REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME I

Dimond Center Hotel
Anchorage, Alaska
February 18, 2015
10:00 a.m.

COUNCIL MEMBERS PRESENT:

Ralph Lohse, Chairman
Judy Caminer
Tom Carpenter
Greg Encelewski
Robert Henrichs
Andrew McLaughlin
Mary Ann Mills
Michael Opheim
James Showalter

Regional Council Coordinator, Donald Mike

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CHAIRMAN LOHSE: I'd like to call this February meeting of the Southcentral Regional Subsistence Advisory Council -- Southcentral Regional Subsistence Advisory Council into session. And at this point we'll have a roll call to establish a quorum.

MR. MIKE: Thank you, Mr. Chair. Roll call of the Southcentral Regional Advisory Council.

MR. ROB HENRICHS: Here.

MR. MIKE: Ms. Eleanor Dementi.

(No comment)

MR. MIKE: Mr. Chair, Ms. Eleanor Dementi contacted me. And she's at the Board of Game testifying on behalf of their region.

MR. GREG ENCELEWSKI: Here.

MR. MIKE: Ms. Mary Ann Mills.

MS. MILLS: Here.

MR. MIKE: Mr. Lee Adler.

(No comment)

MR. MIKE: Mr. Chair, Mr. Adler contacted me yesterday by phone. And he was very ill and couldn't make this meeting.

MR. MIKE: Mr. Chair, Ms. Gloria Stickwan.

(No comment)

MR. MIKE: Mr. Chair, Ms. Stickwan.
contacted me also. She is at the Board of Game meeting
in Wasilla also testifying on behalf her region.

Mr. James Showalter.

MR. SHOWALTER: Here.

MR. MIKE: Mr. Michael Opheim.

MR. OPHEIM: Here.

MR. MIKE: Mr. Andrew McLaughlin.

MR. MCLAUGHLIN: Here.

MR. MIKE: Ms. Judy Caminer.

MS. CAMINER: Here.

MR. MIKE: Mr. Ralph Lohse.

CHAIRMAN LOHSE: Present.

MR. MIKE: Mr. Tom Carpenter.

MR. CARPENTER: Present.

MR. MIKE: Mr. Herman Moonin.

(No comment)

MR. MIKE: Mr. Chair, I made numerous
attempts to contact Mr. Moonin and he wasn't able to
attend.

So Mr. Chair, you have nine members
present.

You have a quorum.

CHAIRMAN LOHSE: Thank you, Donald. At
this time we'll have an invocation. Gloria usually
does it. Would anybody on this Council like to make an
invocation for us for this meeting.

Mary Ann.

MS. MILLS: Uh-huh.

(Invocation)
And with that, I'll call this meeting to order. We have a quorum. I'm glad to see everybody here. I'm glad to see we have some guests out in the audience other than just Staff. And glad to see that despite the kind of winter we're not having, that all of the Council -- most of the Council members are here. I hope you're all enjoying the lack of burning fuel that I am.

And it would be nice to have a little bit more snow to go some places. And by the way, in the Copper Valley up there, I've got 24 inches of snow in my yard. So I'm in much better shape than the rest of you.

(Laughter)

CHAIRMAN LOHSE: So with that, we're going to review and adopt the agenda. Has everybody had a chance to look at the agenda. Would anybody like to make some additions or changes or anything else to the agenda.

Donald.

MR. MIKE: Thank you, Mr. Chair.

Donald Mike, Council Coordinator. I had a team meeting and we'd like to add under new business to include request for reconsideration, and that would be 11F. And Chuck Ardizzone will take the lead on that.

Under old business, 10F, special action, insert G, Partners Program, Native Village of Eyak.

And I request to invite Mr. Sky Starkey to brief the Council on the Governor's Transition Team and just to give a process -- how the process went. And let the Council know what the whole process was like. So that would be under public and tribal comments on nonagenda items, Mr. Sky Starkey.

And also under public and tribal comments, the Ninilchik Tribal Council would like to provide a public testimony.

CHAIRMAN LOHSE: Okay.

MR. MIKE: And Mr. Encelewski is time
certain and would like to address the Council before he
leaves today -- before lunch today.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Donald, you said he'd
like a time certain?

MR. MIKE: I'm sorry. He'd like to
address the Council before lunch. So -- he has to
leave today.

CHAIRMAN LOHSE: Before lunch today.

MR. MIKE: Yes.

CHAIRMAN LOHSE: I think we can arrange
that. No problem. Does he have any idea how long he
would need.

MR. MIKE: His presentation.

CHAIRMAN LOHSE: Uh-huh.

MR. ENCELEWSKI: Do you have an idea on
your presentation? How long?

MR. ENCELEWSKI: Probably no more than
ten minutes.

CHAIRMAN LOHSE: Okay. We'll make sure
I get you before noon. Thank you.

Hearing those additions, is there a
motion to accept the agenda. Or does anybody else have
anything else they'd like to put on the agenda.

MS. MILLS: I would like to accept the
agenda.

CHAIRMAN LOHSE: Do I hear a second.

MR. ENCELEWSKI: I'll second it as it's
been presented and modified.

CHAIRMAN LOHSE: Okay. Second to adopt
the agenda, as we've heard it modified.

All in favor signify by saying aye.
IN UNISON:  Aye.

CHAIRMAN LOHSE:  All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE:  Motion carries.

Okay.

Our next thing is we have to elect some officers. And at this point in time, the Chair is only going to be here for one more meeting unless something else happens. So when we elect a Chair, maybe you want to elect a different Chair.

So with that in general, I'm turning it over to the Vice Chair for nominations for the Chair.

MR. ENCELEWSKI:  Okay. I'm going to take the Chair. I'm the Vice Chair. So I've got the Chair. And we're going to have nominations for the Chair.

But if I may -- Donald, is it correct that Ralph could be nominated to stay as Chair through the next meeting?

MR. MIKE:  Yes, Mr. Chair. He has until the end of 2015. His seat terminates in December 2015.

Thank you.

MR. ENCELEWSKI:  Okay. Thank you, Donald.

Okay. The floor is open for nominations for Chairman.

MR. CARPENTER:  I move Ralph Lohse for Chair.

MR. ENCELEWSKI:  It's been moved that Ralph be Chair. Do I have a second.

MR. MCLAUGHLIN:  Second.

MR. SHOWALTER:  Second.
MR. ENCELEWSKI: It was seconded by Andy and James. Do we have a discussion.

(No comments)

MR. ENCELEWSKI: Any other discussion on it.

(No comments)

MR. ENCELEWSKI: Judy.

MS. CAMINER: Mr. Chair, I would like to close nominations.

MR. ENCELEWSKI: It's been moved to close nominations. Do I have a second to that?

MR. CARPENTER: Second.

MR. ENCELEWSKI: It's been seconded by Tom. Any objections.

(No comments)

MR. ENCELEWSKI: Hearing none, nominations are closed.

I'll turn the Chair back over to you, Mr. Chairman. It's unanimous.

CHAIRMAN LOHSE: Thank you, Council members.

MR. CARPENTER: Mr. Chairman, I move Greg Encelewski for Vice Chair.

CHAIRMAN LOHSE: Do I hear a second.

MS. MILLS: Second.

CHAIRMAN LOHSE: It's been moved and seconded for Greg Encelewski for Vice Chair. Do I hear any other nominations.

MS. CAMINER: Mr. Chair, move that nominations be closed.

MR. CARPENTER: Second.
CHAIRMAN LOHSE: It's been moved the nominations be closed. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. And a motion is on the table then for Greg Encelewski for Vice Chair. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: Opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Greg, it's unanimous.

Secretary.

The floor is open for nominations for Secretary.

MR. CARPENTER: Mr. Chair, I move Judy Caminer for Secretary.

CHAIRMAN LOHSE: It's been moved for Judy Caminer.

MR. MCLAUGHLIN: Second.

CHAIRMAN LOHSE: Been seconded by Andy. Do we have any other nominations for Secretary.

MS. MILLS: Mr. Chair, I ask the nominations be closed.

MR. CARPENTER: Second.

CHAIRMAN LOHSE: The motion that the nominations be closed. Do I hear a second.

MR. CARPENTER: Second.
CHAIRMAN LOHSE: Seconded by Tom. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: Okay. The nominations are closed. All in favor of Judy Caminer as Secretary, signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed, signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries unanimously.

Judy, you're the Secretary.

MS. CAMINER: Thank you.

CHAIRMAN LOHSE: Okay. Now we need to review and approve previous meeting minutes. And I know you've all read them. Is there a motion on the table to approve the minutes. And we'll have discussion.

MR. CARPENTER: Mr. Chairman, I move we approve the minutes.

CHAIRMAN LOHSE: Do I hear a second.

MR. MCLAUGHLIN: Mr. Chair, I'd like to make a change and one addition.

CHAIRMAN LOHSE: That has to come after we have it on the table.

MR. MCLAUGHLIN: Roger.

CHAIRMAN LOHSE: So I need a second.

MR. ENCELEWSKI: Second.

CHAIRMAN LOHSE: It's been moved and seconded. Okay. Discussion.

Now, Andy.
MR. MCLAUGHLIN: Thank you, Mr. Chair.

I have one very small change and one addition that I'd like to see in the minutes. The small change is under reports there, where it says Mr. McLaughlin reported about the bear and deer population. I'd like the two words stricken "was" and "by" because the deer population, like a predator/prey relationship, followed -- the bear population declined followed its prey, the deer. So I wanted that changed. Get rid of "was" and "by."

CHAIRMAN LOHSE: And what page is that on, Andy?

MR. MCLAUGHLIN: Page six here in the book.

CHAIRMAN LOHSE: Page.....

MR. MCLAUGHLIN: Under reports.

CHAIRMAN LOHSE: Under reports. Okay.

MR. MCLAUGHLIN: And it should read, and this followed the deer population falling due to, instead of "was" and "by" in there.

CHAIRMAN LOHSE: Okay. And this followed instead of was followed.

MR. MCLAUGHLIN: Yeah. Was followed by -- yeah.

CHAIRMAN LOHSE: Okay.

Thank you, Andy.

MR. MCLAUGHLIN: And one other thing I would like to see added in the minutes. I wrote this out here so I could get my full train of thought. I was very curious to see what the wording was going to be in the minutes about a discussion that we had regarding delegation of authority under discussion. As you can see, it was added to new business there, but nothing fell in the minutes.

I recall a good deal of time that we spent discussing a sunset clause by the RAC at more than one meeting. And I would like the record to reflect that the RAC had specifically included that two
year reevaluation of delegation of authority.
Specifically because that affects the deer and moose
management in my home area of Unit 6.

I found it kind of hard to swallow that
it seemed like that was swept under the rug. And it
seems appropriate that elements of that discussion on
the delegation of authority that was added to new
business, as mentioned in the record there on the
agenda, be included in the minutes. Because the
question was brought forth -- why the sunset clause as
recommended by the RAC was not recorded. It seems the
explanation provided was that someone didn't find that
sunset clause appropriate.

I'd like it to read in the record
something that Mr. McLaughlin was in support of the
delegation of authority because it did include the
sunset clause. So I'd like the record and the minutes
to reflect that.

I noted this morning on page 23 of
Delegation of Authority Operations Manual -- RAC
Operations Manual, open -- and in quotes, "Open or
closed specific wildlife harvest seasons with
frameworks established by the Board." I kind of think
that within frameworks established by the Board opens a
doors for that sunset clause to have existed.

I think the -- I'd like to mention I
think the OSM does a fantastic job at organizing
everything that we do here. And I just wanted the
minutes to reflect my observations on that.

Thank you.

CHAIRMAN LOHSE:  Okay. And where would
this be, Andy? What page and what paragraph?

MR. MCLAUGHLIN:  In the minutes -- if
you note there, under review and adopt agenda, it says
Mr. McLaughlin requested to add delegation of authority
under new business. But then when you turn back into
new business, I did not find anything about that
delegation of authority part listed. So anywhere under
the minutes for new business. Because we discussed it
in new business.

CHAIRMAN LOHSE:  Okay. Hmm. I'm
missing it, Andy.
MR. MCLAUGHLIN: I did not see anything mentioned in the minutes regarding that lengthy discussion that we had. And it was a topic as delegation of authority under new business. But looking through the minutes, I did not find that in there anywhere. And I was very curious as to what the wording was going to be and I didn't find it.

CHAIRMAN LOHSE: Okay. So under new business then you would like an addition. And that would come before the Partners for Fisheries Monitoring Program Strategic Plan? Or where would you put that in under new business?

MR. MCLAUGHLIN: Well, I don't know. Wherever it fell under the transcripts of when we had it recorded, you know.

CHAIRMAN LOHSE: Okay. So you would like a synopsis of our discussion on the sunset clause.

MR. MCLAUGHLIN: Yes.

CHAIRMAN LOHSE: Okay.

Do I hear -- is that agreeable. Or is that agreeable as an amendment.

Judy.

MS. CAMINER: Certainly. Because we really did have a lengthy discussion after having been kind of -- after having had many discussions in previous meetings about that. But it didn't seem to be well documented or referenced. So I think it's really critical that that discussion be part of the minutes.

CHAIRMAN LOHSE: Okay. So that would be an amendment to the minutes then.

MS. CAMINER: Right.

CHAIRMAN LOHSE: And as Secretary, you'll help with that?

MS. CAMINER: Sure.

CHAIRMAN LOHSE: And Andy, you will help Judy. Between Judy -- you can help with Donald to get that into the minutes then.
MS. CAMINER: Right.

CHAIRMAN LOHSE: Okay. Any other additions or corrections.

MR. CARPENTER: Mr. Chair, I call the question on the amended language or amended minutes.

CHAIRMAN LOHSE: Okay. The question has been called on the minutes, as with the amendments that have been discussed.

All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed, signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: The minutes with their amendments are adopted.

Okay. Now let's go on to -- oops. I've got to get the right things in front of me. Okay. We're going to go on to reports. Council member reports.

Do we have any Council member reports.

(No comments)

CHAIRMAN LOHSE: Any Council members --

MR. CARPENTER: Yeah, Mr. Chairman. I'll just give a brief update. I was just in Wasilla at the Board of Game meetings. And it's actually not the Southcentral meeting, but it's half of the Southcentral area.

But there were four agenda change requests that the Board of Game decided to hear at their Juneau meeting in November. And they are actually taking them up probably tomorrow. And four of them deal with proposals in Unit 6. Three of them are having to deal with black bears. And there was one proposal to drastically change the season timeframe.
wise to have an earlier closure in the fall to help
reduce harvest.

The other proposal was to make the
season to where you could only harvest a black bear one
in every three years. And then the other one was to
create a registration hunt, which is probably the most
likely outcome if they were going to do anything.

I've been in some discussions with the
area biologist the last couple of weeks about it. And
the black bear harvest, which got really high about two
years ago, basically got cut in half. And she's pretty
concerned that the winter that we had a few years back
has really had a pretty big impact on the black bear
population, amongst other things that have been taking
place ever since they built the Whittier Tunnel.

So I'm not sure if the Board will do
anything or not, but it's possible that that hunt might
be a registration hunt starting next year.

I also -- she's also considering the
possibility of -- through emergency order this spring
shortening the spring season to help alleviate some
of the hunting harvest this spring. Because about 75
percent of the black bears get killed in the spring.

So that's just a brief update.

CHAIRMAN LOHSE: Thank you, Tom. Have
you got anything on how the moose hunt went this year
there?

MR. CARPENTER: Well, the moose
population is doing really well. I mean we've had two
super mild winters. And the moose harvest went good.
The population is excellent. The bull to cow ratios
are excellent.

I think a lot of people around the
state would love to have the productivity that Cordova
offers when it comes to raising ungulates.

So I think everything looks good there.

The deer have come back substantially
from their low. And hopefully after this winter, it
will be even more improved this next hunting season.
So -- but other than that, things are looking pretty
CHAIRMAN LOHSE: Thank you, Tom. Then there was no emergency actions or anything like that on the deer hunting this year that we put in place.

MR. CARPENTER: No.

CHAIRMAN LOHSE: And just for a little note, towards the end of January my son saw two fawns that were spotted, that were brand new fawns. So somewhere along the line, two does had fawns in the middle of winter this year. That's how mild the winter has been.

And I thought that was kind of strange. And then I talked to somebody from Craig and they had exactly the same thing happen last year. They had a doe drop a fawn on the 20th -- around the 20th of January right outside of Craig. And they had such a nice, mild winter that it survived all the way to spring. So that's something when you have fawns in the middle of winter.

Judy.

MS. CAMINER: Thanks, Mr. Chair. I had to navigate around a moose to get out of the house today. But also just for your info, while at State lands -- the mountains up there in Chugach State Park -- they did have a moose hunt there this fall. So some hikers got to see what hunting would be like. And I think it was somewhat educational to them.

Back to Federal subsistence issues, I was reading the transcripts because I wasn't able to attend the Federal Board meeting that was held last month. And I just wanted to make sure people on the Council and everybody knew how well represented we were -- not only by our Chair, but also our Vice Chair. And I thought Ivan in Ninilchik gave tremendous testimony that was not only accurate, but extremely persuasive or helpful for people to understand the discussions that we had during our RAC meeting, particularly about the two proposals for a gillnet in the Kasilof and in the Kenai.

The importance of our record I think was -- can't be overstated. Because as I read it, it looked like Ralph went back and looked at some of the
discussions we had. There was even a question whether
people from the Kenaitze Tribe knew about this or were
involved in it.

And so it just reinforces to me the
importances of us having a good, thorough discussion
following what's on these orange cards in front of us
to get everything on the record. Certainly the
importance of having some excellent representation,
which we're so fortunate to have had.

And I think on the basis of that, while
the Board didn't give good reasonings for their votes
in my opinion, we have a strong record because of the
testimony and because of everything that was entered on
the record at the meeting, as well as our past meeting.
So thank you for representing us so well.

CHAIRMAN LOHSE: Thank you. And with
that, the Chair's report is that the Board accepted all
of our Council's recommendations. Even if they weren't
real happy with accepting one of them, they did accept
all of our Council's recommendations.

And I think that as a Council, I think
we can be pretty happy with the fact that we do discuss
things thoroughly and have that in the record so that
we have that available. And it was a real pleasure
representing this Council in front of the Board.

So with that, thank you guys for doing
a good job.

Okay. And that's basically -- Tom --
James.

MR. SHOWALTER: Yes. I have one
question for clarification. On the gillnet in the
Kenai, Kasilof River -- on the local news they said
it's open. They didn't say to whom or how many, but
it's open. So possibly everybody's getting ready to go
fishing.

(Laughter)

MR. SHOWALTER: So if there was a
clarification on that.

Thank you.
CHAIRMAN LOHSE: Thank you, James. And yeah, I've been reading some of the reports, too. And I think what needs to be brought out -- and I don't know whether we have any kind of thing with the Board or the Council or anything that -- you know, I was real tempted to write something to Craig Medford myself. But one thing that needs to be pointed out is there is a requirement that a plan be put in place and approved. Nobody has seen the plan. Nobody has seen the specifications for the gillnet. Nobody has seen the operational procedure. Nobody has seen everything. And yet everybody is up in arms.

Why don't they wait and see what the plan is. What the gillnet is. And from what my understanding from reading our thing, one person's going to be in charge of operating it. It's not open to everybody. And the gillnet has got to meet the approval of the -- of whoever is watching over it. And I'm hoping that Greg in Ninilchik can put out such a good plan that nobody has -- nobody can find any objections to it.

But to object before they've seen the plan and before they've seen what it does just shows that we have -- we're dealing with the Kenai. And when you're dealing with the Kenai, anything that the subsistence community does, the sky is falling.

And, you know -- and I'm sorry. But that's what I wanted to put in my letter to Craig Medford. I just wanted to say Chicken Little is running around again, saying the sky is falling. The sky is falling.

(Laughter)

CHAIRMAN LOHSE: Somebody's touching the Kenai. We don't know how, when, or where.

And Greg.

MR. ENCELEWSKI: Yeah. If I could just make a comment to that. I know Ivan is planning on testimony on behalf of Ninilchik, but if you could imagine myself as President of the Tribe and also of the local area, some of the discussions that he and I ran into.

(Laughter)
MR. ENCELEWSKI: And quite honestly, it's ill-founded. It's lack of information. And like Ralph said, there's no plan. I mean I've been verbally accosted by Ricky Gease of the Sports Group. The Senator wrote a letter for reconsideration. I personally talked to him for about a half hour. He said there will be no more letters coming. I met with the Kenaitze Indian Tribe. We have their support.

There's a lot of things we could put to bed. And if we ever published our information, I think it will end some of this stuff. But long story short, yeah, we've been in the spotlight. There's a lot of misconception out there. And we've been dealing with it the best we can with the facts and we'll stick to that.

CHAIRMAN LOHSE: Thank you, Greg. One comment. You know, the thing that keeps getting thrown out is the fact that gillnets are nondiscriminative and they're hard to release. And I think one of the things that you could point out is that you're going to have a professional basically running it. Knows what he's doing.

And almost all of the dipnets that are used for subsistence fishing any -- or personal use fishing anymore are just gillnets in a hoop. And those people -- most of those people have never released anything from a gillnet before.

MR. ENCELEWSKI: And there's 30,000 of them also. But.....

(Laughter)

CHAIRMAN LOHSE: And there's 30,000 of them. Right.

MR. ENCELEWSKI: And this is six foot here.

CHAIRMAN LOHSE: Right.

MR. ENCELEWSKI: I'm six foot. This is five foot. The dipnets are that big and that deep. And they're all gillnet mesh.

CHAIRMAN LOHSE: Right.
MR. ENCELEWSKI: But.....

CHAIRMAN LOHSE: So anyhow. So I think that once -- I think once you get some information out, and get some design out, I don't think there should be any problem. But it's interesting.

MR. ENCELEWSKI: And there will be, but we'll keep it up.

CHAIRMAN LOHSE: Yeah. Thank you, Greg.

Chuck.

MR. ARDIZZONE: Yeah, Mr. Chair. I just wanted to add that OSM has been fielding lots of the same questions and trying to clear the record as well. But some of those early press releases went out and got the ball rolling. And now it's hard to pull things back. So we have been answering the same questions to let people know what the truth is.

CHAIRMAN LOHSE: Yeah. Okay. Thank you, Chuck.

Okay. We have public and tribal comment on nonagenda items. Do we have any other than the ones that Donald mentioned.

MR. GEASE: Yes. This is Ricky Geese from Kenai River Sportfishing Facilitation. I would like to provide comment on what was just discussed on the gillnets in the Kenai.

CHAIRMAN LOHSE: Thank you, Ricky.

MR. GEASE: Yeah. All right. Sorry, Greg, if it came across as accosting you. I tried to have a conversation and express some concerns there. We'll agree to disagree on whether the gillnets pose a conservation concern.

One of the things I'd like to point out is one of the things I think -- you know, having served on the RAC for a bit, one of the things about the RAC is to reach out into the community and to inform people of decisions that are coming up. And I think on the record people were saying wow, you know, this must not be controversial because nobody came up and testified.
Well, our organization was never notified. The Guides Association here on the Kenai River was never notified. Trout, Unlimited, was never notified. The Alaska Fly Fishing Association was never notified. The commercial fishing groups that were -- you know, worked on a roundtable back earlier when the subsistence fisheries were being constructed and, you know, to provide consistence opportunities on the Kenai and Kasilof, they were never consulted.

And one of the things in agreement back in '07, '08 when the fisheries were first starting being put in was that we'd have selective gear and with dipnets and rod and reel and with a fish wheel that would be monitored. I think it's a stretch to say gillnets in the Kenai River are going to be -- you know, if you catch -- the main thing on the Kenai River is concern for resident species, Dolly Varden and rainbow trout, and also for king salmon.

For early run king salmon there's a slot limit from -- around from 42 inches to 55 inches for catch and release. You can't keep fish in that size limit. And for rainbow trout and for Dolly Varden over 18 inches, you're not -- you can't legally retain them. And on those fisheries on the Kenai and Kasilof Rivers the subsistence fisheries are following the State regs on those. So when you, you know, put in gear that is not selective, it creates conservation concerns for users.

