife and subsistence uses as envisioned by
5 Congress. To date because of the foundational role of
6 the Councils in the Federal program as well as the
7 requirement by statute that the Board defer to the
8 Council's recommendations, the Federal Subsistence Board
9 has not explicitly consulted with tribes during the
10 development of regulations. But as you know the
11 administration by presidential order has underscored the
12 importance of tribal consultation across the government.
13 Consistent with the Secretaries of the Interior and
14 Agriculture's renewed emphasis on respectful relationship
15 with tribes, the Federal Subsistence Board is interested
16 in enhancing its government to government consultation
17 with tribes. The Federal Board thus initiated steps to
18 formally incorporate tribal consultation into the Federal
19 Subsistence Management Program while at the same time
20 maintaining the established role of the Councils. And as
21 you know the Federal Board invited Federally recognized
22 tribes and ANCSA Corporations to the meeting in January
23 on day one to consult on the fisheries proposals that the
24 Board was going to be taking action on and on the 21st
25 there was a meeting with the invitees to have the
26 Federally recognized tribes and ANCSA corporations
27 consult with the Federal Board and tell them how they
28 thought that they could do it.

29
30 As those of you who were at the meeting
31 know, the meeting on the 21st was -- I would characterize
32 probably more of an initial discussion session, but the
33 Board's goal is to work with tribes to develop a policy
34 for the Subsistence Management Program and clearly this
35 is going to need to be consistent with departmental
36 policies. The meeting on the 21st we captured a few main
37 themes, we did have a -- we had it transcribed, but the
38 wireless mic didn't work as well as I had thought it
39 would in picking up the sounds. So that wasn't -- the
40 transcription is probably not as good quality as we would
41 typically have, but that's my fault because I was the one
42 that thought it would be a great idea to have wireless
43 mics. So it's not the court reporter's fault.

44

(Laughter)

45

46
47 DR. WHEELER: Main themes expressed at
48 the first session included, and we came up with four,
49 tribal traditions and the use of fish and wildlife
50 predate western management systems, knowledge is passed

1 down through the generations and we need to listen to
2 traditional knowledge. The Regional Advisory Councils,
3 with all due respect, are not tribes, there's a necessity
4 to consult meaningfully and directly with tribes. The
5 tribes need to be informed of program developments early
6 on. Tribes need to be a partner in the process and
7 tribal participation in the Council process needs to be
8 made explicit.

9

10 So at this point we're kind of looking
11 for again input from the Regional Advisory Councils, both
12 on that meeting and also input that we can pass on to the
13 Federal Board. Keep in mind this is tribal consultation
14 between tribes and the Federal Subsistence Board, it's
15 not between tribes and OSM. But the challenge with this,
16 of course, is by statute the Federal Board defers to the
17 Regional Advisory Councils so fitting in -- you know,
18 figuring out a way to do meaningful tribal consultation
19 while still acting in accordance with the statute is the
20 challenge.

21

22 So, Mr. Chair, that's all I have. Any
23 input is welcome and we can certainly bring it up again
24 tomorrow after people have had a chance to think about it
25 or whatever your desire is.

26

27 Mr. Chair.

28

29 CHAIRMAN LOHSE: Thank you, Polly. That
30 is the challenge and that's where I think it's going to
31 take some work and that's where I think it's going to
32 take some roundtable discussions because if you have one
33 group that's awarded deference and the other group that's
34 consulted, possibly the consultation should take place
35 before the group that's got deference. But I don't know
36 if that would work.

37

38 Any other comments.

39

40 Any other ideas on it?

41

42 Greg.

43

44 MR. ENCELEWSKI: Yeah, I attended that
45 meeting and, you know, a lot of people got their
46 frustrations out. But the one thing that I would like to
47 add and I won't be here tomorrow is the -- you know, the
48 consultation is a two-way process, it's a consultation
49 between the tribes and the Federal Subsistence Board.
50 And I think that they got a really good start by Tim

1 inviting everyone and opening it and really having a
2 start of a roundtable heart to heart. And I know our
3 tribe has got some ideas on consultation, but to really
4 have a true meaningful consultation, we have to be
5 informed, I know I'm talking to the tribe as we -- to the
6 issues early on so we have a participation in them to
7 make a meaningful consultation. I think I heard that
8 quite a bit so I think that's very important and I really
9 do think that they've opened the door to some good
10 feedback and some good stuff. So we're pretty happy
11 about it and we're working with them to give them ideas.

12

13 Thanks.

14

15 CHAIRMAN LOHSE: Judy.

16

17 MS. CAMINER: I mean, it certainly did
18 seem like a good start and it's unfortunate that the --
19 that you -- I guess you didn't have a good transcript
20 because I would have thought a good follow-up could have
21 been to send just some documentation not only to
22 everybody who attended, but everybody who didn't as to
23 what happened. And that would reenforce the key theme
24 there which was communication and we want to be listed
25 to. I think there's plenty of places in the Federal
26 Subsistence Management Program where consultation --
27 meaningful consultation can take place and it wouldn't
28 only be on proposals, there's many other opportunities
29 for that as well. But there is a lot more that needs to
30 be sorted out and it will be a long process probably to
31 get to a starting point, but I think everybody wants to
32 be engaged.