And I think you guys quite honestly failed on trying to outreach to our local communities here and other users of saying, you know, these are recognizing those conservation concerns. They're valid and they will be brought up by the operations plan. But they were brought up by the State biologist and the Federal biologist at the Federal Subsistence Board meeting. And it's disturbing that those conservation issues were not regarded and followed.

And, you know, we can talk about dipnets versus a stationary gillnet in a river system. Dipnets, which I'm very familiar with and I dipnet, you know, all season in the dipnet fishery down here -- when you catch a fish you can release it within five seconds. And that fish goes back. And, you know, if you were dipnetting up in the Federal Refuge, and I talked with Greg, he was like well, nobody really knows how to dipnet. Plus there's about, you know, over 100
people in Ninilchik who do participate in the State
dipnet fisheries, according to the facts and figures.

So people in the community of Ninilchik
do know how to dipnet and do participate in the State
fisheries. And it definitely is a distinct advantage
if you could go dipnetting in the clear waters that are
above the Kenai River. And you can look down and you
can identify the species of fish that you'd like to
harvest. And that would be -- you know, people say --
can say well, that's not really a meaningful
preference. If you know how to dipnet and you're in a
boat, that definitely is a meaningful preference.
Because nobody else is allowed to dipnet on the Kenai
River above the bridge. That's definitely an
advantage. You can definitely go in and within a --
you know, a short window of time when the sockeyes are
running get your limit and harvest the sockeye salmon.

So on the issue -- there's two issues
that I just want to bring to your attention. Is one,
when you do reach into communities and something is
going to be controversial in terms of conservation of
rainbow trout and Dolly Varden on the Kenai River, I
think it would behoove people to do a little bit more
outreach to the impact it -- other user groups. Which
I think is important in the process -- in the public
process.

And I think the second thing is -- is
that the conservation concerns are real. And I think
that will be addressed locally by the area fisheries
manager. I can see, you know, in talking to folks --
on the Kasilof, I think it was a good idea to set
something up as an experimental fishery to see if it
can be accomplished.

On the Kenai with outside boards on --
just to let something through, I think that's what
raised a lot of hackle with people. And that's why
you're going to get a lot of letters of request for
reconsideration once it gets published in the Federal
Registry.

Thank you for your time and
consideration.

CHAIRMAN LOHSE: Thank you, Ricky. Any
questions for him. Any comments.
MR. SHOWALTER: Horrible connection. A very bad connection.

CHAIRMAN LOHSE: We didn't have a real good connection, Ricky. But I think we got most of that. I only have one question for you. And I know I'm showing my own prejudice here. But I sometimes wonder if all of the fuss on the Kenai about the possibility of impacting king salmon is kind of a red herring. Because I'm pretty sure that you could design a gillnet that you're going to use there that would have no impact on the king salmon.

But you said rainbows and Dollies. And I'll have to agree with you that you're going to catch rainbows and Dollies at the same time that you're catching red salmon.

But my question is -- is this -- the issue is the king salmon. And rainbows and Dollies over 18 inches are what you're worrying about the impact on. Every rainbow and Dolly that's over 18 inches spends three years feeding on king salmon. And if the king salmon is the issue, then an impact on rainbows and Dollies would protect the king salmon.

Do you have any comment on that?

MR. GEASE: Well, there's a slot limit on the early run king salmon. And it's from 42 inches to 55 inches. So any fish in that slot has to be caught and released.

CHAIRMAN LOHSE: Right.

MR. GEASE: The early run fisheries are typically tributary fisheries, but some of the fish also in the upper section of the Kenai National Wildlife Refuge, that's the uppermost limit on the Kenai -- of the king salmon spawning area. You know, so you're trying to prescribe fisheries and allow methods and means that allow subsistence fisheries to harvest fish -- the targeted fish -- typically it's the sockeye salmon. And you can also, you know, target silvers. If you go dipnetting for silvers up there also even after silvers start coming in in August.

And, you know, the dipnet is a functional tool that allows you to catch and release certain fish and harvest other fish. I mean they've
done it on the lower Yukon, where they were trying to
avoid king salmon intercept. And they had problems
with nets -- of all different types of size gillnets in
the Yukon River. And what the Board of Fisheries did
is they allowed the use of dipnets in there and they
prosecuted a functional chum salmon fishery that allows
them to harvest chum salmon and catch and release with
king salmon.

So it is a tool that's viable in
rivers. It does provide meaningful opportunity for
harvest in an area where that tool is not being able to
be used. The residents of Cooper Landing make full use
of the dipnet fishery at the Russian River Falls. When
I talked with Greg, some of the things -- well, we
don't know how to dipnet. One of the things is, you
know, ask people around here. Ask people in the
community who know how to dipnet. Make use of that
tool.

Just because somebody doesn't know how
to use a tool doesn't mean that it's not a meaningful
tool to be put in use. And I understand that one
person would be there, but it's difficult on the Kenai
River to figure out when you're running ten to fifteen
thousand CFS during the height of the season how you're
going to be able to get in the river and monitor it.
And catch and release something that's over 18 inches
or in the slot limit for king salmon in a timeframe
that allows it to not have a high mortality rate. And
that's what the concerns are.

And I understand rainbows and Dollies
feed on king salmon eggs. And lot of those juveniles
-- a lot of those early tributary spawners are going
up. And that's where we have some of the conservation
concerns. And for this season I think the OEG -- the
lower end of the OEG for king salmon -- early run king
salmon is 5,300 to -- the three season projection
forecast is 5,200 this year. We're not going to have a
fishery in May and June for king salmon. So that's
kind of a moot point where we go. I think some of
these issues at the RAC level should be vetted --
especially the conservation concerns -- should be
vetted more thoroughly.

I read through the record and I don't
think you guys did a very good job of reviewing the
conservation concerns in detail. The fisheries
managers, the Federal and the State biologist looked at
the plan and said we don't support it. Because we
don't think we can put in an operational plan.

And then what's going to happen. What
if the Federal biologists say hey, we can't find a
place where we can, you know, put a dipnet fishery and
meet the conservation concerns of having low mortality
of any released fish.

What's the next step after that.

So why put forward something if it
can't be necessarily done or the biologists don't think
they can do it. They think they can do it potentially
on the Kasilof as experimental fishery. But they're
adamantly opposed. And they don't see how it's going
to be done on the Kenai.

So this might be much ado about
nothing, but it would have helped if there was more
input into the process from local people who understand
the fisheries, also in addition to the State and
Federal biologists.

CHAIRMAN LOHSE: Greg, would you like
to answer.

MR. ENCELEWSKI: Yeah. I'd like to
make a couple of comments, Mr. Chairman.

Thank you.

Ricky, I'm not going to debate long
points here because I think we're going to have some
testimony. And, you know, I just want to make a couple
of comments to you. You know, this is a public process
and we've been through it for many, many years. I
didn't get no special notice. And yes, all of you guys
were -- it was published and it was noticed the
meetings were held in Kenai. It's not nets plural.
It's one net.

The other thing I would point out is
it's the law. The preference of ANILCA is the law to
have a rule preference for fishing. And even by some
far stretch of the imagination, it would be the wildest
thing in the world if you caught all the kings that
were allowed to the Federal subsistence users from
Ninilchik wouldn't make a dent on the total kings that
are taken on the Kenai and the total kings that are
caught.

So you're going to hear a lot more about it, Ricky. And there's no sense us arguing the points. But it is public. It's one net. It can work. I did talk to people -- Lieutenant Colonel Hubbard on the rainbow. And he actually would like to work with us on it. So there's a lot of people who just have a lot of misunderstanding.

But thank you.

CHAIRMAN LOHSE: And thank you for your comments, Ricky.

MR. GEASE: Thank you. And, Greg, I'll point out something legally, too. There is -- there is on the NTC versus the United States on the court case in terms of the moose hunts on the Refuge, you know, subsistence doesn't trump conservation concerns. And the conservation concerns on the Federal Refuge are valid. And those have to be taken into consideration with doing operational plans.

Now, if something can be accommodating so that rainbows over 18 inches and Dolly Vardens can be released with very low mortality, great, I'd love to see it done. But, you know, at this point I don't think it's possible from what I know of fisheries on this river.

MR. ENCELEWSKI: Yeah, Ricky. Just through the Chair, I have one last comment. If it's a conservation concern, then we need to shut the whole thing down.

That's the way it works.

That's the law.

Thank you.

CHAIRMAN LOHSE: Mary Ann.

MS. MILLS: Thank you, Chair. Mary Ann Mills. We -- Ninilchik was able to come and have a meeting with the Kenaitze Indian Tribal Council. And they gave a presentation. And their presentation was so excellent because it was based on, you know, science. And it was based on real statistics, which
we're going to see today.

And when Ivan gives his report, we'll be able to see who is actually getting most of the kings as well. And the Kenaitze Indian Tribe was so impressed with their report that we did pass a resolution, which I am waiting for the signed copy to be faxed here and then I'll submit it to this Council.

And with that, I -- you know, I'd also like to remind Mr. Gease that subsistence is the first priority. And that being said, I'm sure there will be a lot of discussion around that.

And thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you.

Judy.

MS. CAMINER: Thank you, Mr. Chair.

Ricky, hi. This is Judy Caminer. We did have a little bit of a bad connection. At the very end you summarized -- you said you had two points. And the first one I quite clearly heard -- is that outreach needs to be done.

But the second one -- if you wouldn't mind repeating that, please, that would be helpful. It was kind of -- just like the very end of your talk.

MR. GEASE: Yeah. I'm sorry for that connection. You know, the first one was the outreach into different, you know, sport commercial groups in our community. And I thought when the -- you know, my point was back in '07 and '08, there was about a two month period of time when all the different user groups were around here and said let's figure out ways to provide a meaningful subsistence priority. And nobody's claiming that that is not important. And that is not the law. We all understand that. And we all agree with that.

But what the point was -- was figuring out how to prescribe fisheries. And one of the points of agreement from all those user groups back at that time was that gillnets were not an appropriate tool to prosecute fisheries for subsistence fisheries in the river because when you get further up into the Federal
lands on the property there, you have conservation
issues with rainbow trout and dollies and for king
salmon. And that it didn’t think it was possible to
prosecute those fisheries using that method and means.

So that’s why the rod and reel was
introduced. But then more importantly was the dipnet
that was introduced to provide different areas on the
Federal lands of using a tool that you could catch and
release the nontarget species basically. Or those --
you could harvest those species, but if they didn’t --
you know, in the early run kings if there was a slot
limit, you could catch and release that fish with a
dipnet.

And that’s been shown. You can catch
and release kings down in the dipnet fishery at the
mouth of the Kenai and Kasilof Rivers. You’re not able
to retain kings. And kings are caught and released
down there.

So it is a very effective tool and I do
think it’s a meaningful preference. So those were my
points on public outreach and then conservation with
several points.

Thank you.

MS. CAMINER: Okay. Thanks. Thanks.
I think we did hear that a little bit better.

Appreciate it.

CHAIRMAN LOHSE: Thank you, Ricky. Any
other questions or comments for Ricky.

Tom.

MR. CARPENTER: Yeah, Mr. Chairman. I
guess I’ll just make this comment. When you look at
the total amount of king salmon, for example, that is
harvested in the Cook Inlet fisheries and you segregate
out which user group has harvested which amount of
fish, it’s almost staggering that the amount of Federal
harvest is basically zero.

And I think the thing that’s
interesting -- and I’m not trying to say one bit that
there isn’t possibly a conservation concern for king
salmon on the Kenai River. But I think that it’s
interesting that the idea that there's all of a sudden
a conservation concern after several other fisheries
have already prosecuted and harvested fish is a little
bit absurd.

So I think to be consistent, you know,
you either have a conservation problem and everyone
bears the burden and you close fisheries before they
actually get into the river system. Because you can't
-- you can't hold a small group of people responsible
for the conservation of an entire species of salmon
after a very large amount of harvest has preceded the
entry into the river system.

So I just think we need to be careful
when we use the word conservation concern and how it's
tossed around.

CHAIRMAN LOHSE: Thank you, Tom.

Thank you, Ricky.

MR. GEASE: Thank you for the
opportunity to speak.

CHAIRMAN LOHSE: Thank you.

The next one we have is Mark King.

MR. KING: Yeah. I'm Mark King, Vice
President of the Native Village of Eyak. And I just
want to comment on subsistence fisheries in Prince
William Sound and the Copper River. Copper River
itself, Copper River delta. Most of the tribes' fish
that the tribe uses are caught at the Copper River.
And that falls under State regulations. And they give
us an educational permit to where we're allowed to use
150 fathoms of gillnet, one boat, one person, from May
1st to May 10th, to harvest 50 kings and 100 reds.

Now, the Native Village of Eyak
consists of 500 people. There's 2,000 people in the
community of Cordova, where Eyak Village is. So that's
about 25 percent of the population. And in the past
we've had various problems. It took us several years
just to get the State to agree that we could have this
fishery. And so this has been going on about 12 years
-- maybe ten -- under the guise of an educational
permit.
I've been involved in that personally myself. Mike Webber. There's been about four or five different tribal members that have participated in that fishery. And under the guise of education, we get the kids involved. We actually take some of the tribal members -- the younger kids with us onto the grounds, which is -- it's a dangerous area. So a lot of times we don't if the weather's bad.

We just -- and once we get the fish to town, we process the fish. We used to have a Native education class that was involved in the high school. And that class would help cut the fish, cut the firewood for the smokehouse, and we'd kipper some of the fish. Plus we'd have a first fish potlatch. And the tribal members and the community are invited to this first fish dinner.

Well, ever since this started, you know, 15 years ago, we've had problems. There was times that we -- you know, the way the weather conditions were where we'd go out and were able to, you know, catch all the reds. But we couldn't catch all the kings. Or vice versa. We'd catch all the kings and we couldn't catch the reds. Some years we couldn't catch -- you know, we wouldn't get all the fish.

And so we tried to adjust the numbers through the State and they wouldn't hear it. We tried to adjust the time when we could go. They didn't hear it. It was very specific. So it's been a problem.

And the problem is -- is that when we distribute these fish to 500 people -- you know, we all get together for the potlatch and it's a great time. But, you know, I've had the elders come up to me and say well, gee whiz. I only got a third of a king salmon. And appreciate the red. At least it was the whole fish. And I don't like that end of the fish. And, you know, why can't we get a whole fish, you know. And so -- you know, that's -- if you do the math on it, you know, you take 50 kings and divide it up to 100 elders, you know, they're only going to get a half a fish.

And so we've approached the State to make the individual subsistence fishery more lenient. To get it on a -- our State fishery has to be in conjunction with the commercial opener. It has to be in the management area. So you're competing with the
commercial fishery in order to harvest fish. And
you're allowed about 30 reds and five kings per family.

Well, with the way that's set up, it
isn't meeting the tribal needs of the people. And so
we tried to get that changed this year. Went before
the State. They actually readjusted the personal use
fishery up the Copper River to make it more lenient for
the personal use fishery, but they wouldn't recognize
any of our changes that we wanted done on the mouth of
the Copper River to make it so that we could, you know,
harvest the amount -- the set amount -- the small
amount. We can't even harvest that because there isn't
enough commercial fishermen that were willing to share.
Because they don't have an opportunity to get
subsistence fish either.

And so -- and the small subsistence
boats -- the small skiffs that go out there -- it's
dangerous. And to be competing with, you know, 32-
foot, 500 horse power jet boats isn't a very good
sight.

So anyway, what -- you know, I was at
the Forest Service meeting. You know, most of our
fisheries are on Forest Service land there. I meet
with the elders every Tuesday and -- which the elders
are disappearing really fast. And I got to talking to
the elders about the past. You know, before statehood.
And they started naming off every bay and the people
that had the fishing rights in those streams. And I'm
talking about from Tatitlek all the way back to
Cordova.

And I was shocked. I mean these women
are in their 70s and they still remembered what
families were in every one of those salmon streams.
And I said well, what happened to them. And they said
well, people just quit using them.

So we have a historic use of these
resources. And so I started writing down, you know,
these different streams. What families had them. And
because this is going to be lost -- this information.

What we've had in the past -- we've had
the Forest Service doing some work in Prince William
Sound when I was a youngster that was doing -- they
were doing timber surveys and looking at potential
timber harvests. But they also had archaeologists that
were going through that area. And I think that -- you
know, I've heard about all these artifacts that they
picked up. But they've disappeared. Nobody knows
where they are.

And they -- you know, I don't -- I
might be wrong. But I don't think they record where
all the areas are that our tribe in Tatitlek have used
in Prince William Sound. I think that information has
disappeared.

And it's disappeared because people
don't want to hear that. They don't want to hear that
there was, you know, historic use of these fisheries in
these areas because we've got a modern, commercial
fleet, you know, that uses the resource to its max or
whatever.

And I was kind of excited hearing
about, you know, the Kenai and the -- all the stuff
that you just discussed. Because every time I
suggested, you know, that our needs weren't met,
nobody's ever come forward to say well, just be
satisfied with what you've got.

Well, I talked about this last week at
a -- I'm on the -- I'm a representative on the Chugach
National Forest, represent the tribes in the Forest.
And there was some of the upriver tribes -- there are
seven tribes up the Copper River, Chitina. And they
said -- they recognized the fact that we -- when we
have extra fish, we've sent fish up the Copper River.
Before they've had access, we sent fish up to the Katie
John Memorial.

Those fish were donated by commercial
fishermen for these potlatches and stuff. And they
said well, you could come up the river any time you
want and use our fish. We all got fish wheels up
there.

And here's Eyak Tribe at the mouth of
the Copper River and the Alganik Village site that used
to -- you know, which is an Eyak Village site that's 22
miles out of town. That the Copper River ran right by.
That, you know, since the earthquake it's lifted up so
that -- you know, that used those resources on the
Copper River. But now we don't have access. You know,
we don't have any access to Copper River salmon unless
it's beyond the regulatory markers of the commercial
fishery. And the only time we have access to those fish is when the commercial fishery is open.

Now, under Federal management a while back -- this has changed a little bit -- we're allowed to use a dipnet and a fishing pole on the Copper River delta just as long as the system we're in doesn't go into the Copper River. So now we have a situation with tribal members -- some of the younger ones -- out there with the sportfishing people that come for silver salmon in the fall -- piling up their 32 fish on the beach in front of, you know, all these out of towners and some local people, which is causing a lot of tension.

So now we have people that -- and it's not only tribal members. It's the whole community of Cordova is entitled to subsistence resources. So the ones that aren't able to get the reds and the kings are now in with the sportfishermen. And so you've got people saying well, geez. That guy over there is getting over his limit. No. He has a Federal permit. And it's legal for him to do that. So it creates a lot of chaos.

And so some of the needs are being met with other than king and red salmon. There is silver salmon that's accessible to our tribe with a fishing pole or a dipnet.

But I sat on that when they -- I sat on that group. And I think Ralph might have been on there. And to develop that subsistence -- Federal subsistence fishery. And at the time that we made that decision to do that, and stay out of the Copper River, was because of 3,000 people have access to the Copper River. And we didn't want to do that.

But now with tribal recognition, we just want the ability to what you're doing in the Kenai River and the Kasilof River. We would like the ability to put a fish wheel in the Copper River or possibly a set gillnet. And a fish wheel would be preferable with a live box, so we could regulate the amount of fish that we catch. The amount of kings and reds. And it would be -- also would be a good test fishery for the state of Alaska, regulating the commercial fishery in the upper Copper River, personal use fishery, subsistence fishery up there.
I think -- and I really appreciate, Judy, what you said about the law, you know. And I'm just saying that we have -- as a Tribe, we have unmet needs.

I think that's it.

CHAIRMAN LOHSE: Thank you, Mark. You know that at any time that you develop a proposal, you can submit a proposal. Anybody can submit a proposal. But you can submit a proposal, too. Because then what that would cause -- what that would take would be a regulation change that would have to go through the Board. And so a proposal would be in order. Because if you put a proposal on the table, it's going to have to be considered.

MR. KING: Okay. Okay. Yeah. We'll definitely be -- write that.

Mary Ann.

MS. MILLS: One of the things that you brought up that caught my ear was about the customary and traditional. And I don't know if you are aware of the customary and traditional -- the legal term was changed actually by the state of Alaska. And I happened to be in a Federal subsistence board when this was discussed.

And because my concern is customary and traditional is a legal term. And if you look it up in Black's Law or look it up even in the dictionary, customary and traditional always went -- was carried through the people.

Well, what the State did is at this one meeting or when some of the officials were meeting, they -- on a piece of napkin they wrote customary and traditional. And instead of tying it to people, they tied it to the land. And so that really did a disservice to those of us who have been here since before memory. Since time immemorial. And it really has affected us.

And I would just like to, you know, bring that out. To note that here. Because I have noted it several times. And my concern with it at this Council meeting and with the Federal Subsistence Board.
Thank you.

CHAIRMAN LOHSE: Thank you, Mr. Chair.

MS. CAMINER: Thank you, Mr. Chair.

Thank you for bringing this to our attention. And I'd certainly agree with Ralph that I'd suggest working with the members of the RAC who are very familiar with Cordova and the fishery and the Forest Service and their biologist as well to come up with a proposal.

But one thing that maybe I heard just for clarification, you mentioned the Tribe would like to have this. And -- because tribal people would need the resources. But of course ANILCA does not distinguish that way. And while Ninilchik has about 800 people, I think you said, Greg, even though the Tribe is the one that's going to be working the net, really any resident is entitled -- or I don't know if entitled is the right word.

Can't really exclude other residents.

MR. KING: Yeah.

MS. CAMINER: So you would be opening it up to all Cordova residents to be able to share.

MR. KING: Yeah. Well, that's -- I didn't realize that. And thanks for that information. And there are other historic sites on the Copper River. There's Kulkahini Island -- was a fish camp. And there was another one up at Abercrombie Rapids and Alganik sites.

But I didn't realize that if the Tribe put a fish wheel in, that 3,000 other people would be able to come and use their fish wheel. I didn't realize that that's how -- and I can't imagine the Kenai River -- you having one net in there. You're going to let all of who use the net.

That's my question.

CHAIRMAN LOHSE: No. It wasn't the case that everybody gets to use that net. That net would be operated by the Native village of Ninilchik. But the sharing of the fish has to go for all people who are qualified to share in them. And so consequently they have to come up with a plan to have
equitable sharing of the fish that they take with the
community of Ninilchik.

And then I don't think -- if I remember
right, Greg, you cannot reserve them just for tribal
members, right?

MR. ENCELEWSKI: No. That's correct,
Mark. I mean it's for the community. And they may
choose to fish different means or methods. But I think
Ivan was going to have a talk after you and he'll
probably explain that pretty well. But yeah, they're
qualified rural residents. And so they could share in
that taking. They could either petition to get their
fish through it or whatever the plan is approved.

MR. KING: Yeah. Okay. That's --
thanks for that information. And I'll be -- my ears
will be perked for the next speaker. And I will say
that even with the regulations that we work on now with
the State regulations, that, you know, our first fish
potlatch is open to the whole community. So we are
sharing and we always have.

All right.

Thank you.

CHAIRMAN LOHSE: Thank you, Mark. And
that's something that I would like note of, too. Is
that -- you know, that we don't have any conflict in
Cordova with -- the sharing goes in all directions in
Cordova. And the community has always appreciated that
first potlatch. It's kind of a -- kind of -- it's not
just the Native Village of Eyak. It's kind of a
community thing.

MR. KING: Yeah.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. I'd just like to
make a general comment. It's almost unfortunate that
Mark and the Village had to come here and basically
tell us about the dilemma that rural residents are in,
especially what he's talking about in Cordova. And,
you know, you have both sides of the spectrum. You
have the State versus the Federal management. Some
people like the Federal. Some people -- you know.
The real problem is -- is that in this
particular situation the Board of Fish and the
Department created this problem themselves. And have
forced rural residents to seek an alternative source
because subsistence is not being met.

The problem is -- is that it's a very
unique subsistence fishery down there. And it's always
been held in State waters, at least since statehood.
And it's the only place in the state where a
subsistence fishery has to be prosecuted at the same
time as a commercial fishery, which really makes no
sense. Because a majority of the people that are
commercial fishermen are also the same people that are
going to be your subsistence people, bringing fish in
for the community and so on.

At the Board of Fish meetings this
winter the Village had a proposal to make it less
restrictive for people to go out and get their
subsistence fish, which would basically mean open it up
to times certain outside of a commercial fishery.
Well, the Board decided that they were not going to do
that because they said it was allocative in nature.
Two hours later they increased the personal use fishery
at Chitina. And there was absolutely not one mention
of anything being allocative in nature.

So really for people in the audience
and people maybe listening on the phone, this is one of
the reasons we have two systems. It's because the
State has created a lot of these problems for no
reason. And it's the only choice that people have to
try and meet their -- you know, their subsistence
needs.

So I think until that is rectified,
we're going to continue to have two management systems,
I'm afraid.

CHAIRMAN LOHSE: Any other comments for
Chuck.

MR. ARDIZZONE: Judy already covered my
one comment. But the other comment I was going to make
was -- excuse me -- that currently we're in the call
for wildlife proposals. So if they were going to
submit a fisheries proposal, it would be open probably
next January for proposals. That's all.
CHAIRMAN LOHSE: Okay. Any other questions or comments for Mark. Thank you, Mark.

Now we'll have Ivan.

MR. ENCELEWSKI: Thank you, Mr. Chairman. For the record, my name is Ivan Encelewski. I'm the Executive Director of the Ninilchik Traditional Council and also a Federally-qualified subsistence user from Ninilchik.

I just want to start by congratulating Ralph, Greg, and Judy on your election. And also say that Ralph has been an absolute phenomenal representative -- representative of this RAC. And I attended the Federal Subsistence Board meeting and -- and for anyone else, I just want to thank Ralph for his wonderful representation of this RAC. He's a profound and stalwart for this and for subsistence.

And so thank you, Ralph.

As you know -- and I won't try and rehash all of this, but the Ninilchik Traditional Council has submitted the two proposals. One for the Kenai and for the Kasilof for a net. We're pretty where -- where that's at and so I won't kind of rehash that. But one of the things that I wanted to do today to comment on nonagenda items is to kind of put this in a little bit of a different perspective.

We can sit here and hammer out all the pros. We have a myriad of reasons why we believe that this -- these single nets in the river are conservation -- can be done conservatively and also provide a meaningful preference. But what I wanted to do today was to put -- shed light onto the overall picture of the harvest take, so we can actually see where really subsistence users are in relation to the other user groups.

Because, you know, what Tom said in the last comment to Mr. Gease about, you know, this really is such a minor, minute, minuscule portion of the actual take of harvest. And, you know, by the time you're talking about in the upper river, you're, you know, really being last in line, so to speak. Because that's where the Federal public lands and waters are.

It really doesn't do it justice.
Because every time -- and I've mentioned this before. There's a set allocation of fish. The State has their sportfishing, the commercial fishing. But every time they want to put subsistence in -- the one net into -- they want to say oh, it's going to create a conservation concern. Well, they don't look at it in the perspective of that's coming last in line. That's putting us last in line by saying oh, there's -- we're doing all this. We're doing -- we have this allocation limit set. And by the time they get to the top of the river, it's a conservation concern if you have a meaningful preference to take a few fish.

That's the exact opposite of the intent and the mandate of ANILCA. That puts us at the bottom of the base that we're trying to plow through. And so that's an important thing to note.

But you have -- you may have some information that I tried to, you know, put together on the actual use. And so I just want to run through some of the data because, you know, scientists and people love data. And they love to show that -- you know, what the harvest levels are. And I want this on the record.

So what we put together at the Tribe was trying to show in the 2013 -- because that's the data we have. 2014 -- there's not quite all the data from all the different resources. But in 2013, for the Cook Inlet area -- and this includes salt water river systems. For Chinook harvest -- and for those of you have a copy of the graph, really we broke it down to three different areas. The Kasilof River, some were line in river fishery. And then the Kenai River, in river fishery. And then the Cook Inlet remaining, which includes of course the salt water and other remaining river systems on the peninsula.

And so if you look, there's -- it's broken down into columns. There's State personal use, State educational, State sport, State commercial, and then Federal subsistence. And if you're looking at the harvest there, you'll see that under the State personal use -- those columns there's the Kenai River gillnet or the Kasilof River area gillnet, where they put a gillnet up to ten fathoms for personal use before the river system there in late June.

And so 46, you know, chinook were
harvested there. They have a sea life river in river
dipnet harvest, 18 chinook were harvested there. So
for a total of 64. You'll see there was no State
educational fish chinook harvested. The sportfishery
reported 1,835 in the Kasilof River sportfish harvest.

The commercial fisheries -- those are
broken down into the Kasilof River special harvest
area. And those are the areas by the mouth of the
Kasilof where the commercial fishermen get to fish both
drift and gillnet when the escapement is too high or
potentially perceived to be too high, so they actually
allow the commercial fishery in that area. So 369
taken there.

You look at the Kenai River, there was
11 fish harvested in the Kenai River dipnet. Chinook
-- 1,405 were taken in the sportfishery. And then if
you look at the Cook Inlet remaining, which includes
the Anchor, Ninilchik deep creek, the saltwater, Cook
Inlet saltwater, the commercial fisheries, both
northern, west, and upper subdistrict. As well as the
educational fisheries. Of course the personal harvest
-- personal use harvest was zero. The educational
fishery was 110. And that's broken down between all
the different permitees there.

The State sport harvest was 11,352.
And that was broken down. 11,022 of those were in the
Cook Inlet saltwater sportfishery.

On the commercial side there was 5,030
chinook harvested. Primarily with the majority of that
in the commercial sub-district, upper sub-district
gillnet, northern district gillnet, the drift fleet,
and the west side gillnet.

So basically the Federal subsistence
harvest was zero. So if you look at the subtotals on
the bottom, you'll see that the State personal use took
75 kings, the State educational 110. State sport was
14,592. Federal subsistence zero. So out of over
20,176 harvested, the Federal subsistence took zero
chinook.

MS. CAMINER: Ivan, I'm sorry. One
more time. Could you just explain please the very
first line. Kasilof River gillnet, State personal use.
So who is using that. Or.....
MR. ENCELEWSKI: The State river gillnet is a personal use gillnet fishery allowed in late June for Alaska residents, I believe. It runs like mid -- mid to late June for a couple of weeks.

Yeah.

MR. ENCELEWSKI: Yeah.

MR. ENCELEWSKI: Ten fathom net, I believe is the maximum they allow. It's kind of -- it's hard to get spots. But they allow right before the mouth of the river and the ocean in salt water. They -- people line up. And they have ten fathom nets. You get a personal use fishery. And I believe it's for all Alaska residents. It's not a subsistence fishery. It's a personal use fishery.

MS. CAMINER: Okay. Thank you.

MR. ENCELEWSKI: Uh-huh. And so, you know, just looking at in river escapement data for kings, I presented that, and then you can see the actual data from the graph, showing that the State sport harvest is about 72 percent. Commercial is 26 percent. As you can see, we don't even show up on the graph because there is no harvest.

And then so the data that was received was taken directly from -- and that the State of Alaska Fishery Manage Report No. 13-49. The upper Cook Inlet Fisheries Annual Management Report, as well as from the State of Alaska website on Cook Inlet saltwater sportfish harvest for 2013, as well as the FP1511 and 10 Federal Analysis. So the data bears it out. This is all data that's extrapolated directly from State and Federal reports.

And then I just want to run through real quickly on the sockeye harvest for 2013. All those fisheries in the Kasilof River for personal use was 99,967. State educational zero. The State sport was 12,257. Commercial was 67,145. And the Federal subsistence was 107.

In the Kenai River, the State personal use was 347,222. The sportfishery was 436,988. And the Federal subsistence take was 1,408. So if you go to the Cook Inlet remaining, the personal use harvest was zero. The State educational fisheries took 5,914
sockeye. The State sportfishery in the Ninilchik River
was the only other one -- was 43. The commercial
fishery took 2,621,374. And the Federal harvest in
those areas was zero.

So if you look at the overall picture
for the sockeye harvest in the Cook Inlet area, the
State personal use took 447,189. The State educational
fishery took 5,914. The State sportfishery 449,288.
The commercial 2,688,519. And the Federal harvest was
1,515.

So out of almost 3.6 million sockeye
harvested, the Federal take was 1,515 or four
hundredths of one percent. So as you know, there's a
community harvest limit for sockeye for the Kenai River
of 4,000. There was 1,408 taken in the Kenai. So
another, you know, 2,600 fish would hardly be, you
know, much -- I don't know what that percentage would
take us to. I didn't calculate that. Maybe five
hundredths of a percent.

So you can see that the in river
escapement data shows in 2013 that the Kasilof was over
escaped by 99,654 fish, sockeye. The Kenai was over
escaped by 159,893. And those are the optimum
statement goals that the State sets for their
management. So the Ninilchik harvest -- obviously we
share the community harvest with Hope, Cooper Landing,
and Ninilchik on the Kenai River. So if you just break
down the Ninilchik harvest for sockeye, it was 187.
107 on the Kasilof. And 80 on the Kenai.

So the intention of this information is
simply just to kind of put a perspective on the
fisheries themselves.

And, you know, not to rehash old
arguments, but to really show you what we're talking
about in the grand scheme of things. That this fishery
is so minuscule and so much ado about nothing really in
the grand scheme of things. And, you know, the data's
there. And presented like that, it's easy to show that
-- you know, that this obviously isn't near as big as
an issue as it is.

And like I said, it wasn't my intention
to get on the record here today to rehash all the
arguments for and against this. I really wanted this
data just presented into the record. This was the best
of our ability to put the data together. Like I said, it comes from all the State and Federal resource reports directly. You can see the quotes from the statistics in the lines. So it's hard to argue against these numbers.

I want to say a couple of things. You know, the RFRs has been brought, have been mentioned. First of all, I imagine I may have missed the discussion. But the request for reconsideration, as you know, has legal requirements to be met. It's not just I don't like the decision. Please reverse it. And new information has to be presented. There's actually criteria to even accept a request for reconsideration. So it's not about politics or about, you know, who can gain the most numbers by writing the most letters.

So I don't know whether these RFRs will even be considered. You know, it's kind of a play book out of the old State handbook. You know, in 2007 the representative Kurt Olson passed a resolution in the House Joint Committee Resolution Four to oppose Ninilchik C&T on the Kenai. They put in a request for reconsideration. Those were denied. The information was put out there that we were going to create all this, you know, conservation concern. Obviously, that didn't come to fruition. So it's really something to consider.

I also want to mention that, you know, it got reminded to us. We had a tribal consultation with one of the Federal groups, the Bureau of Ocean Management. And just to note, you know, this is -- we're really talking about the upper river -- the Kenai. Because that's the Federal lands waters. And the State -- the Feds own beyond three miles of the Cook Inlet. So offshore, that's all Federal waters. So these fish are traveling through Federal waters. Those are Andy's fish. And so.....

(Laughter)

MR. ENCELEWSKI: And so it's important to keep in mind that these fish originate in Federal waters as well. And, you know, we've long held the argument that, you know, their management decisions can be made based on where those Federal waters -- those fish originate.
So, you know, I guess it's no surprise. You talk about, you know, Craig Medred writing their article. He wrote an article last time that they should boycott Ninilchik and insinuated blowing up the bridge to Ninilchik.

(Laughter)

MR. ENCELEWSKI: So we're kind of used to it. As far as the information on the public process, I kind of find that a little bit disturbing because I know that kind of really cuts to the whole argument of this whole RAC and the Federal system. As you know, it's a two-year process. You have to put in a proposal that gets published in the Federal Register. There's a -- you know, public meetings. Public notice, you know. I hear about the PSAs on the radio.

So how did they know about this in 2007. You know, I don't assume that the information was not presented then. And at the last time they did, they showed up in numbers and testified that maybe the bears should eat us. Or maybe it would be okay if we got the fishery because maybe then some of the bears would eat us. I mean I heard one person talking about that.

So it's not -- this isn't a new process or a new thing because they failed to adhere to the public process and at a meeting in Kenai for the RAC meeting. I think it's more than adequate, you know, to provide that potential for public input. I'm sorry they missed it. But it certainly is not a point to be coming up with now.

And, you know, I think that -- one thing I want to also mention. That, you know, ANILCA is the priority. And I think that's where -- you know, beyond this global perspective of what this fishery really means and what the numbers mean, ANILCA's the priority. And when you hear people like Mr. Gease talk about these fishery about conservation, we share conservation concerns. Absolutely.

We've testified time and time again we would never take -- do anything that would harm the resource. And we have no intention to. But the conservation burden has overly been shared by the subsistence user. Because every time there's a new fishery or we want a meaningful preference, we're being
told that no, there's a conservation concern.

Well, maybe they have to ease back on some of the in river fishing. Maybe some of the -- you know, the hook and release fishing which has a mortality rate -- you know, other things needs to be addressed so that we can have a meaningful preference.

And simply saying that oh, it's a conservation concern now because we have educational use, sport use, personal -- you know, personal use, commercial taking millions of sockeye, you know, it's -- it's really -- it flips the law upside down. And it doesn't do it any justice.

You know, the State runs the net in the Kasilof -- or in the Kenai. And they keep mentioning this. Well, the argument the State has testified at the Federal Subsistence Board that well, they're just different. And I will give them that their test fishery is in the lower part of the river, so it's not in the Federal waters. But the reality is it's a gillnet.

Now, the difference for them as they said in the -- stated in the testimony is they're releasing the fish so they can analyze for their numbers. Well, we just want to take those fish and eat them. That's what subsistence is about. And what's the difference between, you know, getting our fish in that respect.

So, you know, there can be analogies both ways. But it's important to remember yes, there's 30,000 dipnets like this. There's a State sport or a gillnet drift -- gillnet fishery. Why can't we run a gillnet fishery -- a drift fishery like that, that would be just as conservation minded.

You have a 72-hour reporting window for fish in the subsistence. You don't have that in the State. You have an in-season manager who can close it down anytime. We don't know if the operational plan will even get approved. That's the big thing, you know. We have to work with the Feds to develop a plan that's going to be conservative. Because we're just as conservative as anyone else. If the resource is not there, we don't eat, you know.

So this is limited to the community
harvest, as you had mentioned. It's a community issue.
ANILCA is about rural communities. It's not about the
tribes. So this would be an operational plan that
anyone technically could apply for. But the Tribe
would apply for that operational plan just like we did
with the fish wheel. And so you have an operational
plan run by the community -- run for the community, not
for the Tribe. And that's important to note, too.

Anyway, I don't really want to, you
know, continue to re-hammer all these old -- these
issues. Because, you know, it will play out. And I'm
sure this is not the last time you'll hear about it.
I'm sure there will be RFR considerations and those
kind of things. I just appreciate the opportunity to
comment on these.

But I really want you guys to
understand the full picture here. Because when
information is presented from the OSM analysis or from
the State or Feds, they won't collate the data in one
piece to just show you really how minute this issue
really is and that's really what it is.

And this really -- and the other last
point I just want to hammer away on is that ANILCA is
the priority. And that's what we're here for. And
we're not here -- conservation is the priority. You
know, and I testified at the Federal Subsistence Board.
But of the user groups, the Federal subsistence user is
the priority. And every time we're being backed in the
corner, trying to be put at the back of the bus by
saying that there's already an allocation set.

So we wouldn't do anything to hurt the
resource. And I hope the people know that. But we
have responses out. We have support. We've had
government to government consultation with Kenaitze.
They have come out in support of us.

Greg has mentioned that others in
discussions with groups, including the local AC -- it's
really about understanding the issue. And it's very,
very easy to sit there and take a political -- oh,
yeah. Throwing a net in the river. Nets plural. And
just creating consternation. And it's unfortunate that
it's the Kenai. It's about politics. I mean it's
about where it is.

You know, one little net in another
river system -- we've mentioned the Yukon and
Kuskokwim. They use nets. This is one community net
for Ninilchik. So in the end, you know, we want to
work with people to get the information out. But
unfortunately we're at a disadvantage sometimes with
the press and the people and the pandemonium. But
really this is really much ado about nothing.

So with that, I'll answer any
questions.

CHAIRMAN LOHSE: Questions for Ivan.

Judy.

MS. CAMINER: Thank you, Ivan. I think
these statistics are really helpful to us and hopefully
for OSM and others to take a look at. It does put it
in excellent perspective. And I really have to admire
your enduring diligence and enthusiasm for this and
other issues related to Ninilchik and hunting and
fishing and subsistence. You've really kept going for
many, many years on this. And appreciate you're still
enthusiastic about it.

I guess just for the record, as I
recall you testified at the RAC meeting.

MR. ENCELEWSKI: Yes. I testified at
the RAC meeting on FP1511 and FP1510. And I also
testified at the Federal Subsistence Board meeting in
January as well. And as well as Greg and Darrel from
Ninilchik. And Ralph was presenting the RAC's
position.

CHAIRMAN LOHSE: Thank you, Ivan. Any
other comments or questions for Ivan.

(No comments)

CHAIRMAN LOHSE: Ivan, I want to thank
you for putting the statistics together the way you
did. And I think one of the things that needs to
continue to be brought out is the fact that there is a
limit on that subsistence. There is a reporting on
that subsistence. There's oversight on that
subsistence. If there's a problem, it can be closed
down. Or when the limit is taken, it can be -- it will
be closed down.
And if people would look at that, I think they would come to the same conclusion you do there. Oop. I can almost see it on there. I can almost see it on there, you know. So thank you, Ivan.

MR. ENCELEWSKI: And thank you. And, you know, that's one thing that, you know, we -- you know, we felt like and we know there's disagreement by others. But, you know, we've come here. We've talked moose, bears, fish. All these species. And one thing we've reiterated time and time again is just that we feel like this is such a minute amount of the resource. And time and time again I think we've shown through the implementation of those Federal subsistence hunts and fisheries that our take is really next to nothing, you know.

And so while there's, you know, concern over -- you know, a net obviously taking more fish -- well, when you put it in the perspective of the community harvest level -- when you look at, like you say, the community harvest of say 4,000 sockeye in the Kenai, there's 1,405 already being taken. So what's a few thousand more sockeye. Okay.

So is there a chinook harvest being taken. Well, out of 20,000 harvested, why can't we have 100 kings, you know. It just seems backwards. It really does.

And it's unfortunate that more people wouldn't understand the issue and work with us, instead of just completely against us. And recognize -- and just drop the whole, you know, trying to -- that the user groups are different. And there is a preference for subsistence. I know that's different.

But anyway.

CHAIRMAN LOHSE: Thank you, Ivan.

Mary Ann.

MS. MILLS: Thank you, Ivan. While you were giving your report, I was reviewing the discussion and justification, you know, that this Council goes through. And it's -- I am really proud of this Council. Because I think, you know, due diligence was done. And, you know, what we base our support or our decision is is there a conservation concern.
And I liked how you did your report. Because it shows, you know, actually the lack of the chinook salmon by the subsistence. And also is the recommendation supported by substantial evidence such as biological and traditional ecological knowledge. And, you know, your report did touch on that. And I thought you did a wonderful job.

And then will the recommendations be beneficial or detrimental to the subsistence needs. And you showed very well that there is a need for the fish, but it is not getting to the subsistence users.

And will the recommendation unnecessarily restrict other uses. And with the information you presented, it shows actually just the opposite.

So thank you so much.

Very good report.

Thank you, Mr. Chair.

MR. ENCELEWSKI: Thank you, Mary Ann. I just -- you know, I appreciate that. And, you know, that just -- you know, not to beat a dead horse so to speak, but that's really where we're at. You know, we're not here to say that there's not issues and concerns with king salmon or chinook salmon and those things. But when you look at the numbers and put it in the perspective why can the other user groups take 20,000 chinook and we can't be allowed to have a priority to get some fish. That's not what ANILCA says.

And again if they say there's a conservation concern, they're really hurting their own argument. Because then they're saying then they have to curtail some of their activities in order that we get that preference.

So it's really -- you know, it's a really difficult issue. You can't continue to sit there and make the argument that, you know, sportfishermen can taken tens of thousands of kings and, you know, subsistence gets nothing.

CHAIRMAN LOHSE: Greg.
MR. ENCELEWSKI: Through the Chair, I
get one question I would now like you to maybe just
make a comment on. And that has been brought to my
attention. You know, we -- I have talked to you. You
know, I talked to the guys -- the fly -- trout people
and Mr. Gease of course of big concerns of mostly the
tROUT and Dolly Varden. And I know we plan to be very
conservative, but I would like you to kind of address
that. Because I think that's a -- they use that as a
big, truly unfounded argument.

Thank you.

MR. ENCELEWSKI: Well, yeah. I think
unfortunately a lot of the arguments are just, you
know, unfounded, based on the statistics and the
information. I think one of the things is obviously
we're going to be -- when we look at the operation plan
area, it's going to be a huge one, you know. And we'll
have to work with the in-season manager Andy and -- and
Jeff and see if there's -- you know.

But it's not going to be in Rainbow
Alley as some people say or, you know, some spot where,
you know, all the take is going to be in areas of, you
know, super high concern. I know that they believe
that all the areas are high concern, but the reality is
-- is that, you know, in order to get a few fish for
the preference under ANILCA, this is the area we're
dealing with.

You know, I can't speak to all that.
We do have a residence species determination for C&T.
Obviously over 18 inches is supposed to be not
retained. But there's another issue. You know, it's
not by catch when you have a C&T for resident species.
It's a subsistence harvest.

So -- and I think another good point is
that there's some definite studies that need to be done
on the predation of, you know, chinook salmon with
these, you know, rainbow trout and stuff like that --
that Ralph had mentioned earlier.

So, you know, it's doing one thing
against the other. You know, if they're predict -- you
know, causing problems with the king salmon or the
chinook salmon population, then yeah. Maybe, you know,
we're doing things. But it's unfortunate because you
hear user groups -- and I'll just be honest with you.
This is hearsay. But, you know, you hear people saying well, I don't care about the kings anymore. I just care about the trout. Because the kings are gone. You know, and these are sportfishermen and people like that.

And it's like well, you know, how do you properly balance all of these issues. You know, and we can go into the arguments over, you know, commercial fishing and sportfishing. You know, how do you not over escape the river. You know, but yet allow chinook harvest or chinook escapement. You know, you're over escaping the Kenai and Kasilof for the last several years and are trying to get more kings in there. Well, how do you properly balance these.

And we believe that, you know, obviously we're not going to, you know, harm the population. But the biggest point about that is that you have a 72-hour reporting period. Any conserva -- any species of concern would cause, in my opinion, a shutdown of the fishery.

MR. ENCELEWSKI: Thank you. Thank you very much.

CHAIRMAN LOHSE: Thank you, Ivan. Any other questions.

(No comments)

CHAIRMAN LOHSE: Thank you. Do we have any other public or tribal comment on nonagenda items. Sky wants to do it on the second day, right.

MR. MIKE: Oh. Yes, she did. It depends on the Board of Game. Where they're at on our agenda. He may show up today or tomorrow.

CHAIRMAN LOHSE: Okay. Thank you. With that, we can go to old business or we can it's seven minutes till noon and we can take a lunch break till 1:15.

MR. ENCELEWSKI: Sounds good.

MR. CARPENTER: Sounds good.

CHAIRMAN LOHSE: Does that sound good to -- do we need more or is that sufficient.
UNIDENTIFIED VOICE: That sounds fine.

CHAIRMAN LOHSE: That's sufficient.

Okay. The meeting is recessed until 1:15.

(Off record)

(On record)

CHAIRMAN LOHSE: Okay. I'd like to call this meeting of the Southcentral Subsistence Regional Advisory Council back in session. Give Mary Ann a chance to sit down.

And we are on old business. And Donald, have you got something for us right now.

MR. MIKE: Yes, Mr. Chair. We have two people on line, participating in this meeting.

And can you identify yourselves on line, please.

TODD: Todd Kenai National Wildlife Refuge.

MR. MIKE: Anybody else.

(No comments)

MR. MIKE: Okay. And Mr. Chair, in front of you I have the yellow folder which includes -- if you open it up, we have reports from the Bureau of Land Management from the Glennallen office. And it is the summary of the moose harvest and other subsistence-related projects.

And also I inserted a PowerPoint presentation from the Native Village of Eyak on fisheries research past, present, and future.