33

34 CHAIRMAN LOHSE: Polly.

35

36 DR. WHEELER: Just to clarify, the
37 transcript was okay, but it took three times the amount
38 of time because the sound quality was so poor. So the
39 transcript is good, but the getting there was difficult.

40

41 MS. CAMINER: But to me it would be
42 worthwhile giving some feedback to those -- to everybody,
43 not only the participants, but those who were not able to
44 make it.

45

46 CHAIRMAN LOHSE: And I really like what
47 Greg said right there and his idea of consultation. I
48 think it's pretty close to what my idea of consultation
49 is which is a dialogue. Consultation isn't one side
50 saying this is the way it has to be, but let's discuss

1 the issue and see if we can't find common ground or find
2 a common solution that works or at least give us the
3 information that we need to make a good decision on.

4

5 MR. ENCELEWSKI: Exactly.

6

7 CHAIRMAN LOHSE: Okay. With that, Polly,
8 are you done for right now except for the memorandum
9 which we will come back to tomorrow?

10

11 DR. WHEELER: Yes.

12

13 CHAIRMAN LOHSE: And what time have you
14 got?

15

16 DR. WHEELER: It's 4:41. Mr. Chair.

17

18 CHAIRMAN LOHSE: So we need to have a
19 meeting for another four minutes, right?

20

21 (Laughter)

22

23 CHAIRMAN LOHSE: At this point in time
24 does anybody on the Council have anything that they would
25 like to bring forward?

26

27 Gloria.

28

29 MS. STICKWAN: I wasn't clear this
30 morning when we were talking about the Mentasta Herd, I
31 wasn't sure what to say. But when we had our SRC meeting
32 I wasn't -- I missed part of it, but the report was given
33 to us and we took no action because we thought there was
34 a low count of Mentasta Herd. And nobody at that meeting
35 brought a proposal forth or even talked to opening up
36 that Mentasta Herd hunt, nobody from the public came and
37 said they wanted it open. And so, you know, it wasn't a
38 concern to the public and so the SRC made a decision not
39 to open it.

40

41 CHAIRMAN LOHSE: Okay. And nobody on the
42 SRC had any push to open it either, did they?

43

44 MS. STICKWAN: No. No, we didn't.

45

46 CHAIRMAN LOHSE: So there basically was
47 no interest expressed by SRC members or the public at
48 that meeting to open it?

49

50 MS. STICKWAN: No, there wasn't any

1 interest, nobody -- there was concern about the decline
2 of the herd, I mean, the caribou due to predation, there
3 was discussion on that. But there wasn't any -- so I
4 just thought I'd let you guys know that because I wasn't
5 at that meeting and I talked to Barbara and got it
6 straightened out.

7

8 CHAIRMAN LOHSE: Okay. Any other
9 comments by any Council members?

10

11 Lee.

12

13 MR. ALDER: I've noticed a couple times
14 here today on rural determination again that when there's
15 a list of eligible rural communities that Glennallen is
16 left off the list for the Mentasta Hunt and also
17 waterfowl. Even though I'm -- wouldn't hunt waterfowl,
18 still I notice that Glennallen over the years has been
19 left off the list. And that's not quite legal I don't
20 think because there's really no difference between -- I
21 have friends, native and non-native in all the villages,
22 Gakona, Chistochina, Tazlina, Copper Center and we're all
23 the same, but Glennallen seems to be left off and I think
24 that should be put back on, introduced into the list of
25 villages and -- or communities anyway.

26

27 CHAIRMAN LOHSE: Hmmm, that's
28 interesting. I didn't -- I never have noticed that
29 before because I know that Chitina and Kenny Lake and
30 Copper Center.....

31

32 MR. ADLER: Yeah, uh-huh.

33

34 CHAIRMAN LOHSE:and I that includes
35 Copperville and Silver Springs and.....

36

37 MR. ADLER: Sure, everybody except
38 Glennallen.

39

40 CHAIRMAN LOHSE:everybody -- I was
41 always under the impression that it was that section of
42 road section, but I'll have to go back and look at that
43 because I think Glennallen has.....

44

45 Barbara, isn't Glennallen a resident
46 zoned community?

47

48 MS. CELLARIUS: Thank you. Mr. Chair.
49 Glennallen is a resident zoned community for Wrangell-St.
50 Elias National Park and Preserve. So residents of

1 Glennallen have the same subsistence rights in the
2 National Park lands as well as the National Preserve as
3 other Copper Basin residents.

4
5 I do know on the migratory bird harvest
6 that in the Copper Basin the only communities that are
7 eligible are represented by the Copper River Native
8 Association or have an affiliation with the Copper River
9 Native Association. And CR&A was involved, I believe,
10 I'm looking at Gloria, it was either CR&A or AHTNA were
11 involved in applying to be included in that
12 determination.

13
14 We actually discussed it at an SRC
15 meeting some years ago which is why I know this
16 background. It's a process where you have to submit
17 information that demonstrates that you would possibly be
18 eligible for that harvest.