And also there's a news release notifying the public of the funding availability for the 2016 FRMP.


And finally there's a document from the
And before we get into old business, the rural determination process review — I handed out a supplemental material this morning. And the cover is green. And it says supplemental materials, February 18, 19, 2015. And it's numerating alphabet A, B, C, and D. A is the news release rural determination final. And it also includes their rural process proposed rule, dated January 28, 2015.

And Tab B is the Regional Advisory Council review of the Southeast Alaska Council's proposal on C&T.

And finally just for your reference, Tab C is the National Wildlife Refuge System statewide regulations proposal fact sheet. And within that is the statewide regs proposed rules frequently asked questions.

And the next presenter on rural will refer you to your document that says Southcentral RAC and reference Tab A, rural determination final.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. Thank you, Donald. With that, we go on to A, under old business, which is rural determination process review — Tab A.

MS. LAVINE: Good afternoon, Mr. Chair. Members of the Board. My name is Robbin LaVine. And I am an anthropologist with the Office of Subsistence Management. I am a recent hire, but I am not new to the program. I've spent the last five years conducting research on subsistence for the Alaska Department of Fish and Game here in Southcentral. And prior to that, I was a partners anthropologist for the Bristol Bay Native Association in Southwest Alaska.

I am honored to be here and look forward to continuing to work and serve your region here in Southcentral Alaska.

So we have for those listening on line
a PowerPoint briefing on the proposed rule of the rural
determination process. And I'm going to just walk you
through it.

This is an action item. At this stage
in the rural determination review process, the Board is
requesting recommendations from the Council on the
current proposed rule in the Federal Register. And
that's in your packet.

There will be a meeting held this
evening between 7:00 and 9:00 p.m. to receive public
comments on the proposed rule.

During previous meeting cycles, the
Board received 475 substantive comments from various
sources, including individual citizens, members of the
Regional Advisory Councils, Tribes, Alaska Native
Corporations, and other entities and organizations,
such as boroughs and city governments. You are being
asked to consider whether you agree or disagree with
changing the current regulations on rural
determinations as proposed by the secretaries. The
rule would be effective statewide.

After the Board meets in June of 2015
and makes it recommendations to the secretaries, a
final rule will be published which may or may not
differ from the proposed rule that you see now.

This proposed rule was initiated based
on the findings of the secretarial review of the
Federal Subsistence Management Program. Rural
determinations are important because only residents of
areas identified as rural are eligible to harvest under
Federal Subsistence Regulations on Federal public lands
in Alaska.

So under current regulations, the Board
aggregates communities or areas that are economically,
socially, and communally integrated. And evaluates a
community's rural or nonrural status using guidelines
defined by the secretary, such as population thresholds
and economic development.

Under the proposed regulations, the
Board would evaluate a community's nonrural status
using a broad array of relevant information and rely
heavily on the recommendations of Regional Advisory
Councils. They would also recognize regional
The proposed regulatory change would increase flexibility in the decision-making process and recognize the unique nature of Alaskan communities. And here we have just an example of the old, the new, with all the array of various considerations you see in the old. And it's leaned it down considerably in the new.

Instead of using only population thresholds, rural characteristics, aggregation of communities, varying information sources, and attempting to apply those standards statewide, the Board would rely on the Councils and the public to provide information to the Board and make rural determinations on a regional level.

The proposed rule would eliminate the mandatory ten-year rural review cycle and instead changes to rural status would be based on proposals submitted to the Board.

This is the new regulation proposed by the secretaries, which would be A. The Board determines which areas or communities in Alaska are nonrural. Current determinations are listed at subpart B. All other communities and areas are therefore rural. So do you agree with these changes. If so, why. Do you disagree with these changes. If so, why.

Again, we're going to be holding a public meeting this evening to get comments from the public in this region. And I imagine that you will want to deliberate and make your recommendations after that.

That's it.

CHAIRMAN LOHSE: That's it.

MS. LAVINE: Thank you.

CHAIRMAN LOHSE: Any questions or comments at this time from Council members.

Judy.

MS. CAMINER: Thanks, Mr. Chair. And
if we could turn that light off, please, on the
projector. But -- thanks.

This is a huge topic. And it's a
little bit hard sort of not knowing what we had before
and what we have now. But certainly one change is that
the Board would be making these determinations and not
the secretary's office -- or the secretaries. And so
from my perspective, I think that would be an
improvement. That would be great.

But the vagueness of how one is going
to make these decisions certainly lingered. You did --
in the reg, it looks like you have named a few possible
criteria for nonrural areas to bring forward for their
application or justification; is that correct. At the
bottom of 4522, on the lower right.

MS. LAVINE: I would -- it is my
understanding that that criteria has yet to be
determined. That process.

MR. ARDIZZONE: Mr. Chair, Chuck
Ardizzone, for the record. Robbin's correct. The
Board hasn't yet determined what it will use to
determine what's rural and nonrural. This is the first
step in getting there. Eliminating what's in the
current regulation. And then based on input from the
Regional Advisory Councils and discussion that the
Board may have with the public and tribes and
corporations. I think that would help them formulate
what they want to use to determine as to what's rural
and nonrural.

It is pretty vague. And we really
can't speak for the Board because they haven't really
had an extended discussion because this new
regulation's not past (ph).

MS. CAMINER: Mr. Chair, what happens
to the 2007 rule. Everybody's been saying it's
abeyance. For example, a community like Adak, which
was determined to at that point be called an rural. If
2007 regs don't go into effect, what happens to them.

CHAIRMAN LOHSE: Okay. Chuck.

MR. ARDIZZONE: They will go into
effect unless something gets done now. So I think it's
May of next year.

MR. ARDIZZONE: Or 2017 that it would
go in effect. So that's why we're trying to change
these regulations. Then the Board will have to take
some more steps to determine who's rural or nonrural or
that last rule will go into effect.

CHAIRMAN LOHSE: Chuck, if I understood
what she said right, the Board is not going to be
making recommendations on rural. They are going to be
looking at nonrural.

MR. ARDIZZONE: That's correct. I
might have misspoke, but that is correct.

CHAIRMAN LOHSE: And so if they don't
say a place is nonrural, then it remains or becomes
rural.

MR. ARDIZZONE: That's my
understanding.

CHAIRMAN LOHSE: Mary Ann.

MS. MILLS: Thank you, Mr. Chair. So
will there be a discussion on the use of aggregation?

MR. ARDIZZONE: Mr. Chair, I would
assume at the next work session of the Board there will
be discussions of this rule. And if this rule gets
adopted, then there will be discussions on what
criteria they will use in the future.

I think the Board's going to rely
heavily on the Regional Advisory Councils and their
recommendations. As Mr. Lohse put it last time, he --
you know, he can smell rural, I believe. I think, you
know, if the RAC comes up with a criteria in their
region that they believe they can determine what's
nonrural and what's rural, the Board wants those
differences to be accounted for.

CHAIRMAN LOHSE: Correct me if I'm
wrong. But basically what I see out of this is that
this is taken out of the hands of Federal regulation
and given to the Board to come up with criteria region
by region, with the advice of their RACs. Am I correct
on that.
MR. ARDIZZONE: Well, what will happen is what's currently in Federal regulation will be removed. The new language that Robbin briefed would be hopefully put into -- adopted and put in regulation. Then as you said, the Board would rely on the RACs for criteria to determine what's nonrural.

CHAIRMAN LOHSE: Region by region.

MR. ARDIZZONE: Region by region.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah. I have a couple questions. This seems quite strange to me. I think in the last couple of years I've seen something that was done quite nationally that was passed before we really understood what it was all about. And that seems similar to this.

So basically they want us to get rid of an existing process for determining rural and nonrural status that's very specific. And they want us to put something in there that is so extremely vague. And put that onto the register as a rule so that they can come up with how to determine -- how to implement the rule after the rule is on the books. Am I correct.

CHAIRMAN LOHSE: Chuck.

MR. ARDIZZONE: Mr. Chair, I guess the Board's trying to respond to what they heard from the last round of meetings we had, which was a lot of people wanted the regulations that were in place -- or that are in place currently -- changed.

And that was to allow for regional differences and input from the RACs.

MR. CARPENTER: Well, I can appreciate that there's regional differences. There's no doubt about that. But when you have a rule -- excuse me. If you have a rule or a potential rule that is so vague in nature and you're going to allow regional differences to be incorporated into how a community is determined
to be rural or nonrural, don't you think that the
outcome of that is going to be quite chaotic?

Because you could have somebody in
Northwest Alaska and somebody in Southeast Alaska with
completely different ideas of what a rural or a
nonrural community is.

And then you're going to be basing
hunting and fishing regulations in the same state using
different parameters to associate who gets the benefits
there. And it seems to me like that the way that this
is going about is that there's going to be court case
after court case after court case because this is so
vague.

MR. ARDIZZONE: Well, I guess that's
why we're here, Mr. Carpenter, is to get your input so
we can take it back to the Board. And the Board can
say they agree with you or they disagree with you. But
if -- that's why we're here.

So let's hear your comments so we can
take those back to the Board and incorporate those and
your recommendation.

CHAIRMAN LOHSE: Any other Council
member comments.

Judy.

MS. CAMINER: Yeah. I mean I agree
with Tom. We really have to think -- does this make
sense. Are we kicking the question -- kicking the can
down the road here.

Certainly there was dissatisfaction
with those aggregation and other criteria. And there
was dissatisfaction in the outcome of the last
analyses, specifically a few communities.

There's certainly a lot of valid
comments by rural communities. Do we really have to do
this every ten years. And I think that's something
that was clearly heard and seems like it can be
remedied.

But I guess we would probably recommend
that some specific criteria do need to be documented
here. Otherwise what are people going to submit.
When. How quickly will they submit. And, you know, what other agencies -- other places use for the rural criteria. I mean there's a lot of research that could be done to maybe have some more specifics in here.

And you are listing some factors. You have said the Board would rely heavily on the recommendations of Subsistence Councils. I mean there's an opportunity if the Board wanted to change it to add the word deference. It's not in ANILCA, but it could be in the regulations. I mean that might be a meaningful change as well.

CHAIRMAN LOHSE: Thank you, Judy. Any other comments.

Chuck.

MR. ARDIZZONE: Mr. Chair, these are all good questions and concerns. I think -- Kodiak I think brought up similar issues. And they also focused on removing the ten-year review, which they liked. But then as Ms. Caminer said, is -- well, how often -- when could someone submit things.

So those are all comments we need to hear from the Council so we can take those back to the Federal Board.

CHAIRMAN LOHSE: Greg.

MR. ENCELEWSKI: Yeah. Through the Chair. Robbin, I just kind of had a question on -- you stated A, eliminate the ten years. And then under A there was which areas are nonrural. Who's going to determine that. Which areas are nonrural. And how do they do that.

I mean, you know, all other areas are going to be rural. But the kicker's going to be who's going to determine which ones are nonrural.

Thank you.

MS. LAVINE: Mr. Chair, may I defer to Pippa, my associate.

CHAIRMAN LOHSE: Sure.

MS. LAVINE: Thank you.
MS. KENNER: Thank you, Mr. Chair. So I understand the question to be who's going to determine what's rural and how are they going to go about it.

So.....

MR. ENCELEWSKI: No. It was the opposite. Which are nonrural. Because that's going to be the new way you're going to make it.

MS. KENNER: Thank you. Thank you for that correction. This is -- for the record, this is Pippa Kenner. So my understanding is the -- right now -- excuse me. With the adoption of this rule, who makes the decision doesn't change. The Board will make a recommendation to the secretaries.

MR. ENCELEWSKI: Okay.

CHAIRMAN LOHSE: Okay. The Board makes the recommendation. That's fine.

MS. KENNER: And the -- how it's done -- the Federal Subsistence Management Program, the public, Staff, all the agencies and the Councils will now have an opportunity to give input to develop the new rule. The Board is told by the secretaries to develop an administrative process to administer the Federal Subsistence Management Program.

So as far as nonrural or rural goes, that will be the next step.

Now, if you -- you may or may not have looked in your Wildlife or Fisheries Regulations. And in the front it shows the nonrural areas. And it shows which ones -- based on the 2007 determination -- have changed or are going to change.

So what this does -- it eliminates the process. Takes us back to 1996. And we begin again.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: I wonder if you could clarify. I thought this proposed rule was trying to get the decision making to the Board level and not at the secretarial level. But I may have misheard that in one of the briefings or earlier discussions.
MR. ARDIZZONE: The rule does say the Board would make nonrural determination using a comprehensive approach.

CHAIRMAN LOHSE: And that's my impression.

MS. CAMINER: Okay.

MR. ARDIZZONE: Page 4522. So -- okay, Pat.

MS. PETRIVELLI: Hello. This is Pat Petrivelli, BIA Subsistence. What this proposed rule does is change the process. The Board has always made the determinations. The Board made rural determinations from the beginning.

The secretaries adopted the process rules and those are in subpart A and B of the regulations. And those are secretarial regulations. And that's what this proposed rule is -- is to change the process.

So the one PowerPoint slide had the long list of criteria that had -- with the process that had aggregation thresholds, evaluating the community characteristics. And I can't remember the other ones. I should know it by heart, but -- so that was the process that the Board used to make the rural determinations.

When the secretaries asked the people to make the reviews, and the Board heard all the comments that were made, then they said well, this is the process we propose to the secretaries that we want to change it to. And what the Board proposed to do was eliminate the process and come up with the statement that would say they will now make nonrural determinations.

And this is your chance. And the secretary said okay, that's your recommendation. We want to know what the public thinks. And so this is your chance. Because once this proposed rule is adopted, either the process will change to what the Board recommended or it will stay the same. Or you could make some other changes. You know, go back to what you said the last time.

And I can't remember what it was, but it might be in
the packet.

But the Board did make determinations before using the process. What this proposed rule does is say the secretaries do not determine what the process is. The Boards determine their own process for making the determinations.

CHAIRMAN LOHSE: Thank you, Pat. Any other comments.

(No comments)

CHAIRMAN LOHSE: Now, I know from having listened in on everything in the past and listening in on the dissatisfaction and listening in the Southeastern when I was down there, I think what this proposed rule is trying to address is the fact that Alaska's growing. Communities that have had rural status in the past and still have rural characteristics -- like up on the North Slope -- are growing in population. And there was a population threshold that people are concerned may not fit in this future.

And then there was the question of aggregation based on economics, road systems, and schools, and things like that which did not recognize the individual characteristic of communities. And that was one of the point -- that was one of the sticking points or sore points in the original process, was the fact that you can have -- you can still be a community with community characteristics and be close enough that you could be aggravated with a community -- aggregate -- aggravated probably by.

(Laughter)

CHAIRMAN LOHSE: Aggregated with a community that doesn't share your characteristics. And I think this is an attempt to recognize the fact that the Councils recognize whether a community has rural characteristics or nonrural characteristics. And to give the Councils more input into the process.

It's still -- like Tom says, it's still pretty vague. But basically once this proposed rule would be adopted, then the Board still has to come up with what they're going to use for a process to determine rural and nonrural.
And I know that that's where Tom is sitting. Is because -- okay. Now we've given them the
authority to come up with the process. But we haven't put any side bars on it.

And at the same time, the reason the review is there is because the side bars that were put
into place 20 years ago don't fit the Alaska of today. And may not fit the Alaska of 20 years down the road.

And so consequently how do you -- what I guess what they're really asking is if this does
not meet to your satisfaction, what kind of side bars would you put on. But it's recognizing that individual regions are going to have different side bars simply because we are not the same as Southeastern. We are not the same as the North Slope. And those regions may want different side bars than we would want. And consequently this would give them the opportunity to put different side bars into their process.

I guess to me -- I'll refer to the same one I'm sure that Tom was referring to. And that was a one size fits all idea. And basically what this is finally recognizing to me is that one size doesn't fit all. And one size definitely doesn't fit all in Alaska.

Tom.

MR. CARPENTER: Yeah. Thank you, Mr. Chairman. I mean I agree with you. I mean I really don't have a problem if the Board thinks that they need to come up with a better way of determining rural, nonrural. If there's a problem and there's communities that feel disenfranchised with the process, then there should be a way to remedy that.

The problem I have, like you said, is that if we give our blessing to the Board to send this proposed rule change forward and they strike the old language and put this new language in there which allows them to create a new process, it's too late. Because they're going to create something whether we like the new one or not.

At least right now we can look at it and say this is what we got. We don't know what it's going to be after they create this new rule. And that's the real concern that I have.
And to be quite frank, I can see some real problems with this down the road. And I'll speak directly to the Kenai Peninsula. I'm not from the Kenai, but I've been at a lot of meetings where there's a lot of communities that feel they should have been considered a rural community. And maybe they should.

But you could take the Kenai Peninsula -- and if you apply vague application to how you qualify a community as rural or nonrural, you could turn the whole Kenai Peninsula maybe except for one or two towns into a completely rural area. And I think that is where the Board better be very cautious.

CHAIRMAN LOHSE: Thank you, Tom. Any other comments from anybody.

Mary Ann.

MS. MILLS: Thank you, Mr. Chair. Being from the Kenai Peninsula, when we were aggregated it was a real problem for us. Because some of the communities would have been considered rural had it not been for the aggregation.

And we also were under the impression with ANILCA before it was fully, really implemented that customary and traditional meant customary and traditional in the legal form. And, you know, I have no problem with -- and one of the things that we have been looking at is what about a community within a community.

We know through scientific facts that some of our -- of the population in Alaska without our traditional diets create huge health problems for our people. And these reports have been found in -- a lot of them came right from the USDA reports.

And so I guess with ANILCA -- I guess I can say it never worked for us. So it would be interesting to see if there could be some changes. And I'm not against that. And I certainly -- you know, aggregation was a very hard one for us.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Mary Ann.

Judy.
MS. CAMINER: So just to make sure we understand what the process is, if this rule were to go through, we then -- then the Board relies on the list that was made in 1996 of what's rural and not rural until such a time as there's a chance to do some sort of evaluation on not totally quite clear criteria of what the Board considers rural -- or excuse me -- considers nonrural.

So if that's the understanding, I guess my comment would be with 450 some comments, I would have thought that some of those would include criteria on which to base that kind of decision.

And it's good. I mean you are listing some here. I think that's helpful. But maybe there are more.

MS. KENNER: For the record, this is Pippa. I would like to add to that that the timeline is going to be one of the important things. So the decennial review -- if this is adopted, the decennial review as was in the previous regulations will not be in the regulations anymore.

So one of the things the Board and the Federal Subsistence Program will need to be attentive to is that timeline. When do people submit proposals. Will there a threshold analysis to see if there's been a significant change in a community to warrant looking at it.

I don't know. But those are some of the things we have to look at.

In the past, even though there were certain criteria in the regulation, it directed the Board to look at like the population threshold. The regulation always allowed the Board -- it stated in the regulation that the Board could bring in other considerations. So in that sense, the new regulation isn't that different. Rural is what the Board says is rural.

Now, in the past we might have assumed there was some kind of broad consensus that those criteria were good for defining rural. What we found during the review is that there was not that broad consensus. That different people in different areas had very different ideas that deviated from what was in
the regulation and deviated from one another.

For instance, some regions have
military bases. Some don’t. So there's these
differences from region to region. Some are like a
Prudhoe Bay or a Valdez, where you have lots of people
coming in. Working two weeks on, two weeks off. Or
working two years and then leaving.

So those kind of considerations are not
applicable all over in every region, but they may be
for one or two regions.

CHAIRMAN LOHSE: Well, I think you can
see that the Council -- maybe not as a whole -- but
it's going to be pretty hard for us to come and make a
yes or no decision on this because there are still a
lot of questions that seem to be floating around in
people's minds. And there's also -- there is no -- at
this point in time anyhow, there is no consensus of the
Council.

It will be interesting to listen
tonight and see what kind of comments we get from other
people and if we do get comments from other people.
But we're going to have to put this on as an action
item later on in the meeting. And then we'll have to
discuss it as a Council.

This is not the place for us to discuss
it. This was the place to get information. And your
information has opened a lot of eyes. And your
information has probably got a lot of years turning in
a lot of people's minds. And that's what it was
supposed to do. And we thank you for it.

And after we've listened tonight and
when we get it on the table as an action item, we can
put a motion on the table and discuss it and go from
there.

Is that suitable to the rest of the
Council.

IN UNISON: Yes.

CHAIRMAN LOHSE: If there's nothing
more, thank you muchly. Thank you, Chuck. Thank you,
Robbin.
Okay. We next are having the customary
and traditional use determination from the Southeast
Council's proposal.

And Robbin, you're going to present
that one, too. And that's under Tab B, right.

MS. LAVINE: Yes. Tab B.

So good afternoon, Mr. Chair. Members
of the Board. I'm here to keep you apprised of the
progress of the customary and traditional use
determination process review. So the full briefing you
will find in Supplemental B. And there are copies
available on the table at the back of the room.

This is not an action item and no
recommendation from the Council is necessary at this
time.

In April 2014, Mr. Bertrand Adams, Sr.,
the chair of the Southeast Alaska Regional Advisory
Council, sent a letter to Mr. Tim Towarak, the chair of
the Federal Subsistence Board, requesting an analysis
of the effects statewide of possible changes to the
customary and traditional use determination process.

In response to the request,
anthropologists at the Office of Subsistence Management
wrote the analysis of the proposed changes, which you
can find in your briefing.

The purpose of the analysis is to
inform the Southeast Alaska Council and the other
Councils of the possible effects of specific changes to
the determination process.

Mr. Adams' letter is marked as Appendix
B in the briefing. And it starts on page 31. So if
you go to your Supplemental B, and look for Appendix B,
you will find his letter. It starts on page 31 of your
Supplemental B and includes the letter's associated
attachments.

In it, the Southeast Alaska Council
requests Staff to analyze for each region the effects
of one, eliminating the eight factors from the
customary and traditional use determination process.
Two, allowing each Regional Advisory Council to
determine its own process to identify subsistence
users. And three, requiring the Board to defer to
Regional Advisory Council recommendations on customary
and traditional use determinations.

Additionally, Appendix A of the
briefing, beginning on page 21. This provides the
current status of the review process and a summary of
Regional Advisory Council comments and actions in 2013
and 2014. You can find a summary of your Council's
comments and actions on page 26.

As of the end of the fall meeting
cycle, four Councils postponed action until more
information was forthcoming. Three Councils supported
change to the existing customary and traditional use
determination process and three Councils supported the
process as is. The review is ongoing.

Hopefully -- well, if you've had a
chance to review the briefing or when you have had a
chance to review the briefing, I will be here. And
we'll try to answer your questions -- any questions
that you might have.

Once again, this is not an action item
and no recommendation from the Council is required at
this time. I'm just here to keep you apprised of where
we are in the review process.

Thank you.

CHAIRMAN LOHSE: Questions.

(No comments)

CHAIRMAN LOHSE: Robbin, where exactly
is the process or is the review. Is it still just
collecting information at this point in time.

I mean I noticed -- like you said, some
of the Councils haven't responded. Some have made
suggestions to keep it the way it is. Some have made
suggestions to keep it based on regional. And are we
still just in I'll say the fact finding mode.

The Board has not sat down and had a
work session or anything and dealt with all of the
information that has been gathered, has it.

MS. LAVINE: No. It is my
understanding that they have not.

CHAIRMAN LOHSE: Okay.

Judy.

MS. CAMINER: Robbin, it looks like at
our last meeting -- or maybe a year ago -- we had a few
questions. And just I guess to refresh people's
memories, what would happen to the 300 or so existing
C&T use determinations.

MS. KENNER: Thank you, Ms. Caminer.
Through the Chair. This is Pippa Kenner, for the
record. I know that I'm a little bit more familiar
with this than Robbin. So I was just going to point
out to her on page two, the first paragraph. I'll just
read it to you.

The proposed changes will not eliminate
the customary -- oops. That is the wrong -- here we
go. Uh-huh. I'm very familiar with it. Okay. Here
we go. I'm sorry.

Page six. It says the proposed changes
could not affect existing customary and traditional use
determinations until a proposal was submitted and a
Regional Advisory Council recommended a change to an
existing determination.

CHAIRMAN LOHSE: Okay. Thank you,
Pippa. If I understand correctly then, the process is
still going to be there. Customary and traditional
process would still be there. The eight factors would
be eliminated. But unless somebody puts a proposal to
eliminate somebody who has customary and traditional,
the current customary and traditional determinations
would stand. Am I correct on that.

MS. LAVINE: It is my understanding
that yes, they would stand.

CHAIRMAN LOHSE: And -- but.....

MS. KENNER: Thank you, Mr. Chair. I
just wanted to add to that -- that the Southeast
Council had -- the Board and Staff had suggested that
the Southeast Council put something in writing. A
proposal for us to respond to. But no formal proposal
has been given to us.
The purpose of the so-called analysis is simply to inform the Southeast Council -- and the other Councils and the public -- of what these specific changes might look like as outcomes.

CHAIRMAN LOHSE: But isn't the customary and traditional determination process under review from -- basically I'll say from the top down. Wasn't that part of our review process.

MS. LAVINE: It is part of the secretary initiated review. Yes. Along with rural determination.

CHAIRMAN LOHSE: Right. But there are no proposals on the table to change it at this point in time.

MS. KENNER: That's right. And just to go back to the beginning and what Robbin said, we discovered that we have four Councils that -- particularly three of which have not had opportunities to work with the customary and traditional determination process. And they had a lot of questions.

And so we have slowed down a little bit. And we're hoping to use this briefing as -- to work with them on their outstanding questions. So we might be able to show them concrete examples of what some of these changes might look like that they've heard about.

CHAIRMAN LOHSE: Pippa, can I ask a question. Is that because in their area there is no need for customary and traditional use determinations because everybody in the area is pretty much customary and traditional.

MS. KENNER: I think that -- thank you, Mr. Chair, for that question. For the record, this is Pippa Kenner with OSM. And that's one of the reasons.

Yes.

CHAIRMAN LOHSE: Mary Ann.

MS. MILLS: Thank you, Mr. Chair. It was my understanding that it wasn't so much as the people being qualified for C&T. It was it went from the people to the land. So whatever was customary and
traditionally taken for that area. Is that -- am I
correct in my understanding of.....

MS. KENNER: Thank you for that
question, Ms. Mills. Through the Chair. Yes. You
know, that was -- what you've described is the current
State process. Our determinations still describe
people.

MS. MILLS: Thank you for that.

CHAIRMAN LOHSE: Okay. Any other
questions or any other discussion that somebody -- that
Council members would like to have on this.

Judy.

MS. CAMINER: Thank you, Ms. Caminer.
Through the Chair. This is Pippa Kenner again. The
process seems to be that I think it's likely that the
remaining Councils will have good, informed discussion
on this issue.

Their Regional Advisory Council, like
Southeast, may review all the comments and submit a
proposal to the Board to review for recommendations to
the secretaries. If not, Staff will definitely be
reviewing those comments. And based on what we've
heard, come up with the recommendations for changes, if
necessary.

So I could see this round of Council
meetings put that -- the review of comments and the
development of a possible proposal to go forward.
Whether we'd have that prepared for you for your next
Council meeting, I can't be sure.

Thank you.

CHAIRMAN LOHSE: Thank you.

Tom.

MR. CARPENTER: Yeah. Just one
clarification. So after all the Advisory Councils
review this information you've given about potential
outcomes and make suggested comments to the Board,
would the Board be developing the future proposed
language if there was going to be a change implemented
or would it actually be coming from an Advisory
Council.

MS. KENNER: Thank you, Mr. Carpenter
for that question. Mrs. Pippa again, through the
Chair. I want to direct us to -- on page 21 of the
briefing -- rather than paraphrasing what the
secretaries said, I am just going to go right to it.

And in October of 2009 -- this is the
fifth paragraph down on page 21 -- Secretary of
Interior Ken Salazar announced that there would be a
review of the Federal subsistence program to ensure
that the program is best serving rural Alaskans and
that the letter and spirit of Title VIII are being met.
In a detailed report from the US Department of the
Interior in September 2009, the Secretary of the
Interior, with concurrence of the Secretary of
Agriculture, directed the Board to do several tasks.
The first relevant task -- to us right now -- was to
review with Regional Council input Federal subsistence
procedural and structural regulations adopted from the
State in order to ensure Federal authorities are fully
reflected and comply with Title VIII. And changes
might require new regulations. And the second relevant
task was to review the customary and traditional use
determination process to provide clear, fair, and
effective determinations in accord with Title VIII
goals and provisions. And changes would require new
regulations.

So when you say the Board -- directions
for the Board to do things often involve Staff.
They'll direct Staff. So right now Staff are
conducting the review. Asking people what they think.

And what we discovered is that -- well,
one might assume that to develop clear and effective
regulations people would -- people developing those
regulations would have a pretty good idea of the
process and the impacts of changes to it. And what we
discovered is that we were lacking that understanding
in some of our regions. Not necessarily as a fault of
Staff, but because the process was working for them.
And they had never had to really get into it.

So personally, I feel -- and I think I can speak for the program in this sense -- that taking this time to provide more and relevant information to all the Councils and to each Council member is part of the review. Is making sure they understand what these foundational components of the program is and how they can change them.

So thank you.

MR. CARPENTER: So just to reiterate my original question. So there isn't necessarily going to be an outcome. There isn't necessarily going to be a direct change to the existing rule that we have now. This is just.....

MR. CARPENTER: Okay. Thank you.

CHAIRMAN LOHSE: Pippa, can I ask you a question. I'm looking at what the letter from Salazar says in 2010. And it says requested that the Board review with Regional Council input the customary and traditional use determination process and present recommendations for regulatory changes. That, to me, sounds fairly -- I mean that's fairly strong language to me.

Because it says he wants them to review the process and present recommendations for regulatory changes.

MS. KENNER: Page number?

CHAIRMAN LOHSE: 21. Letter to Tim Towarak, December 10 -- I mean December 2010. And that's from Secretary Salazar. And I would almost say that that was -- I mean if I would have received that letter, I would say that that was an order to do something. You know, to review it and present recommendations for regulatory changes. I would think that I would be required to present some recommendations for regulatory changes. And I may be wrong on that, but that's what it reads to me.
MR. ARDIZZONE: I do believe it said to review C&T. I mean this is part of the reason we're here. Is we're reviewing the process. So Southeast came up with this recommendation or some changes they would like to see. So now we're going to all the Councils to get input so the Board can eventually make a recommendation back to the secretaries, if need be.

CHAIRMAN LOHSE: Yeah.

MR. ARDIZZONE: Okay.

CHAIRMAN LOHSE: I mean what is reads to me is that they see some deficiencies in it. That they should review it with the Councils. And then their mandate is to present recommendations for regulatory changes. And I mean.....

MR. ARDIZZONE: Or not. Depending on.....

CHAIRMAN LOHSE: It doesn't say or not. That's what I'm getting at.

MR. ARDIZZONE: Right. But I mean I guess -- so we are here now. We're trying to get everybody up to speed on C&T because there's a lot of confusion across the state between different Regional Advisory Councils.

Southeast, Southcentral are, you know, really up to speed. There are some other Councils that are still trying -- we're trying to bring them along in their comprehension in C&T and the changes that Southeast is talking about.

So I think we are reviewing it. And I mean that's what we're doing right now. And then there will be some recommendations made at the end. It's just we're not there yet.

CHAIRMAN LOHSE: Oh. That's what I would think.

MR. ARDIZZONE: Right.

CHAIRMAN LOHSE: I would think we're in the process.....
MR. ARDIZZONE:  Right. And not......

CHAIRMAN LOHSE: .....of reviewing.

But the mandate is to come up with some recommendations.....

MR. ARDIZZONE:  Right.

CHAIRMAN LOHSE: .....for regulatory changes. Now, whether that's what Southeast has.....

MR. ARDIZZONE:  Or something else. Right.

CHAIRMAN LOHSE:  Whether that's what Southcentral has suggested. Whether that's some combination of everybody. But we're in the process of reviewing right now.

MR. ARDIZZONE: I agree with you.

CHAIRMAN LOHSE:  And -- but the end of that process is to come up with something to recommend out of the process. To recommend some regulatory changes that meet.....

MR. ARDIZZONE: Correct.

CHAIRMAN LOHSE:  Pippa.

MS. KENNER:  Yes. And I'd like to add to that. Thank you, Mr. Chair. I think if you read through the Council's review of the process that's presented in this document, you'll see that not only do some of these regions want to keep the process as is. They really want to keep the process as is. And that the recommendations for changes that we've received -- for instance your Council wanted to look more at creating a process that C&T determinations could be for region. And include all the species in -- or area. And include the species in that area.

Part of our evaluation is that some regions do that now. And that may be something that is
possible through the current process in other regions.

The secretaries did not instruct us to
deviate from our bottom up process. So we're pursuing
that.

CHAIRMAN LOHSE: Thank you, Pippa.
Thank you, Chuck. Any other comments.

MR. CARPENTER: I have one more
comment.

CHAIRMAN LOHSE: Yes, Tom.

MR. CARPENTER: I guess I'll ask one
more comment. And I hate to bring this back up again,
but I understand completely what you're saying now. It
makes perfect sense. Review it. If there's any
changes, recommend them to the Board. They recommend a
rule change. We're all happy.

So what's so different that they're
going to review this particular situation of C&Ts like
this when there's already an established rule. What's
the difference between the way that the Board is
handling this and the way they're handling the rule
determination where it seems the exact opposite.

MR. ARDIZZONE: I don't -- I'm not sure
if it's exact opposite. I mean what we did -- we did
go out to the RACs. We did go out to the public and
get input on the current rural determination process.

Based on those comments, that's where
the proposed rule comes from. I mean that would be the
same thing that we'd do with C&T. The process is the
same. It's just we're farther ahead in the rural
process than we are in the C&T process.

MR. CARPENTER: Well, I realize -- I
agree with you there. It just seems to me that the --
like I say, I hate to bring this up again. It seems to
me like the recommended rule change in regarding rural
determination is so different than the existing rule
that it's hard for me to comprehend that the new rule
that's proposed came from the recommendations from the
Councils. It's so different.

MR. ARDIZZONE: I will just say that
based on input from the public, there was a suite of
options. A number of different recommendations the Board had before it that it could pick from. And for some reason the Board decided that what they have now is what they wanted to pass forward.

But there was a huge range of options presented to the Board.

MR. CARPENTER: Thank you.

MS. KENNER: And I -- may I add.

CHAIRMAN LOHSE: Thank you.

Pippa.

MS. KENNER: Thank you very much, Mr. Chair. Mr. Carpenter, through the Chair. This is Pippa Kenner with OSM again. One of the things that happened with the C&T process is that...

MS. LAVINE: Hello, Mr. Chair. This is Robbin. Initially upon the review -- at the beginning of the review, all Councils reviewed the process. And during the March 2012 meeting in Juneau, an update was given that stated nine Councils felt the customary and traditional determination process was adequate. And it was only the Southeast Council that had comments for changes on the process. And they were the ones that started this current review of the review process.

MS. KENNER: Re-review.

MS. LAVINE: A re-review. And so at one point when all of the Councils had the same briefing and the same letter and the same directive, they said we don't see a problem with this.

And it wasn't until your fellow Southeast Council requested further investigation that we have got to the point where we're at. So you all -- it has been going on for a very long time. But the information is in the briefing.

CHAIRMAN LOHSE: Thank you. And we could come out with a proposal from the Board that would be just as vague for customary and traditional as we just got for rural determination if it met some of the Council's ideas. So we haven't seen the final product yet. It's still in the process.
Thank you.

Okay. Let's go one more and then we'll take a (indiscernible) un-coffee break.

UNIDENTIFIED VOICE: It's way worse than it's ever been?

CHAIRMAN LOHSE: Uh, the un-coffee break.

UNIDENTIFIED VOICE: No, no, no, this is.

CHAIRMAN LOHSE: Oh, yeah. Yeah.

Okay. Let's look at the Refuge proposal rule on hunting. And who is presenting that. And that we'll find under C, if I remember right.

(Pause)

MR. LORANGER: Good afternoon, Mr. Chair and Council Members. My name is Andy Loranger. I'm the Refuge manager at Kenai National Wildlife Refuge. And accompanying me is Heather Tonneson. She's from the National Wildlife Program here in our regional office in Anchorage. And we're here to update you on the process of proposing some regulatory changes that would affect recreational hunting and trapping on National Wildlife Refuges in Alaska.

I think that you'll recall that Heather -- I believe Heather provided the update -- or provided the original information on this process back at the October meeting. We just really appreciate the opportunity to present to the Council this afternoon and update you on where we're at.

Some things have developed through our process that have kind of changed our current thinking and current content of the proposed rule. And we can go over some of those changes today. And this is based on some of the interactions we've had through Tribal consultation, consultation with the State, and other meetings that we've been having up to this point.

So again we're considering updating regulations governing recreational hunting and trapping on Refuges in Alaska. And the reason for this is to
ensure we're meeting the Federal mandates which govern how we administer and manage Refuges in Alaska.

Of course we're mandated to conserve fish and wildlife populations and habitats in their natural diversity. And to maintain biological integrity, diversity, and environmental health of Refuges in Alaska. We're also required to conserve species and habitats in Refuges for the long term, benefitting not only present, but also future generations of all Americans.

In Alaska of course this includes ensuring the opportunity for continued subsistence uses of fish, wildlife, and plants.

So the proposed changes. First off, these would amend -- to be clear, these would amend current Federal regulations found in Chapter 50, part 36 of the Code of Federal Regulations governing recreational hunting and trapping wildlife on Alaska Native Wildlife Refuges. Under the proposed regulations, predator reduction activities with the intent and the potential to alter or manipulate natural diversity of wildlife populations or habitats, such as artificially increasing or decreasing wildlife populations to provide for more harvest opportunity would not be allowed on Refuges in Alaska.

Under the proposed regulatory changes, the following methods and means for predator harvested would be prohibited on Refuges in Alaska. Take of bear cubs or sows with cubs, with exception allowed for resident hunters to take black bear cubs and sows with cubs under customary and traditional use activities at a den site in parts of Alaska; take of brown bear's over bait; take of wolves and coyotes during the spring and summer denning season; take of bears using traps or snares; and take of bears from an aircraft on the same day as air travel has occurred. Current regulations same day airborne of take of wolves and wolverines is already prohibited under existing Refuge regulations.

As I said in my introduction, originally we were considering a longer list of potential prohibited wildlife harvest methods and means. But from input and concerns were brought up earlier in our scoping process, we've reduced the proposed prohibited methods from 13 down to the five you see here. And they're also listed on your
information sheet, the fact sheet, and the frequently asked questions document.

So why is the Fish and Wildlife Service proposing these changes to recreational hunting and trapping regulations for Alaska Refuges. First, let me be clear that hunting is a priority public use on National Wildlife Refuges under existing law and agency policy. We have and we will continue to strongly support hunting and the sustainable harvest of fish and wildlife on National Wildlife Refuges.

Underlying this current effort to amend existing regulations governing nonsubsistence take of fish and wildlife on Alaska Refuges is that the Fish and Wildlife Service must administer hunting on Refuges in a manner compatible with Refuge establishment purposes and consistent with all other legal mandates.

So the proposed regulations are aimed at ensuring that the overarching establishment purpose of all Refuges as defined under ANILCA is met. And that is to conserve all fish and wildlife and their habitats in their natural diversity.

Refuges in Alaska must also be managed so as to maintain the biological integrity, diversity, and environmental health. The latter mandate applies to all National Wildlife Refuges throughout the country.

In a recent past, the Alaska Board of Game has adopted or considered for adoption general sport hunting and trapping regulations which allow particular practices for the harvest of predators, such as take of wolves during the denning season; take of brown bears over bait; snaring of bears, which because of its nonselective nature would require allowance of the take of cubs.

The Fish and Wildlife Service believes that these recently adopted or considered methods and means for take of predators conflict with our legal mandates because they are intended or have potential to depress and manage predator populations on Alaska Refuges at levels inconsistent with conserving all fish and wildlife in their natural diversity and again maintaining biological integrity, diversity, and environmental health on these Refuges.
The Fish and Wildlife Service is required to the extent practicable to be consistent with State regulations governing take of fish and wildlife on Alaska Refuges. And it is in fact our preference to do so whenever we can. That said, and while we fully respect the State's roles and responsibilities for managing wildlife in Alaska, we also recognize that differences do exist between the State's mandates and the Federal laws governing administration of Alaska Refuges. And that these differences sometimes require a different regulatory approach.

There's one additional area of existing regulations that would be amended under the proposal. The proposed regulations would update the public participation in closure procedures for public recreational activities on Alaska Refuges found in 50CFR36.42. These regulations apply to closing or restricting recreational activities on Alaska Refuges or areas within Refuges, such as sport hunting and fishing, camping, recreational trail use, et cetera.

The proposed regulatory changes would not apply to or in any way change existing Federal regulations for public participation in closure procedures for subsistence use of fish and wildlife or use of transportation methods traditionally employed by rural residents engaged in subsistence activities. I think that's an important point.

We're proposing these changes to the existing regs to be consistent with other Federal regs and to more effectively engage the public.

So these changes would include adding the conservation of fish, wildlife and habitat in their natural diversity, and maintenance of biological integrity, diversity, and environmental health to the list of closure criteria -- the existing list.

Increase the possible duration of an emergency closure from 30 to 60 days. This is consistent with the timeframe for emergency special actions under the Federal Subsistence Regulations.

Increase the possible duration of a temporary closure to the current from not to exceed 12 months to not to exceed five years. The proposed regulation would continue to specify that the duration
of a temporary closure shall extent only as long as
necessary to achieve its purpose. The advantage of
this change is that under the current regulation a
temporary closure must be made permanent if for some
reason it has to be extended longer than 12 months.

Temporary or permanent closures or
restrictions related to the recreational take of fish
and wildlife would require consultation with the State
and effect the Tribes and Native Corporations an
opportunity for public comment and public meeting in
the affected area.

In addition to publication in the
Federal Register, which is currently required,
permanent closures that meet significance criteria
would also be published in the CFR. And this is not
currently required under existing regulations, so it's
actually a higher standard that we would be holding
ourselves to.

And lastly, one of the primary goals is
to expand the methods for public notice to more again
proactively engage the public and effectively engage
the public by adding the use of the internet and other
available methods, in addition to continuing the use of
the more traditional methods of newspapers, signs, and
radio announcements, et cetera.

So who would the proposed regulatory
changes apply to. The changes we're considering under
this proposed rule for again Refuge recreational
hunting and trapping regulations would apply only to
the State-regulated general hunting and trapping and
intensive management activities on Alaska National
Wildlife Refuges.

The proposed regulations -- excuse me.
I'm not sure how I can get back. But the proposed
regulations would not apply to Federally-qualified
subsistence users hunting or trapping under Federal
subsistence regulations.

I also want to note that hunting and
trapping of predators would still be allowed on Alaska
Refuges and that most state of Alaska general hunting
and trapping regulations, including harvest limits,
would continue to apply.

The proposed regulations would only
apply to National Wildlife Refuge lands in Alaska highlighted here. They would not apply to other Federal, State, Native or other private lands and waters, including those which lie within external Refuge boundaries.

Within the area under purview of this Council, the Southcentral Regional Advisory Council, the proposed regulations would apply to the Kenai National Wildlife Refuge on the Kenai Peninsula. The proposed regulations would not however result in any changes to current sport hunting and trapping regulations on the Kenai Refuge. This is because while take of brown bears at registered black bear stations became legal for the first time in the spring of 2014 under State general regulations in game management units seven and fifteen, this practice is not allowed under existing Kenai Refuge specific regulations and permitting authorities.

The other proposed amendments to the statewide Refuge regulations are consistent with existing State regulations for the Kenai Peninsula.

So the timeline as it now stands for this process is as follows. We're presently in the scoping process of Tribal and State, consulting with our Tribes and partners and other outreach, such as the RAC meetings. The proposed rule -- we hope to publish the proposed rule and start a 60-day public comment period in late March or April, this spring. During the summer and fall, review this public comment. Update the proposed rule. And by January 16th -- 2016 -- I'm sorry -- publish the final rule.

And throughout this process, and throughout this period and the upcoming public comment period, there will be continued opportunity for Tribal consultation and meetings, hearings in various locations around the state.

And that's all I have for you today. And again we very much appreciate the opportunity to update the Council.

And we'd be happy to take any questions.

CHAIRMAN LOHSE: Any questions.
MR. CARPENTER: Yeah. I have a couple of questions.

CHAIRMAN LOHSE: Okay. Tom.

MR. CARPENTER: Yeah. Thanks, Andy. I wrote a couple of notes down here. So on the temporary closures or restrictions currently, it's going to go from a 12 months to five years. And you said that's because if it extends longer than 12 months, it automatically becomes a permanent closure.

Is that correct.

MR. LORANGER: Thank you. Through the Chair. Member Carpenter, under the current regulations any restriction closure affecting a recreational activity on a National Wildlife Refuge must be deemed a permanent by regulation if it extends further than 12 months. If it extends longer than that.

So the language of the regulation will continue to be only as long as necessary. But the process by which it would become permanent requires Federal Register, publication, et cetera, et cetera. And this gives us an opportunity frankly to -- you know, to basically not have to go through and enter into a permanent closure by regulation, with a longer period of time to allow for a temporary.

MR. CARPENTER: Okay. And then another question I had was when it deals with permanent closures or restrictions -- you know, and maybe this is just semantics. But it says closures related to the taking of fish and wildlife will require consultation with the State and affected Tribes and Native Corporations, as well as the public. Does the -- would it not be important to include as part of that the RAC Chair. Like you would if you were going to make like an in-season adjustment before you had delegation of authority. I mean is that something to consider. Is the general public vague enough to.....

MR. LORANGER: So as compared or, you know, to the process that's in place in dealing with our delegated authority for instance as an in-season manager for a subsistence hunt or a subsistence fishery, the closure procedures that we're talking about would apply only to recreational hunting or other kinds of activities.
But certainly in some of the issues and things that happened on the Kenai Peninsula, we have spoken with the RAC Chair and with local RAC members about those -- you know, about those recent actions taken on the recreational side of hunts on the Kenai. And will continue to do that.

MR. CARPENTER: Okay. I think that answered it. Thanks.

CHAIRMAN LOHSE: Thank you, Andy. Any more questions for Andy.

Judy.

MS. CAMINER: Well, just a quick comment. Thanks very much. That was a really good briefing. And specifically I thought it's very helpful to have your two columns with current and potential update or telling us what's changed since last time. That's really very useful. Thanks.

CHAIRMAN LOHSE: I have only one question, Andy. And that's you mentioned trapping at the start, but you didn't mention it again through the whole thing. And right at the start of your thing said if it has the potential to -- if I remember right, the potential to change -- I can't -- I knocked the lens out of my glasses, so it's kind of hard for me to read right now.

If it has the potential to change the natural diversity or -- I can't remember the exact words that were up there. And -- where am I. See if I can find it. Okay. Here it is.

Federal predatory reduction activities with the intent or potential to alter or manipulate the natural diversity of species. When you are -- almost always -- other than beaver, when you're trapping, you're trapping a predator. And I know that right at the moment -- if I remember right -- on Kenai Peninsula I think -- and correct me if I'm wrong because I'm only going by hearsay from down there -- that currently lynx trapping is closed on the Federal Refuge for -- do I understand right. They're saying five years.

MR. LORANGER: Lynx trapping on the Kenai Peninsula is closed on all lands currently, as part of what's called a lynx tracking strategy, which
opens and closes seasons based on lynx abundance, which
of course is closely linked to snowshoe hare cycles.
And so the current lynx trapping season -- we're at a
very low cycle of hare abundance on the Kenai. And the
current regulations -- not just on the Refuge -- but
Kenai Peninsula wide under State regulations are closed
to lynx trapping currently. And I want to say have
been this -- either the first year or the second year
of that.

And, you know, prior to that, the lynx
season was open for four or five years. It actually
historic high harvests of lynx on the Kenai Peninsula,
including the Refuge.

CHAIRMAN LOHSE: So it's not just the
Refuge then.

MR. LORANGER: Correct.

CHAIRMAN LOHSE: Okay. Thank you,
Andy.