19
20 CHAIRMAN LOHSE: And that's for the
21 migratory birds?

22
23 MS. CELLARIUS: So that's for the
24 migratory birds.

25
26 CHAIRMAN LOHSE: But I'm pretty sure
27 Glennallen has C&T for the moose and the caribou.

28
29 MR. ALDER: And the Mentasta Caribou hunt
30 too, right?

31
32 CHAIRMAN LOHSE: Yeah.

33
34 MS. CELLARIUS: Yes. Yeah, they're --
35 Glennallen has C&T for caribou in Unit 11 and I would
36 have to -- it looks like it's probably both north and
37 south of the Sanford River.

38
39 DR. WHEELER: Yes.

40
41 CHAIRMAN LOHSE: Gloria.

42
43 MS. STICKWAN: Any community can apply
44 for the migratory birds, it's just that nobody -- no
45 other community has come to the Copper River Migratory
46 Birds Council, no one has come forward and said they
47 wanted to be a part of the migratory birds. But you are
48 eligible if you wanted to and you could put in an
49 application and the community of Glennallen could it
50 included. It's just that no other community has brought

1 a petition for.....
2
3 MR. ADLER: Well, nobody ever asked.
4
5 CHAIRMAN LOHSE: Well, that was under a
6 completely different program, that's not under.....
7
8 MR. ADLER: Yeah.
9
10 CHAIRMAN LOHSE:that's not under
11 this program at all. That -- I can remember when that
12 went through and there were communities that opt out of
13 applying because they didn't think it should.....
14
15 MR. ADLER: Yeah.
16
17 CHAIRMAN LOHSE:they didn't think
18 it should exist.
19
20 MR. ADLER: Sure.
21
22 CHAIRMAN LOHSE: And so they did not
23 apply for it. And so from that standpoint it's poss --
24 because, I mean, it was -- that was in the newspapers and
25 everything so it's just possible that nobody in
26 Glennallen never.....
27
28 MR. ALDER: It was never brought before
29 anybody.
30
31 CHAIRMAN LOHSE: Yeah, nobody ever.....
32
33 MR. ADLER: We don't even have a townsite
34 there, it's.....
35
36 CHAIRMAN LOHSE: Yeah.
37
38 MR. ADLER:there's no dialogue,
39 there's nothing, just a bunch of people.
40
41 (Laughter)
42
43 CHAIRMAN LOHSE: Judy.
44
45 MS. CAMINER: For purposes of the Federal
46 Subsistence Management Plan is Glennallen a rural
47 community?
48
49 DR. WHEELER: Yes, Glennallen is a rural
50 community. It's -- and I feel for you, Mr. Adler,

1 because this is -- it's your first meeting and there's
2 all these terms being thrown around as though we all know
3 what we're talking about. But there's rural
4 determinations, there's customary and traditional use
5 determination and, you know, those are relevant within
6 the context of the ANILCA Program and ANILCA is fish and
7 wildlife on Federal public lands. Migratory birds is a
8 separate program, marine mammals is a separate program
9 which obviously wouldn't be an issue for Glennallen.....

10

(Laughter)

11

12

13 DR. WHEELER:but it's -- it is
14 confusing. And rural -- you know, under ANILCA it's
15 rural users and so we have to make rural determinations
16 to decide who the rural users are. And then customary
17 and traditional use determinations when they're in place
18 further sort of identify the group that's eligible to
19 hunt a particular species in a particular area.

20

21 So you've done great to be even knowing
22 what -- asking about rural determinations at 4:45 on the
23 first afternoon of your first day.

24

25 CHAIRMAN LOHSE: And you missed one, we
26 deal with the Park Service so you have resident zone
27 communities also.

28

29 DR. WHEELER: Right.

30

31 CHAIRMAN LOHSE: And resident zone
32 communities are not dealing with rural determination or
33 C&T. So.....

34

35 MR. CARPENTER: Don't forget about
36 individual C&T.

37

(Laughter)

38

39 CHAIRMAN LOHSE: Oh, that's right. Then
40 we have individual C&T and we have 1644 or whatever.
41 1544s?

42

43

DR. WHEELER: 13.

44

45

CHAIRMAN LOHSE: 1344s or whatever.

46

47

MR. CARPENTER: Better get out of here.

48

49

CHAIRMAN LOHSE: Yeah. Okay. We must

50

1 now be quarter to 5:00, right?

2

3 DR. WHEELER: 4:49.

4

5 CHAIRMAN LOHSE: We talked too long.

6 We're excused. Let's be out of this building by 5:00

7 o'clock.

8

9 MR. CARPENTER: Are we starting at 9:00

10 tomorrow or what time?

11

12 CHAIRMAN LOHSE: Let's start at 8:30. Is

13 that agreeable to everybody?

14

15 (No comments)

16

17 (Laughter)

18

19 CHAIRMAN LOHSE: Okay, 8:30 tomorrow

20 morning.

21

22 (Off record)

23

24 (PROCEEDINGS TO BE CONTINUED)