Andy.

MR. MCLAUGHLIN: Yeah. Thank you, Mr.
Chair. Just kind of a comment about -- I saw up here
and I read a few times it will not affect subsistence
users. But I would -- you know, speaking for friends
of mine who do utilize those resources in that area, I
would say that sport harvest does have a direct
proportional affect on subsistence uses. Because if
somebody during the sport season does harvest their
moose or whatever the animal was -- a bear. At the
time perhaps brown bear on a bait. That then stops
their need to go get -- fill that subsistence use tag
because they've already filled their -- so there is a
relationship to that.

Thank you.

MR. LORANGER: Through the Chair.

Yeah, we recognize that. And appreciate that comment.

CHAIRMAN LOHSE: Any other questions or
comments for Andy.

MR. ENCELEWSKI: I'd better not.
CHAIRMAN LOHSE: Come on, Greg.

MR. ENCELEWSKI: No, Andy. I appreciate it. And I appreciate your, you know, coming to the Council for consultation also. And we understand some of these concerns and problems, so I understand where you're going with this. And, you know, so I do appreciate that.

I'm a little nervous when it's to clarify a Federal mandate of, you know, natural diversity, biological integrity. And that all just -- you know, it doesn't spell it out black and white; can I shoot, can I not. To me, you know, it leaves it wide open.

That's all I got.

But it's cool.

So I understand where you're going.

Thank you.

MR. LORANGER: Yeah. Through the Chair. Mr. Encelewski, I -- again I appreciate that very, very much. You know, the one thing that I want to really make clear is we understand. We recognize that people -- and harvest by people -- are an integral part of these natural systems. And that's not going to change under this current regulation.

Thank you.

MR. ENCELEWSKI: Thank you.

CHAIRMAN LOHSE: Thank you, Andy. Any other questions or comments for Andy.

(No comments)

CHAIRMAN LOHSE: With that, we're going to take a break till 3:00 o'clock.

IN UNISON: One more.

CHAIRMAN LOHSE: Oops. Andy's got one more question.

MR. MCLAUGHLIN: Yeah. Just a comment
I had taken a note on. I just came across. It was page 103 from the Appendix there. Predator management policy of the Federal Subsistence Board, page 103, in the back of this Regional Advisory Council operation manual.

There was a section there about to reduce predator population and allow ungulate populations to recover. So it seemed like there was some existing regulations in here -- or guidelines to allow that type of management practice to occur.

MR. LORANGER: Can you repeat that. I'm not familiar at all with that.

MR. MCLAUGHLIN: Page 103, predator management policy.

MS. TONNESON: Through the Chair. This is Heather Tonneson. And just to be clear, that's the Federal Subsistence Board's predator management policy. So US Fish and Wildlife Service, as the agency, is -- you know, we have our own separate policies and mandates. And so Federal Subsistence Board actually says in this policy that in general they defer to the agency, you know, to be consistent with their mandates on deciding whether or not to implement predator management or predator control. So does that help.

MR. MCLAUGHLIN: Thank you. Thank you.

CHAIRMAN LOHSE: Thank you. No further comments.

(No comments)

CHAIRMAN LOHSE: Break time.

(Off record)

(On record)
MS. CELLARIUS: Thank you, Mr. Chair. For the record, this is Barbara Cellarius. I'm the subsistence coordinator for Wrangell-St. Elias National Park and Preserve. However, what I'm here to talk to you about right now is a regional Alaska wide regulation effort. And it's in your main Council book on page 14 through 16, is what I'm going to be referring to.

I think that most of you, if not all of you, were at the briefing that I provided on this topic at your fall meeting. So I'm going to be brief. But please ask questions if you have questions about anything.

So the topic before us is the subsistence collection and use of shed or discarded animal, plants and parts from park areas in Alaska. And basically we've had a request from subsistence users to be able to collect these items and use them in handicrafts and sell the handicrafts. And that is currently prohibited under NPS national regulation. So we've gone through a lengthy process with the intent in the end of producing a special regulation from Alaska that will allow these activities as a subsistence activity.

So we did an environmental assessment. The record of decision on that environmental assessment was signed last April. And what we have before you today is actually some draft regulatory language. So that is on page 16.

I will point out that it currently does not talk about plants. That was an omission that we have recognized. And so what the environmental assessment said about plants was that we would essentially authorize local subsistence users who had C&T for wildlife species in an area would be able to collect plant materials in that area.

And so basically what we're -- we're
1 essentially authorize -- trying to authorize is this
collection. There are provisions in here for a written
authorization, but it doesn't specify the form that
that written authorization would take. So it could be
an individual permit. It could be a more blanket
authorization, so that individuals wouldn't have to go
and get a piece of paper.

2
3 So we have a def -- we have -- it
4 starts with some definitions. What's a handicraft.
5 What we mean by wild renewable byproducts of wildlife.
6 It adds this provision to the definition of subsistence
7 uses in the NPS regulations. What we're modifying is
8 NPS subsistence regulations.
9
10 And then there's the provision that you
11 could do the collection. What we had come up with is
12 essentially if you can collect -- if you can harvest an
13 animal -- if you have C&T to harvest an animal, you
14 would be able to collect the parts of that animal as
15 well.
16
17 So you would need to -- so the
18 superintendent -- it talks about the superintendent can
19 establish conditions, limits or other restrictions for
20 collection and activities. Areas open to collection
21 will be identified on a map, posted on the park
22 website, and available at the park visitors center.
23 Violations of this is prohibited.
24
25 And then as I mentioned, I believe that
26 we were -- I have to tell you. I didn't read this all
27 the way through before I came up here. I've read it.
28 I just -- my understanding is that we're requiring a
29 written authorization. Yes. There it is. The written
30 authorization. I just wanted to make sure I was
31 telling you that correctly.
32
33 CHAIRMAN LOHSE: But the written
34 authorization does not necessarily have to be a written
35 authorization in your possession. It could be a.....
36
37 MS. CELLARIUS: It could be.....
38
39 CHAIRMAN LOHSE: .....be a posted
40 written authorization.
41
42 MS. CELLARIUS: It could be the
43 superintendent has put in the compendium that residents
44 of the Wrangell-St. Elias resident zone are authorized
to do X.

CHAIRMAN LOHSE: Okay.

MS. CELLARIUS: So you don't -- that is something that the -- the form of the authorization will likely be determined at the park level.

CHAIRMAN LOHSE: That's kind of what I figured.

MS. CELLARIUS: And we would consult with the SRCs. Consult with the RACs what would work best for your area.

CHAIRMAN LOHSE: And probably would be subject to change as population and pressure on the park changes.

MS. CELLARIUS: Potentially. So the draft regulatory language that you have before you, that we're looking for comments on, creates a very basic structure that would then allow sort of customization at the park level based on local conditions.

CHAIRMAN LOHSE: Any questions.

Mary Ann.

MS. MILLS: Thank you, Mr. Chair. My question is, you know, whether for Alaska Natives we have the right, you know, for marine mammals. Now, does this regulation include that type of subsistence or Alaska Native user for let's say from sea otters to our belugas.

MS. CELLARIUS: I would have to go back and look at the environmental assessment. Sorry about that. I would need to go back and look at the environmental assessment. We don't have a lot of marine waters.

CHAIRMAN LOHSE: Right.

MS. CELLARIUS: So I then have to think are there situations where we would have a sea otter on NPS land. And there's probably also another regulatory body that I believe addresses sea otters.
MR. EVANS: Hi. For the record, I used
to work for marine mammals. So sea otters fall under
the Marine Mammal Protection Act. And so you deal with
them through that. And the seals is part of the NMFS
-- NOAA -- NOAA thing. So that's where you deal with
those issues.

Thank you.

MS. MILLS: Thank you.

CHAIRMAN LOHSE: And the only marine
mammals that I can think of that are on waters adjacent
to the Wrangell-St. Elias National Park -- we have
seals all the way up past the bridge in Chitina, you
know.

Land otters are under -- they're not --
you're under total different regulations.

So basically this is saying that bones,
teeth, claws, horns of animals that can legally be
taken in the park can also be picked up and used for
handicrafts.

MS. CELLARIUS: Essentially, yes. And
the same people who could harvest those animals could
pick up the parts and use them for the handicrafts.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: So thank you, Barb. In
terms of the timing, even though I know you've been at
this for a long time, it looks like you're still --
still have a ways to go in terms of the process that
there will be a draft rule. And then after a while
then a final rule.

MS. CELLARIUS: So yeah. This would go
through the regular Federal regulation process. So a
draft rule would be published in the Federal Register.
There would be -- it's typically I think about a 60-day
public comment period. But that sometimes varies. I
know that we did 90 days on the wildlife regulation.
And then there's -- it takes some time
to analyze the public comment. To consider whether you
might make changes based on the public comment. Then a
We have had this draft and are working on refining it. So I think we're making progress on getting a draft rule that would be published in the Federal Register. But I don't know the exact timeframe. We would certainly make sure that -- you know, I send Donald emails periodically. And say Donald, to send this to the RAC, please. And we'll certainly let you know when that happens.

But if -- before we get to that point, if you have any comments -- I'm sure Bud will look at the transcript for this meeting. And if you have any specific comments that I can share with the folks who are working on this, we're very interested in getting your comments, if you have them.

CHAIRMAN LOHSE: And Barbara, can I ask one question. If I understand this correctly, it's things have to be converted to a handicraft to sell them. They can't be sold as raw materials.

MS. CELLARIUS: That was what we discussed in the environmental assessment. And that's sort of been one of the side boards all along. Is that we're not selling the raw materials. It would be -- if you want to sell it, it would be as a handicraft. And that's the definition of handicraft is important.

CHAIRMAN LOHSE: Mary Ann.

MS. MILLS: I know a lot of people in the rural areas also collect their medicine plants. So -- and it says here to collect plant materials. So would this also include medicine plants. Or would they have to make like extract out of them. Or.....

MS. CELLARIUS: So ANILCA already authorizes the collection of plant materials for subsistence uses, which would include -- essentially would include the medicine plant for personal or family use.

Really what is -- the additional thing that's being authorized is the sale of handicrafts that are made out of plant material. So on the plant material side, really the thing that is new is that you could make a birch bark basket and sell it. Make a spoon and sell it.
MS. CELLARIUS: So what you're talking about is actually already authorized. It doesn't need to be a change.

CHAIRMAN LOHSE: Unless you're selling it.

MS. CELLARIUS: Unless you're selling it. Yes.

MS. MILLS: What about barter or trade?

CHAIRMAN LOHSE: That's the same thing.

MS. MILLS: Selling or.....

MS. CELLARIUS: No. I mean barter is -- it's something that's already allowed for in ANILCA.

CHAIRMAN LOHSE: But then when we did that on the salmon, barter included exchanging it for cash, which in my way of thinking is selling it.

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(Laughter)

MS. CELLARIUS: So we could get into a philosophical discussion about the definition of customary trade and whether using cash as an item in your barter exchange is a sale. But ANILCA differentiates between barter, which would be -- which would not involve cash and customary trade, which would be a small scale exchange of subsistence harvested resources for cash.

CHAIRMAN LOHSE: Okay. And this is sale. And it's the nonsubsistence. I mean your handicrafts here can be sold to nonsubsistence users.

MS. CELLARIUS: I don't believe that we have discussed who the sale -- who would be sold to. You know, there's currently an authorization for handicrafts sales if you're making something out of the nonedible byproducts of fish or wildlife that are
harvested for subsistence. So if you've shot a moose
and you have antlers and you want to do something with
those antlers, that's already legal.

But this would be a handicraft that you
made out of something that you had found, rather than
something you'd harvested.

CHAIRMAN LOHSE: On a National Park.

MS. CELLARIUS: On National Park lands.

CHAIRMAN LOHSE: Mary Ann.

MS. MILLS: But you have to be from
that area to collect it. Or you have to be a qualified
subsistence user.

MS. CELLARIUS: For what is discussed
in this regulation and as we described it in the
environmental assessment, if you had a customary and
traditional use determination for a certain species in
a given area for wildlife, you would be able to pick up
-- to collect the parts of that animal. And we
basically envision that the authorization for plant
materials for the sales -- to make handicrafts for sale
would follow that.

There are some other regulations that
apply to plant materials that might be relevant to your
question. But maybe you and I should look at the reg
book together if you want some more detail on that.

CHAIRMAN LOHSE: Thank you, Barbara.

Greg.

MR. ENCELEWSKI: I've just got one
comment, Barbara. It's not a big deal. But wild,
renewable byproducts of wildlife -- I like number
three. It says occurs through natural mortality. And
so everything occurs through natural mortality, so I'm
okay. So I can go pick up whatever. So thank you.

CHAIRMAN LOHSE: Yes. But you don't
live in a resident zoned community.

MR. ENCELEWSKI: Okay. I'm going to
get a note.
MS. CELLARIUS: Thanks, Greg.

MR. ENCELEWSKI: You're welcome.

CHAIRMAN LOHSE: Thank you, Barbara. I think that's one thing that we have to remember. What they're talking about right here is National Park Service land and people who have C&T on National Park Service land, which either through 1334 or resident zoned community or something on that order.

Thank you.

Okay. With that, we're going to go on to the review of the Fishing Resource Management Plan's strategic plan. Resource monitoring proposals strategic plan.

Donald.

MR. MIKE: Thank you, Mr. Chair. At the last Southcentral RAC meeting, the Council discussed the strategic plan for -- there's already one existing for Prince William Sound and for the Kenai. And the Cook Inlet Region there is still in the works, I believe. And Mr. Ardizzone will give an update to the Council as far as where we're at with the process.

CHAIRMAN LOHSE: Okay. Thank you.

MR. ARDIZZONE: Mr. Chair, I think at your last meeting it was brought up that the Council would like a reevaluation of a strategic plan for Kenai -- or what there is of a plan. And concerns were brought back to the office. And they already -- Mr. Peltola has committed to money and Staff to do a review of the FRMP in its entirety.

And it's going to take a while, so don't -- it's not going to be an immediate thing. But the plan is to review the whole program to see where we can make efficiencies and maybe, you know, reallocate money if we need to.

But that's an ongoing process. It hasn't begun yet because we were waiting on funding for this year to know how much money we have. But that will be started probably this summer.

We do have a director's fellow coming
in. It's a student. And that person's going to help
us compile files and do some background work for this
process. And that individual should be here this
summer for like 11 weeks.
So I just wanted to give you an update
where we're at.

CHAIRMAN LOHSE: So basically we're
just starting the review process on it.

MR. ARDIZZONE: Yes, sir.

CHAIRMAN LOHSE: Okay. Any other
questions for him.

MS. CAMINER: Mr. Chair.

CHAIRMAN LOHSE: Judy.

MR. ARDIZZONE: They just reminded me.
They just wanted me to mention that currently there is
a call for Fisheries Resource Monitoring Program
investigation plans or proposals I guess is what they
call them.

CHAIRMAN LOHSE: Uh-huh.

MR. ARDIZZONE: And that call's out --
I think it closes April 1st.

MS. LAVINE: March 11th. And I'll be
presenting that under new business.

MR. ARDIZZONE: Okay. March 11th.
That will come later. But I didn't see it on the
schedule, so I thought I'd better mention it.

But -- okay.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Thanks, Chuck. And so
yeah, just an update. I know from our last meeting we
had a couple of items to put in our annual report.
That would be one that you covered -- that we'd like to
see a review of the allocations among regions. And the
other one was we made several suggestions for the
program.
So I hope that the intern or others will review some of our transcripts from our last meeting where we had some really good suggestions, I think. Especially about getting partners and involving youth.

MR. ARDIZZONE: I'll make sure to bring that to the forefront. But I will say that our -- we do have a new Fisheries Division chief. And that -- his name is Stewart Cogswell. And he is very proactive. And he would like to increase capacity and, you know, get more people involved and get more partners. So, you know, if we can -- if we have the funding -- you know, everything depends on funding. But he's very proactive in that kind of thing. So.....

CHAIRMAN LOHSE: Thank you, Chuck. Any questions, comments.

(No comments)

CHAIRMAN LOHSE: Greg. Did you have something.

MR. ENCELEWSKI: No. Through the Chair. I was just going to comment on the program. Because I know the Council is applying for some monitoring programs for steelhead and trouts and stuff. So you'll see that by the deadline.

MR. ARDIZZONE: Okay. Thank you.

MR. ENCELEWSKI: Thank you.

CHAIRMAN LOHSE: Thank you. And thank you, Chuck. Are you going to give us anything on special actions. Or.....

MR. ARDIZZONE: I am on for number two.

CHAIRMAN LOHSE: You're on number two.

MR. ARDIZZONE: Yeah.

CHAIRMAN LOHSE: On the pipeline corridor restructure.

MR. ARDIZZONE: Yes.

CHAIRMAN LOHSE: Who's on number one.
Anybody.

Donald.

MR. MIKE: Mr. Chair, I reminded you that the Forest Service will do an update on special actions. But that will be under their agency reports.

CHAIRMAN LOHSE: Thank you. I remember you reminding me now.

(Laughter)

CHAIRMAN LOHSE: I need reminding that I've been reminded.

(Laughter)

CHAIRMAN LOHSE: Okay. Chuck, we'll then let you go for number two.

MR. ARDIZZONE: So Mr. Chair, also at your last meeting we had a discussion about the pipeline corridor. We have restrictions and Federal regulation in Unit 13 remainder, that say you may not hunt within the pipeline right-of-way. And there's a discussion about removing that.

So what I did -- I took the liberty of typing up special action or a proposal that if the Council would like to submit, I do have one ready to go. And, you know, it doesn't have to be done at this minute because, you know, there is a call for proposals later on the agenda. But I just wanted to let you know that I heard what you said. Typed something up for you so that we have something available if the Council wants to do that.

CHAIRMAN LOHSE: And this would come up at our next wildlife meeting. And this is -- or is this for a special action.

MR. ARDIZZONE: Mr. Chair, it could be used for both. It could be submitted as a special action for this coming season. And then it could also be submitted as a proposal that would come before you at your next meeting.

CHAIRMAN LOHSE: Okay. Just as a review, this is because at the present time State
sporthunters can hunt on the pipeline corridor, but
subsistence hunters cannot hunt on the pipeline
corridor. And this is a request that we open it -- the
pipeline corridor to subsistence hunters also.

       Judy.

       MS. CAMINER: I was just wondering when
you have a chance if we can get copies or -- so that we
can have a look at it before we do a discussion.

       MR. CARPENTER: Well, we should submit
that now.

       CHAIRMAN LOHSE: Yeah. I think we can.
Well, possibly.

       Chuck, could you read it to us, please.

       MR. ARDIZZONE: Sure, Mr. Chair. So
basically the language that we would remove in Unit 13
remainder says you may not hunt with the Trans-Alaska
Oil Pipeline right-of-way. The right-of-way is the
area occupied by the pipeline buried or above ground
and the cleared area 25 feet of either side of the
pipeline.

       So all I did was strike that language.
And based on what I heard at the last meeting, the
justification I wrote was this regulation should be
changed as it is an undue burden on Federally-qualified
subsistence users. The closure is not related to any
conservation concerns for caribou in the area.
Additionally, this restriction is not found in any
other area and is not required under State hunting
regulations in the same area.

       CHAIRMAN LOHSE: Motion to submit that
as special action and then discussion.

       MR. CARPENTER: Yeah, Mr. Chairman.
I'm not sure what the formalities is. If I need to --
somebody needs to read that onto the record. But if
what Chuck read into the record there, I would move
that this Council forward this for special action for
the upcoming season to the Federal Subsistence Board.

       CHAIRMAN LOHSE: And do you wish to
submit it as a proposal for future.
MR. CARPENTER:  And we could also submit it in the regular cycle of things as a -- you know, a stand alone proposal, too. Yes.

CHAIRMAN LOHSE:  Do I hear a second.

MR. ENCELEWSKI: Second.

CHAIRMAN LOHSE:  Then it's moved and seconded. Now discussion on it.

MR. CARPENTER:  Well, Mr. Chairman. I'll speak to it. I mean it seems pretty evident that there's a little bit of a burden that's been put on subsistence users and not State sporthunters. And so if there's really no concern from the State that hasn't been portrayed to the State by the pipeline service companies and the people that are concerned about pipeline safety, then I don't see that the few additional subsistence users is going to pose any greater threat.

So I think it's just making the regulations easier to understand.

CHAIRMAN LOHSE:  Any other comments.

(No comments)

CHAIRMAN LOHSE:  Personally, I think Chuck did a real good job of a justification right there. He pretty well answered all of those questions. I'll make a personal comment on it.

There actually probably are more subsistence users hunting that area than there are State hunters. But at the same time, I know for a fact it's pretty easy not to realize that all of a sudden because you're hunting under your subsistence permit, you're excluded from an area that you thought was legal because you were hunting it under your State permit.

And the ambiguity of one group being able to hunt it and one group not does cause a potential for unintended violations. You know, unintended violations I guess is a good way of putting it.

And that unintended violations would be...
on the subsistence user. And I think we should do
everything we can to eliminate that possibility,
especially if it turns out to be me.

(Laughter)

CHAIRMAN LOHSE:  Judy.

MS. CAMINER:  Are there any
conservation reasons that we would need to be aware of.

MR. ARDIZZONE:  Through the Chair.

CHAIRMAN LOHSE:  Chuck.

MR. ARDIZZONE:  Excuse me. I'm not
aware of any conservation concerns for hunting on the
Nelchina herd there are but that's why we have permits,
you know, to be able to close the season and stuff if
we hit a certain number of procured and harvested.

CHAIRMAN LOHSE:  Yeah.

MR. CARPENTER:  Question.

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

IN UNISON:  Aye.

CHAIRMAN LOHSE:  All opposed signify by
saying nay.

(No opposing votes)

CHAIRMAN LOHSE:  Motion carries. Thank
you, Chuck.

Okay. With that, we are -- now have a
partners presentation by the Native Village of Eyak.

MR. PICHE:  Hi. My name is Matt Piche.
I am the partners fish biologist and natural resources
coordinator for the Native Village of Eyak in Cordova.

I've prepared a brief presentation on
NVE's previous and current research funded by the FRMP
and Partners Program. I would also like to discuss
some future research gaps -- or some current research
gaps in our region of Southcentral Alaska the NV is
hoping to fill in the near future.

And at the fall meeting I presented the
preliminary 2014 Copper River chinook salmon escapement
estimates. And at the end of this presentation I will
present the final chinook salmon escapement estimates.

And also before I get into the
presentation, I'd just like to thank the RAC Council
for allowing me to present over the phone at the fall
meeting. I was getting the next day. And my wife
thanks you as well. So thank you.

(Laughter)

So listed here are the FRMP and PFMP
funded projects the NVE has either conducted or
assisted with. And the top two are projects that are
currently still being conducted. And I'll talk about
those a little bit more on the next few slides.

But some of the highlights of the
projects that we've completed include some of the first
telemetry studies on sockeye salmon migration through
the Copper River system to their natal spawning
grounds. And NVE partnered with ADF&G to assist and
share gear on similar studies on Copper River
steelhead, chinook salmon, and coho salmon.

These projects provided us with the
first data on distribution of salmon throughout the
watershed. And later genetic studies actually
identified that many of these stocks are genetically
distinct both within and among the Copper River
drainages, which has led to pursue options for long
term monitoring of individual stocks in the watershed.
Which we are looking into now with our RFID projects.

Another highlight is that NVE conducted
an independent validation of the Miles Lake sockeye
salmon sonar counts. This showed that sonar is an
effective tool for estimating sockeye salmon escapement
into the Copper River on a systemwide level. However,
the sonar currently is ineffective in distinguishing
between sockeye and chinook salmon given the current
technology. And NVE's mark recapture project is a
necessity on the Copper River to determine chinook
salmon escapement.
So now I'll talk about our current FRMP and PFMP funded projects. Our longest running program is the Copper River chinook salmon escapement monitoring program, otherwise known as CEM. This began with a two year feasibility study in 2001. And since 2003 it's provided accurate and defensible in river chinook salmon escapement past the commercial fisheries. Which since 2003 has been used by ADF&G to determine if the annual systemwide sustainable escapement goal -- or SEG -- has been met. This project has been forward funded through 2017 by the FRMP program.

And just to give you a brief explanation of what you're looking at here in the top right corner, that's our research style fish wheel. It has three large aluminum framed baskets and has two large live tanks that retain the chinook salmon. And they actually have excluder panels attached to them, which have been designed to allow the sockeye salmon -- at least up to 90 percent of the sockeye salmon that are captured by the fish wheel to escape. Yet it retains the chinook salmon. So this minimizes crowding situations and it reduces stress on any incidental by catch.

And you can see in the foreground of the middle photo that some of our tagging supplies -- essentially what we're doing is we're capturing these chinook salmon and we're tagging them all with a passive radio tag, otherwise known as an RFID tag. And this RFID tag contains a unique chip with a unique code, so every single fish that we tag can be uniquely identified. And it can happen quite rapidly -- within a matter of seconds. So this reduces our fish handling time at our recapture site, which is up river, just below Wood Canyon.

And all of our fish -- they receive that primary tag. And they also receive a secondary tag or a secondary mark, which you can see on the left photo. By hole punch in the operculum. This way all of our fish -- all the fish that we recapture with our fish wheels at the Wood Canyon site can be identified even if they have had the primary tag loss. If for some reason something rips out that yellow radio tag, they can still be identified by the hole punch in the operculum.

And the bottom photo on the right shows
that's releasing a tagged fish back into the river. So our other current FRMP and PFMP funded project is the feasibility of streambed RFID readers for long term salmon population monitoring on the Copper River. This began in 2012 and is still current. It's a multi-year feasibility study on the suitability of streambed RFID readers. So essentially the project is using those passive radio frequency tags that are already in use by the CM program that I talked about on the last slide. But we're able to expand our data set to include arrival timing of Gulkana stock Copper River chinook salmon by placing an array -- which you can see in the middle photo -- along the streambed of the Gulkana River.

So all the fish that we're tagging at the lower Copper River in Baird Canyon -- any of them that are bound for the Gulkana River that cross over that array are going to be logged and recorded. This is a great way to collect more data without having to actually handle any of the fish and totally reduces the amount of stress related to that type of study.

So some of the data we're getting for this includes arrival timing of the Gulkana stock, Copper River chinook salmon at the array site. And even more importantly it includes the arrival timing of the Gulkana River stock fish in the lower Copper River at Baird Canyon. So from this data we can begin to derive stock arrival time at the commercial fishing grounds for the Gulkana fish and we can discover how spread out the run is in the lower river for the Gulkana River fish.

The reason we chose the Gulkana River is because it's a nice, clear river. And it was an ideal spot for a feasibility study. But the idea is that we can expand this into some of the more turbid tributaries of the Copper River, where traditional methods for detecting fish aren't possible. You don't have to visually detect fish using this system. They'll automatically be detected, regardless of how much glacial sediment is suspended in the water column.

So the results that we've discovered from this project so far are in 2012 Gulkana fish passed through the lower river tagging site over a
period of 11 days. And in 2013 the Gulkana fish were
spread out over a period of 24 days. So we're seeing
some variability. And again this was only a
feasibility study, so the entire river width isn't
covered. So this just kind of gives an idea of the
data we can collect. And if we were to expand across
the entire river and into other tributaries, this data
set would become much more robust.

And just to give you an idea, average
time from the lower river tagging site to the
Gulkana River is roughly -- well, it's roughly a 234
kilometer or 146 mile journey against the Copper River
current. In 2012 fish did this -- the chinook salmon
did this in 53 days on average. And in 2013 they did
this in 44 days. And we're still collecting 2014 data.

So listed here are just a few of NVE's
research priorities. I'm not going to go into crazy
detail on all of them and we have many more priorities,
but these are just a few to introduce to the RAC
Council. And as Mark King mentioned this morning,
subsistence needs aren't being met by the State
subsistence fishery at the moment. So people are now
turning to the Federal salmon subsistence fishery. And
this can be seen in the permit and harvest data that's
been collected recently.

Ibek Creek is part of the Prince
William Sound Federal subsistence salmon fishery which
is open to all rural Prince William Sound residents.
And within this fishery, the majority of Prince William
Sound and Copper River delta fresh waters are open to
salmon harvest via dipnet or rod and reel, excluding
the Copper River itself.

Two major changes have recently
occurred in this fishery. The first change is that
coho salmon harvest levels and permits issued have
increased dramatically. And two, fishing was once
spread out among multiple rivers. But over the last
five years the majority of harvest has taken place on
Ibek Creek. And in fact in 2014, 92 percent of all the
fish harvested in this fishery came from Ibek.

So the increasing importance of this
fishery and its accessibility -- and by accessibility I
mean that it's our only subsistence fishery that
doesn't require a boat or a gillnet to participate.
All you need is a rod and a reel or a dipnet and a
truck to get out to the river.

So that justifies a more accurate means of monitoring. And current monitoring that takes place on the river includes aerial surveys, which, you know, research suggests that they're difficult to accurately count fish. And some reports have said that it only is recording 40 to 50 percent of the actual population in other areas of the state.

And then harvest information is recorded through statewide mail out surveys. And the statewide mail out surveys can be accurate with some of the larger fisheries, but when you're talking about a smaller stream - a smaller fishery like Ibek Creek, those statewide mail out surveys aren't very accurate.

So NVE's working hard to develop a coho salmon escapement and harvest monitoring program on Ibek Creek. By placing a weir up river of the highway crossing, we can obtain escapement past the sport, commercial, and subsistence fisheries. And by conducting a krill survey, we can obtain accurate information on user demographics, such as sport versus subsistence and how many fish are being caught and harvested or caught and released. These are just some of the things that we're looking into right now for developing this program.

And then another priority - to move onto the next -- the NVE is beginning to layout the framework for -- there's a shift from systemwide management of the Copper River salmon stocks to individual stock management. We're currently trying to just like I said, lay out the framework for this change to eventually occur.

And we're currently pursuing development of the passive radio frequency tags and streambed RFID readers to monitor individual stocks in the glacial rivers that are too turbid power and weir counts. And this combination of the tags and the RFID readers offers a vastly less expensive alternative for long term stock monitoring when compared to the active radio tag telemetry projects that occurred here from 1999 to 2004 on the Copper River by both NVE and ADF&G, but were ultimately stopped due to their high expense.
A lot has changed since we began our first feasibility study. We're assessing our current feasibility study statistics and we're working on proposals for a new feasibility study to deploy this technology into some of the other major spawning tributaries of the Copper River.

And then the last project that I'm going to talk about here is our halibut project. And we're trying to formulate this project based on migratory movements of the halibut in our local area on their feeding grounds. It's currently unknown for Eastern Prince William Sound waters. And by understanding the movement of these fish, we can discover if these fish are remaining in local waters to feed all summer long or if there's just a constant transient population in our local waters. Or if it's in fact a mix of the two.

And without understanding the movement of these fish, it becomes difficult to properly management a subsistence fishery for a sustainable harvest because each one of those scenarios could offer differing levels of sustainable harvest.

And then we're also looking -- they're not exactly fisheries related, but we're looking to establish a marine mammal stranding network partnership. And we're also looking to begin conducting some sea otter population assessments again in the Eastern Prince William Sound.

And finally here's the 2014 Copper River chinook salmon in river abundance value, calculated by NVE's FRMP and PFMP funded CEM program. For 2014 escapement was 24,158 fish. Now, this represents in river escapement or escapement past the commercial fisheries. This number does not include up river harvest.

The great thing about our research area and where our camps are located is they're essentially located in an area between the major fisheries. They're past the commercial fishery, but they're before any major in river fisheries. So essentially with this number you can extrapolate it to add in the commercial catch, which gives you a total run size. Or subtract the in river harvest, which gives you an up river escapement.
And in the packet that I gave you -- and I'll also hand some of these out in case some of you don't have your packet with you -- I've included some numbers. And these numbers show the historic escapement. It's been calculated by NVE since 2003. Remember 2001 and '02 were feasibility study years.

So since 2003, we've only been below the sustainable escapement goal, which is 24,000 fish or more for the Copper River. And we've only been below that three times. And if you look at the sheet that I'm passing around -- I'm not going to fully speculate what this year's actual up river escapement is going to be. ADF&G publishes that and they'll release that value. However, if you look at the ten-year average in river harvest, it's 7,584 fish.

If you look at the five-year average in river harvest, it's 4,800 fish. So if we're going by the ten-year average, that would put this year's up river escapement value at 16,574 fish. If we go by the five-year average in river harvest, it's going to put the escapement in 2014 at 19,358 fish, which are both drastically below the sustainable escapement goal set for the Copper River.

And I'd like to thank the RAC Council for supporting our research, as well as OSM. Without the FRMP project funding, this research would not have been possible. And OSM's Partners Program has allowed NVE to retain a permanent Staff biologist, which has helped NVE minimize turnover that's associated with temporary positions. And what this has really done for us is it's allowed our DENR to retain personnel who are experienced with the research needs of the local area.

And I look forward to continuing my partnership as a partner. And I will take any questions you may have at this time.

MR. CARPENTER: I'll just make one comment. You know, this has been what -- 12 or 13 years -- 14 years since we initiated this project with the Village. And we wouldn't have these numbers if they wouldn't have started this project. And I hope that we can continue to -- of all the projects that they do, this is the most important one.

And as you look at these potential in river harvests after -- our total in river escapement
after all the harvest is done, it's getting pretty bleak -- as it is other places around the state.

So thanks for your work. And hopefully we can keep finding the money to keep projects like this running.

MR. PICHE: You're welcome. And thank you.

CHAIRMAN LOHSE: Any other comments or questions for the Native Village of Eyak.

(No comments)

CHAIRMAN LOHSE: Thank you, Matt.

MR. PICHE: Thank you.

CHAIRMAN LOHSE: And thank you for the work that you do. Okay. We will now go on to new business.

Tom Evans, wildlife closure review.

MR. EVANS: Good afternoon, Mr. Chairman. Members of the Council. For the record, my name is Tom Evans. And I work as a wildlife biologist with the US Fish and Wildlife Service, Office of Subsistence Management.

I'm going to provide you with a brief summary of the wildlife closure process first, which can be found on page 17 of your RAC meeting book.

OSM reviews wildlife closures every three years to determine if the justification for the closure with the Federal Subsistence Board's closure policy. Section .815 of ANILCA allows the Federal Subsistence Board to restrict or close the taking of fish and wildlife by subsistence and nonsubsistence users on Federal public lands when necessary for the conservation of healthy populations of fish and wildlife or to continue subsistence uses of such populations.

Recognizing that the distribution and abundance of fish and wildlife populations can fluctuate along with subsistence use patterns, the Board decided in 2007 to conclude closure reviews every
three years or earlier if new information becomes
available that would potentially allow a closure to be
lifted.

Councils are asked to consider the OSM
preliminary recommendation, share their views on the
issue, and make a recommendation to the Board. Input
from the Councils is critical to the development of
regulatory proposals needed to address adjustments to
the regulations.

After the Council reviews the closure
review, they have three options, which should be in the
form of an action item. And the three options are to
maintain the status quo, modify the review or rescind
the proposal. If the Council recommends to modify or
rescind a closure review, then they should submit a
proposal, which would be a separate action item at this
time. Councils may choose to work with OSM Staff to
develop a proposal. However, proposals addressing
these issues are not -- can be submitted by other
individuals and organizations as well.

So that's a general overview of the
wildlife closure policies.

Anyone have any questions on that.

CHAIRMAN LOHSE: Any questions.

MR. EVANS: Judy.

CHAIRMAN LOHSE: Judy.

MS. CAMINER: Well, just to clarify, on
the very bottom of the page -- the deadline for
proposals.

MR. EVANS: Yes. I should have noted
that error. That was an error. The deadline for the
proposals this year is March 25th of 2015. And it's
for the 2016, 2018 regulatory cycle.

Thank you for bringing that up.

CHAIRMAN LOHSE: Thank you. Any other
questions, comments.

(No comments)
CHAIRMAN LOHSE: Are we going to go on to number two. Or number one.

MR. EVANS: So if -- I will just go on. And I will present a closure review that we have active right now for this region.

It's closure review WCR14-34, which can be found on page 18 of your RAC meeting book. The issue at hand is the hunting on Federal public lands in Unit 11 are closed to the hunting of caribou. This closure was last reviewed in 2011.

It was originally closed in 1993 due to low population counts and low recruitment of the Mentasta Caribou Herd in Unit 11. The Mentasta Caribou Herd is the primary caribou herd in Unit 11. The primary calving and summering areas are in the upper Copper River Basin and on the northern and western flanks of the Wrangell Mountains. During the autumn the Mentasta Herd typically migrates to northeast to a winter range near the U.S./Canada border.

Nelchina bulls have at times wintered within the range of the Mentasta Herd. Nelchina Herd has a wider range due to the effects of wildfires and the effective lichen availability within their attritional area, which is primarily Unit 13A, B, and E, though they overlap with 12 and 11.

Population has declined steadily from a high of 3,160 caribou in 1987 to 336 in 2010. From 1993 to 2005, the population has ranged from 970 to 261. And from 2008 to 2010, the range was 319 to 421.

The number of bull moose in the Mentasta Herd has declined from 847 in 1987 to 68 in 2009. During the same period -- caribou. This is all caribou. Sorry. During the same period, 1987 to 2009, the number of observed caribou has declined from 265 to 79. Low calf productivity and survival and predation of adult females and juveniles are some of the causes for these declines.

I've got a little bit of a summary of the harvest history. The Mentasta Caribou Herd management plan states that the annual fall harvest quota will be between 15 to 20 percent of the previous two-year mean calf recruitment, as long as this value is a minimum of 80 calves. The 2013 fall calf
recruitment was 23.

At populations below 2,000, the harvest will be limited to bulls only. And will be closed if the two-year mean bull cow ratio falls below 35 bulls per 100 cows. Fall bull counts are often misleading. In this case, due to the presence of the Nelchina bulls that mix with this herd sometimes.

Since 1998, there has been no State or Federal season and thus no reported harvest. The OSM's preliminary recommendation is to maintain the status quo for this closure review 14-34. And this is primarily due to current low population numbers and poor recruitment.

So -- thank you.

CHAIRMAN LOHSE: Comments. Questions.

Judy.

MS. CAMINER: Mr. Chair, again the very bottom of page 18, it says 2011 the Eastern Interior RAC recommended the closure be continued. I assume Southcentral did also. Do you have that.

MR. EVANS: I don't know that off the top of my head.

MS. CAMINER: Okay.

MR. EVANS: I assume so, too. It hasn't been open for a long time.

MS. CAMINER: Okay.

MR. EVANS: So I'm assuming that it would be the same recommendation.

MS. CAMINER: Okay. And then if I can ask another question, Mr. Chair. I'm confused. And I don't know whether this map is not show -- the map that we have in front of us is not showing Unit 12, but I mean there is some caribou hunting in that area. I mean we have the Chisana hunt and we have around Paxson, et cetera. But.....

CHAIRMAN LOHSE: Well, the Paxson is at 13.
MS. CAMINER: Okay.

CHAIRMAN LOHSE: The Paxson is all Unit 13. And the Chisana caribou hunt -- if I understand right is now in this area of Unit 12. But I'm not positive of that. But they're up -- they're up -- here's the White River. I think the White River's coming right up in here. But -- oh. Here's Chisana, see.

MS. CAMINER: Okay.

CHAIRMAN LOHSE: And this is Unit 12.
The caribou that we're talking about are the caribou that live right along -- right in here. Well, this is lower Tonsina. My fault. The caribou are living right along here.

MS. CAMINER: Okay.

CHAIRMAN LOHSE: So I'll give you a TEK, if you want on them from friends of mind that have been over where the Chisana caribou -- not the Chisana, but over where the Mentasta Caribou Herd lives. And they say they're starving. They say they saw caribou over there you could count the ribs on them.

But a lot of the caribou country has grown up in to brush and willows. And they just don't have the feed over there that they used to have. A lot of it's -- just like if you -- if you go down the road towards Valdez and you look up on the hillside there, that hillside used to be -- even in my lifetime, even in the short time I've been around you could see any moose or anything on the hillside there was because the brush was that low. And today the brush is all ten, twelve feet high.

So that's the same thing that's happening in this area. We have ecosystem changing. And unless something like a fire would happen or something like that, the odds are that the Mentasta Caribou Herd's just not going to come back.

But no. That's this over here.

MS. CAMINER: Okay.

CHAIRMAN LOHSE: And.....
MS. CAMINER: There's no 12.

CHAIRMAN LOHSE: And this is Unit 12 right up here.

MS. CAMINER: It's not marked. Yeah.

MS. CELLARIUS: Mr. Chair, I can provide a little more information about the Chisana hunt if there's an interest.

CHAIRMAN LOHSE: Yeah.

MS. CELLARIUS: So the hunt area for the Chisana Caribou Herd is south of the winter trail. So it's south of the Nozotan Mountains. Actually, it might not be the Nozotan's, but it's south of the winter trail. And east of the Nabesna River. So it's actually the eastern portion of Unit 12.

One of the concerns that was addressed -- sometimes the Unit 12 boundary is sort of halfway down the Nabesna Road. And in order to ensure that if there were caribou on the west side of Nabesna River, they not be harvested. That's where that boundary line was drawn.

CHAIRMAN LOHSE: Have you got any results from the Chisana Caribou Herd hunt this winter.

MS. CELLARIUS: I do. I could either go get my notes for our agency report or we can do it with the agency report.

CHAIRMAN LOHSE: We can do it when your agency comes up.

MS. CELLARIUS: We've got recent population data on the Chisana herd for you. There's some information about a moose survey that was done there. And it's not listed there, but we're also doing some sort of looking at what they're eating.

CHAIRMAN LOHSE: Okay. Thank you. Okay. So is this an action item at all.

MR. EVANS: Yes. So you would.....

CHAIRMAN LOHSE: You need an action from us to.....
MR. EVANS: So the action for you would be to either.....

CHAIRMAN LOHSE: Maintain the closure or not maintain.

MR. EVANS: .....maintain status quo, modify it or rescind it.

MR. CARPENTER: Mr. Chairman, I move we pass on to the Federal Board to maintain status quo on the closure of WCR14-34.

MR. MCLAUGHLIN: Second.

CHAIRMAN LOHSE: It's been moved and seconded that we pass the motion on to maintain the closure to the Board. To maintain the closure on the Mentasta Caribou Herd.

MS. CAMINER: Andy seconded.

CHAIRMAN LOHSE: Andy seconded. Right. Moved and seconded. Discussion.

MS. CAMINER: Well, Mr. Chair. It sounds like there's still a very severe conservation issue, so this makes sense.

CHAIRMAN LOHSE: Yeah. When the herd is basically at one-tenth of what it was in 1987. So.....

MR. CARPENTER: Question.

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

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries.

MR. EVANS: Okay. So no further action is required.
CHAIRMAN LOHSE: No further action is required.

MR. EVANS: Right. At this time.

CHAIRMAN LOHSE: Okay. Are you -- who
is going on to the call for Federal hunting and
trapping regulation proposals.

MR. EVANS: I will do that as well.

CHAIRMAN LOHSE: Okay.

MR. EVANS: So every two years
proposals are accepted to make changes to the
management regulations for the harvest of wildlife on
Federal public lands. These proposals can include
changes to the season dates, harvest limits, harvest
restrictions such as age and sex of animals harvested,
methods and means of harvest, and customary and
traditional use determinations. I will present a brief
summary of how to submit a wildlife regulatory
proposal, which can be found on page 27 of your Council
book.

The Federal Subsistence Board is
accepted proposals through March 25th, 2015 to change
the regulations for the subsistence harvest of wildlife
on Federal public lands for the 2016, 2018 regulatory
years. So that would go from July 1st, 2016 to June
30th, 2018.

No proposals will be accepted after
March 25th, 2015. The Board will consider proposals to
change Federal hunting and trapping seasons, harvest
limits, methods of harvest, and C&T determinations on
Federal public lands. The Federal public lands include
National Parks and Monuments and Preserves, National
Forests, National Wild and Scenic River, Bureau of Land
Management areas, and the National Wildlife Refuges.

Federal regulations do not apply to the
State of Alaska lands, private lands, military lands,
Native allotments or selected Federal lands by the
State or Native Corporations. Councils may choose to
work with the OSM Staff to develop a proposal. If the
Council would like to submit a proposal, then an action
has to be taken at this meeting and the motion
accepted. So a proposal from the Council, an action
has to be taken. Proposals from individuals can be
done outside this time. And other organizations as well.

Information to be included in the proposal is your name, organization, and contact information. The regulation you wish to change, including the management unit number and species. If you know the current regulation, put that into the proposal -- process proposal. The regulation as you would like to see it written. An explanation of why the regulatory change should be made. A description of the impact of the change on wildlife populations, as well as the impact of the change on subsistence uses. And finally a description of the effect on other users, such as sport or recreational uses.

Proposals can be submitted by mail or hand delivery to the Office of Subsistence Management. At the Federal Subsistence Regional -- they can also be submitted at the Federal Subsistence Regional Advisory Council meeting, which would be here today. Or they can be also submitted via the web through the Federal eRulemaking Portal. And I have it in -- I can give you the -- so that that address would be http://www.regulations.gov. And when you're there, you search for the following -- FWS-R7-SM-2014-0062-001. So we can provide that to you later if you didn't catch all that.

If you have any questions, you can call us at OSM. At their 1-800 number, 478-1456. You can email us at subsistence@fws.gov. Or you can go to our website. You can get information from our website at http.Alaska.fws.gov/ASM/index.cfm. For those folks that live within the National Parks and National Monuments managed by the National Park Service, this is the same regulations that I talked about before. Individuals may apply for individual customary and traditional use determinations within the National Park Service. So that's a little bit different for the National Park.

Okay. So that's it. Any questions.

CHAIRMAN LOHSE: Thank you, Tom. Any questions.

(No comments)

CHAIRMAN LOHSE: So till March 25th, as
individuals, you can submit the call for a proposal.
If we as a Council want a proposal, we have to have a
motion on the table and pass it as a Council. But any
individual -- any Council member can submit a proposal
as an individual.

MR. EVANS: As well as other
individuals or organ......

CHAIRMAN LOHSE: As well as other
individuals. Yes.

MR. EVANS: .....individuals or
organizations. So today you submitted -- basically you
had submitted one proposal earlier.

CHAIRMAN LOHSE: Right.

MR. EVANS: Yeah.

CHAIRMAN LOHSE: Questions.

(No comments)

CHAIRMAN LOHSE: Thank you, Tom. Okay.

Funding notification, Fisheries Resource Monitoring
Program.

Robbin. You're going to tell us we've
got $7 million.

(Laughter)

MS. LAVINE: Good afternoon, Mr. Chair.
Members of the Board. In your supplemental packet I
believe you will have a notice of funding opportunity.

OSM's fisheries monitoring program has
listed a call for proposals. And the call comes out
every two years and provides over $4 million worth of
funding per year to support research on subsistence-
related issues across the state, Mr. Chair.

The purpose of the FRMP is to merge
current science with traditional ecological knowledge
to fund projects that assist with subsistence
management or regulatory concerns. OSM will fund two
types of projects. The stock status and trends
projects or ST. Typical fish-related projects, such as
stock assessments, population estimates or escapement
goals. And harvest monitoring and traditional ecological knowledge, the HMTEK projects, anthropological or social science related projects, such as how regulations affect subsistence users.

All projects are funded through cooperative agreements. Notification is provided through a notice of funding availability, NOFA, and is posted on grants.gov in the OSM website. There is a copy of the news release in your supplemental packet that lists the website.

Additionally, over 500 postcards and emails were sent out to notify potential applicants of the open period. The current cycle opened in December of 2014 and closes on March 11th, 2015.

If you have any questions regarding the call for proposals, the OSM contact information is listed on the news release.

CHAIRMAN LOHSE: And Robbin, did I miss it. Did you tell us how much the funding is this year.


(Laughter)

CHAIRMAN LOHSE: Oh, we knew that.

(Laughter)

CHAIRMAN LOHSE: Any questions for Robbin.

(No comments)

CHAIRMAN LOHSE: And this is for this year's budget. So that would be for continuing programs and new programs, right.

MS. LAVINE: Indeed.

MR. ARDIZZONE: Mr. Chair.
MR. ARDIZZONE: The problem is we don't have our current budget numbers. So we don't know what is available for new projects.

CHAIRMAN LOHSE: Okay. So the answer is no.

MR. ARDIZZONE: No.

(Laughter)

CHAIRMAN LOHSE: Okay. Thank you. Any other questions. Is this an increase from last year or a decrease. Don't even know that.

MR. ARDIZZONE: No.

CHAIRMAN LOHSE: Okay. Thank you. Okay. With that, we go on to our charter revisions, Council coordinator.

Donald.

MR. MIKE: We reviewed and approved the 2014 annual report. And I just handed out a copy. If you want to.....

CHAIRMAN LOHSE: Oh. My fault. I'm sorry. I missed that. Okay. In front of us, we have a draft of our annual report.

MR. MIKE: That is correct, Mr. Chair.

At the last meeting in Kenai, the Council came up with nine annual report items to be submitted to the Federal Subsistence Board. And item number one is the intent of ANILCA. Number two is regional issues and resources. Three, allocation of fisheries. Four, National Marine Fisheries Council subsistence seat. Five, special actions. Six, Partners Program. Seven, indigenous rights. Eight, Federal subsistence management proposals. Nine, subsistence resources local observations.

And Mr. Chair, working with our Staff in OSM as far as intent of ANILCA, maybe we can ask one of the proponents from this Council to clarify what exactly we were looking for on this annual report item.
With that, Mr. Chair, it's up to the Council what they want to do with it. Clarification, add to it or make any additional changes.

Thank you.

CHAIRMAN LOHSE: Thank you. Comments from Council members.

Judy.

MS. CAMINER: Mr. Chair, I haven't had a chance to read this over. And Donald and I worked on this a little bit before, too. But in general there's a couple of instances where the letter says the Board should do something. And maybe we can just get a sense of the Council, whether we want to say things that way or we want to say we'd like the Board to consider or we recommend that the Board do something. So just kind of a tone thing.

CHAIRMAN LOHSE: Uh-huh.

MS. CAMINER: And then I probably have a few other specific comments, too.

CHAIRMAN LOHSE: Well, number one we say is encouraged to review. Number two we say a monitoring plan could be considered. That looks okay. Number three, we encourage the FSB, I'll just say. It's a lot easier. Federal Subsistence Board should encourage. And I think we should stick with should encourage on that one. Because we're asking him to put a subsistence person on the National Marine Fisheries Council. And I -- personally, I think we should encourage the Secretary of Commerce to do that. Not -- you know, I mean that should be a pretty positive one. The next one we request. So that's a polite way of saying it.

MS. CAMINER: Okay.

CHAIRMAN LOHSE: Okay. It's number -- the next one, the Partners Program should be expanded. We could say could be expanded there and that would put it in a less of a demanding way of putting it.

MR. ENCELEWSKI: We are pretty
demanding on that.

That's true.

MR. ENCELEWSKI: Yeah.

CHAIRMAN LOHSE: Do you think we should stick with should.

MR. ENCELEWSKI: I think we should stick with should, Mr. Chairman. I mean that one went through quite a bit of discussion and we really felt we should.

CHAIRMAN LOHSE: Okay.

MR. ENCELEWSKI: So thank you.

CHAIRMAN LOHSE: The next one we request. The next one we encourages. And the last one we say they can provide. Okay. So basically I guess it was the should one that we wanted to question. And I think that you're right on that one, Greg. We were pretty positive on that one.

MR. ENCELEWSKI: Uh-huh.

CHAIRMAN LOHSE: Judy, do you think that that kind of meets some of those questions you were bringing up.

MS. CAMINER: On some of them, yes. And.....

CHAIRMAN LOHSE: Okay. Which -- do you have another -- do you have one that you would like to specifically encourage us to look at.

(Laughter)

MS. CAMINER: Well, I guess, for example, if we just go back to number one here. The second sentence under number one, the intent of ANILCA should be reviewed. We could also say the Council would like to see the intent of ANILCA reviewed when food security issues are being affected.

CHAIRMAN LOHSE: That's legitimate. But what's the thought of the rest of the Council on
that one.

(No comments)

CHAIRMAN LOHSE: I didn't catch that one before.

MR. ENCELEWSKI: Yeah. It actually had a should in there.

CHAIRMAN LOHSE: Huh?

MR. ENCELEWSKI: This one actually had a should up above here.

CHAIRMAN LOHSE: Do you think it should stay should or would you change that.

MR. ENCELEWSKI: Yeah.

CHAIRMAN LOHSE: Mary Ann.

MS. MILLS: Uh-huh.

CHAIRMAN LOHSE: That was kind of yours. So.....

MS. MILLS: Uh-huh. I think should is appropriate.

CHAIRMAN LOHSE: Judy. Another one.

MS. CAMINER: Okay. If you'll just give some of the specifics, rather than just the shoulds as we go through it.

CHAIRMAN LOHSE: Okay. Uh-huh.

MS. CAMINER: So then the next paragraph, I really think it would be more -- perhaps more useful when we reference I believe it's Representative Udall's testimony on ANILCA. It would maybe be better to give a particular citation so that -- and Mary Ann, you -- since you brought that up, you may know exactly what you mean on that. It just would be more helpful to the Board. Otherwise I think you could just read it over and nothing happen. So.....
MS. MILLS: Yes. And I will look for it. It's in the Congressional record, his testimony. So it should be fairly easy to find.

MS. CAMINER: Okay. I think that would be really helpful.

CHAIRMAN LOHSE: Okay. So you'll help Donald find that one then.

MS. MILLS: Yes.

MS. CAMINER: Let's see. On the next page, I mean it sounds like the Board has already given an okay to look at the allocation of fisheries monitoring money. But I didn't know whether it would be -- and I guess I had a longer paragraph on the responsibilities of taking on Cook Inlet in South Central.

CHAIRMAN LOHSE: Uh-huh.

MS. CAMINER: So I think that's pretty well covered in this version. The North Pacific Fisheries Management Council seat. I wonder if we also want to mention the Governor. Because while we're asking that, there had been some discussion about the Governor being the one to appoint subsistence seats. And so, you know, while we would certainly like to have a voice and represent -- a representative of Federal subsistence users groups, I think it would be good to encourage the Board to have a dialogue not only with the secretary, but also with the Governor's office about this issue.

CHAIRMAN LOHSE: Yeah. That would be a good -- should encourage the Secretary of Commerce and the Governor of the State of Alaska -- to add the Governor to that one there.


CHAIRMAN LOHSE: To encourage a subsistence seat on the National Pacific Marine Council.

MS. CAMINER: Number five, under special actions. And again this is just maybe smaller words. But the second paragraph, I think maybe just to explain a little bit better why we feel -- I believe so
strongly about special actions and the need to
distribute them in a timely way, it is not only that
affected RAC members and Chairs want to be informed.
We want to be involved as well. So I thought maybe
adding the word involved and informed, you know, before
informed.

CHAIRMAN LOHSE: How does the rest of
the Council feel on that one. Sounds okay.

MR. ENCELEWSKI: Yeah. I like -- I
like the involved.

CHAIRMAN LOHSE: Involved is I think a
good one to stick in there.

MS. CAMINER: Okay. Again.....

CHAIRMAN LOHSE: That's why we have you
as the secretary, you know.

(Laughter)

MS. CAMINER: Under number seven, again
I'm not sure -- I was trying to look through the
record. And I'm just not sure it was the Secretary of
Interior who provided the testimony or whether it was
Representative Udall. So again the citation would be
really helpful to be clear. Number seven there,
in indigenous rights.

MS. MILLS: I believe that's also in
the Congressional record, where we could find it.

MS. CAMINER: Uh-huh. It would be.
Yes, it certainly would be.

And I don't know -- and I think we're
good to bring up the idea of those terms align or
aligning. But I think it's not only the Board, but
some of the materials that the Board is using or has
presented with. And so I thought our intent was more
that, you know, the Council encourages the Board and
Staff.

Actually, I think it should read,
Donald, the Council discourages the Board from using
the term aligning or aligned perhaps. We don't want to
encourage the words, right.
CHAIRMAN LOHSE: Uh-huh.

MS. CAMINER: So in the second paragraph under number eight, it should say discourages.

CHAIRMAN LOHSE: Discourages instead of encourages. Is that agreeable to everybody.

MR. ENCELEWSKI: Uh-huh.

MS. CAMINER: And I think we also talked about that rural -- I mean why do we want this. Because we believe rural users hear the wrong message by the use of those words. So that could be a justification as well.

And then I thought on number nine --

CHAIRMAN LOHSE: Well, aren't sport users recreational users?

MR. CARPENTER: Yeah.

MS. CAMINER: I'm sorry. Then maybe --

CHAIRMAN LOHSE: Yeah. That would be good.


Sorry. I got that backwards. So commercial.

And just a conversation we were having at break where we were talking about some local observations, it really reinforced this point we were trying to make that it would be great if somehow there was a way to document. Whether it's through our meetings or for someone to put some sort of database together based on -- you know, that there's ones at Eyak Lake. And that the snow pack is so low this year. I mean just those kind of climate change observations that taken all together start to paint a pretty discouraging picture. But something that probably really needed to be documented.
So I think we were trying to say that in this local observations comment here as well.

Other than that, we had said that we supported an All Council Meeting in 2000 -- well, we said '15. But it sounds like that may be happening in '16, which is great. And that the Council chairs get together before the Board meeting. It sounds like that may have happened already, too. So we probably -- we don't necessarily have to put that in or we could comment that those are still really good ideas.

CHAIRMAN LOHSE: What we could do is we could thank them for their support in allowing the Council chairs to have a get together and in planning a future All Council meeting. I mean we could thank them for their support in that.

MS. CAMINER: Sure.

CHAIRMAN LOHSE: Because I think that that's a -- I think that -- I think that's going to have some benefits myself.


CHAIRMAN LOHSE: And it's nice to not just always ask them for something.

MS. CAMINER: Yes, exactly.

CHAIRMAN LOHSE: But to thank them for something that they've already done.

Mary Ann.

MS. MILLS: Thank you, Mr. Chair. Also maybe I could get -- Tyonek did a report on the Cook Inlet. They did quite an extensive report. And maybe I could get that for some of the local observations. They might want to share. There might be other reports as well.

CHAIRMAN LOHSE: Yeah. I don't know if this -- I mean what we could do is request that they facilitate -- or I guess facilitate's not the right word. But that they help to facilitate some sort of informational gathering of observations made that the RACs -- so that the RACs have a place to put observations from -- that they've picked up from their
communities, from their people, and stuff like that.
So that we have a gathering place for that information.

Now, how to ask. I don't know. Again,
that's a funding thing. But, you know, if they would
-- if there would be some kind of a holding tank for
it. You know, up there in the cloud or something, you
know. That would -- where it's just like -- I mean to
me -- okay. I thought of a couple of observations that
were brought to me this winter.

Well, I can think of four observations
that were brought to me this winter in the Kenny Lake
region of changes that have taken place in the last 40
years, for example. The depth of the permafrost is
one. Forty years ago -- 50 years ago permafrost was at
about five to six feet. Permafrost is at 30 feet now,
you know.

All of the muskrat ponds that I ran
around with in '67 and trapped with Dean Wilson --
they're all dry grass fields because there's no
permafrost underneath them to hold the water in. All
of those are gone.

But what was being -- were bringing up
was the fact that that range of mountains down towards
Valdez is now -- has brush almost to timberline, where
it was -- you know, it was basically open country.

The observation that my friend made on
the Mentasta Caribou Herd when he was over there.
That, you know, the brush has grown up. They're
starving. You can count their ribs. You know, those
are kind of observations that if nothing else, if we
could just record them someplace, then somehow or
another somebody, sometime could look through them and
see the changes.

I was looking at a book called The
Trail last night -- night before last. And it was on
the trail from Valdez to Fairbanks back in 1898 to
1913. And it had lots of pictures. And I couldn't
believe it. All this country that's all trees and
forests. No wonder they could go everywhere. It was
all bare ground, you know.

And we talked to some of the old timers
in Cordova and they talk about hiking from Cordova to
Cotella and not having to fight their way through
alders. They just walked -- basically walked across
the grass to Cotella. Now it's -- now you'd have to be
climbing through alders the whole way.

Those kind of observations should be
somehow or another written down so people in the future
can look at them and see what kind of -- what kind of
changes have been taking place, you know. Or like it
was pointed out -- I mean are you getting a lot of fish
with white sores on them, like they're doing up on the
Yukon, you know. Are there different kinds of fish in
streams that weren't there 50 years ago or in your
lifetime or in the lifetime of your family or something
like that.

I mean those kind of observations -- if
we had a collection spot for them. And the RACs bring
a lot of that kind of information with them. If the
Board could facilitate some kind of information
gathering and storage on -- I'll just say -- I hate to
say TEK observations. But basically observations.

Judy.

MS. CAMINER: Well, a few thoughts come
to mind when you say that.

Chuck, Alaska Native Science Commission
way back was doing just this. Going around to
communities and collecting data and TEK. Perhaps a
phone call to them to see if they're still doing that
or if they're -- and then -- and if so, perhaps they
could come and talk to the All RAC Members meeting.
And maybe there can even be a small session during that
meeting for people to share their 40 years of
observations.

MR. ARDIZZONE: What was the name of
that again.

MS. CAMINER: The Alaska Native Science
Commission. Patricia. So that may be a start. And
surely there's other organizations doing that. Perhaps
the university. But she'd be a great one to start
with.

CHAIRMAN LOHSE: Then we wouldn't need
to have anything in our annual report on that though.
So.....
MS. CAMINER: Well, excuse me. You mean my last statement.

CHAIRMAN LOHSE: No. I mean how would -- what are you -- can you envision -- let's say put a unit -- the last thing is a thank you.

MS. CAMINER: Right.

CHAIRMAN LOHSE: But let's just say that we want to put one more, number ten. And that's on encouraging the Federal Subsistence Board somehow or another to facilitate or encourage the accumulation of this kind of information.

MS. CAMINER: I think we covered it under point nine.

CHAIRMAN LOHSE: You think we did.

MS. CAMINER: Number nine.

CHAIRMAN LOHSE: Okay.

MS. CAMINER: The Board with interagency effort can provide technical or scientific reports of events outlining these phenomena occurring on the resources.

CHAIRMAN LOHSE: Okay.

MS. CAMINER: It's a start anyhow. And it leaves them the flexibility to think of how they may want to carry it forward.

But certainly for our RAC and possibly for the other RACs there may be these other avenues, too.

CHAIRMAN LOHSE: Okay. Then a motion to accept our draft with the change..... Mary Ann.

MS. MILLS: I would like to make another comment. You know, it's -- I really like, you know, talking to other people who have been here for a long time and their observations. But also there has been a lot of data collected like -- well, with the -- for instance, what the Tyonek did for the Cook Inlet Marine Mammal Council was actually funded through NOAA.
But I don't know if we gather information from the other agencies that have funded these programs and if we have them housed in one area so they're accessible to everyone. Sometimes it seems like everybody has their own little domain. And the sharing of information -- even though it's there -- doesn't somehow get out.

Thank you, Mr. Chair.

MS. CAMINER: And that's what we're asking.

CHAIRMAN LOHSE: That's what we're asking in the nine. Okay. So we have some suggested changes that -- and most of them we ran by. Everybody have a consensus on -- and Mary Ann, you're going to help Donald on the two that.....

MS. MILLS: Yes.

CHAIRMAN LOHSE: .....the two that we've got.

MS. MILLS: Yes.

CHAIRMAN LOHSE: So a motion to accept the draft changes that we've suggested is in order, so we can send it on.

MR. ENCELEWSKI: I'll so move, Mr. Chairman.

CHAIRMAN LOHSE: Do I hear a second.

MS. MILLS: Second.

CHAIRMAN LOHSE: It's been moved and seconded to accept this draft as -- with the recommended changes. Any more discussion on it.

(No comments)

MR. ENCELEWSKI: Question.

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

IN UNISON: Aye.
CHAIRMAN LOHSE: All opposed signify by saying nay. Motion carries.

Okay. Now, Donald, we'll go to the charter revisions.

MR. MIKE: Thank you, Mr. Chair. If you recall our last meeting, Carl Johnson, the coordination division chief, addressed the Council in Kenai. Or it was the meeting previous when we first got started in reviewing the charter. And he provided some analysis and some options for the Councils to select as far as the charter.

And one of those items that the Council -- and Carl Johnson presented to the Council is membership and designation. And if you look at page 32, the Council supported additional language to include in a draft Council charter. And page 32, the addition that Council wish to see is -- I'll just read it on the record. That members will be appointed for two -- two members will be appointed for four year terms. If no successor is appointed on or prior to the expiration of a member's term, then the incumbent member may continue to serve until the new appointment is made or 120 days past the expiration of the term, whichever is sooner. A vacancy on the Council will be filled by an appointed alternate, if available, or in the same manner in which the original appointment was made. Members serve at the discretion of the secretary.

So that was the language that the Council supported at its last meeting to include in the charter during this review.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Council members, what do you think of that anymore.

(No comments)

CHAIRMAN LOHSE: That's what we supported. Do we still support it.

(No comments)

CHAIRMAN LOHSE: That would cover a little bit of the problem we have with vacancies. Does
anybody want to sign up for a four year term though.

MS. MILLS: That's a long time. Well, not to the young people, I guess.

CHAIRMAN LOHSE: Well, we could have a motion to support our original suggestion. And we can forward -- that's what we need, don't we, Donald. And this is an action item.

MR. MIKE: That's correct, Mr. Chair.

CHAIRMAN LOHSE: This is an action item. Let's have a motion on the floor and then we can discuss it. Do I have a motion to support the -- page 32, members will be appointed for a four year term. No successors appointed on or prior to the expiration of a member's term. Then the incumbent member may continue to serve until a new appointment is made or 120 days past the expiration of the term, whichever is sooner.

MR. CARPENTER: So moved.

MS. MILLS: Second.

CHAIRMAN LOHSE: Moved and seconded.

Discussion.

No comments)

CHAIRMAN LOHSE: No discussion. The question is called. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. We will then forward this for a charter change.

Now, Chuck, can you bring us up on the RFR. That's what your job is right now.

Judy.

MS. CAMINER: While Chuck's coming up,
I'll ask him to think of one more answer having to do with the charter. So let's say all the Councils support it and the Board supports this, when do you think it could actually be implemented.

MR. ARDIZZONE: The charter?

MS. CAMINER: Yeah.

MR. ARDIZZONE: Well, the charters have to go back to the secretaries for approval, I believe. So it would take a little bit of time. However, you know, this year we're in good shape. We have a lot more applicants than we've had in the past. So hopefully that will help. There's been a lot more outreach -- different avenues. So it seems to have helped.

MS. CAMINER: Good.

MR. ARDIZZONE: So update on RFR.

CHAIRMAN LOHSE: RFR.

MR. ARDIZZONE: So just to get the Council and everybody up to speed on where we are. So the Board took action on the proposal -- I believe it was 11, I think. It's the Kenai. To allow gillnets based on what was proposed. Not gillnets. I should say one gillnet by Ninilchik. With an operational plan that has to get approved.

There's been a lot of discussion, press -- bad press with inaccuracies in it. So we've received a lot of calls at the office about how to submit requests for reconsideration of the Board's decision. So currently I would say we have 40 to 50 what I would call comments, which are, you know, an email stating, you know, please reconsider your decision. We don't believe it was right. Well, that doesn't meet the bar of what an RFR is under regulation.

So if someone was submitting a true request, there's several things they need to demonstrate. I'll just read them so everybody's aware. So the Board will accept a request for reconsideration only if it's based on the following, which is information not previously considered by the Board; demonstrates that the existing information used by the
Board was inaccurate; or demonstrates that the Board's interpretation of information, applicable law or regulation is in error or contrary to existing law.

Additionally, if you're submitting RFR, you'd need to have a detailed statement of how it would adversely affect you -- the action would adversely affect you and a detailed statement of the facts of dispute, the issues raised by the request, and the specific references to any law, regulation, policy that the individual believes was violated, and your reasons for the allegation.

So to date, we have I think four that probably meet these bar of having information -- I'm not sure it'll meet the threshold analysis bar. But they seem to meet or at least answer these questions. Or try to answer these questions.

CHAIRMAN LOHSE: They address some of those questions.

MR. ARDIZZONE: Right. Like I said, I'm not sure if it would meet -- they would have merit to their allegations, but that's -- in a future date, that's -- there would be a threshold analysis to see if it would make the bar for a full analysis.

And I did get an answer on your earlier question on when the RACs weigh in. So basically what's been done in the past is we would consolidate. In this case we have so many, we'll consolidate everything. It would get distributed to the Regional Advisory Councils, the -- the requests. And then the threshold analysis is strictly Board action. You know, meets the threshold or it doesn't. And then if a request for reconsideration met the threshold, there would be a full analysis. And that would be the place that would come back to Regional Advisory Council for the recommendations.

Because we do get requests for reconsideration that don't meet the bar that's laid out in regulation. So.....

CHAIRMAN LOHSE: I'm going to ask you a question, Chuck. Then if they have a request for reconsideration and it meets the bar, then they take it up in a meeting, right.
MR. ARDIZZONE: Correct.

CHAIRMAN LOHSE: And at that point in
time both Council chair and the public can testify,
right.

MR. ARDIZZONE: I believe that's been
the case in the past. Yes.

CHAIRMAN LOHSE: Okay.

Judy.

MS. CAMINER: And can the RAC see let's
say particularly maybe these four that might -- may --
these four that you're mentioning. See copies of it.

MR. ARDIZZONE: I think eventually yes.
I think what we're trying to do is not -- we're trying
to get everything in one package. Because every day --
I mean I just checked my email. We had probably three
or four comments come in today. So yes. You can see I
just don't think it would be today.

MS. CAMINER: Okay.

MR. ARDIZZONE: Okay.

CHAIRMAN LOHSE: So timeline, we're
looking at the proposal has to be printed.

MR. ARDIZZONE: Yeah. The final rule
has to be printed.

CHAIRMAN LOHSE: Right.

MR. ARDIZZONE: And then once the final
rule is printed in the Federal Register.

CHAIRMAN LOHSE: Then they have 60
days.

MR. ARDIZZONE: Correct.

CHAIRMAN LOHSE: And then after those
60 days, then an analysis has to be made to see whether
it meets the threshold.

MR. ARDIZZONE: Correct.
CHAIRMAN LOHSE: And then at that point, sometime in the future a hearing or meeting or whatever you want to call it will be scheduled to consider or not to consider, depending on -- or will it come out.....  

MR. ARDIZZONE: Right. We'd probably have a work session. I would assume a work session to see if they meet the threshold or not.

CHAIRMAN LOHSE: Right.

MR. ARDIZZONE: And then if they did, a full blown analysis would be done. And then.....

CHAIRMAN LOHSE: Uh-huh. And then would it come up at a regularly scheduled board meeting. Or would it be a special meeting.

MR. ARDIZZONE: That's a good question. That would be up to the Board. I mean we don't have a strict timeline on RFSs when they need to be done. I mean we, you know, try and get them done as quickly as possible. But in this case, with a 60-day window threshold analysis -- we have a scheduled meeting -- or will have a scheduled meeting in January. So I'm not going to say we can meet that, but it -- it would be up to the Board.

CHAIRMAN LOHSE: Okay. But this being basically almost March, we're not going to have publication until March. More than likely. So 60 days after March puts it already to May.

MR. ARDIZZONE: Right.

CHAIRMAN LOHSE: And then they have to decide whether it's the threshold. And so there's a total possibility that this regulation will be in place for this coming fishing season, prior to considering an RFR.

MR. ARDIZZONE: Yes.

CHAIRMAN LOHSE: At which point in time possibly we might have a good enough show that they could see there's no problem. Hopefully.

MR. ENCELEWSKI: Well, I think there's a lot more to it, Mr. Chair.
CHAIRMAN LOHSE: I know.

(Laughter)

CHAIRMAN LOHSE: I'm giving you a lot of confidence, Greg.

MR. ENCELEWSKI: Well, yeah. Through the Chair. And through Chuck, you know, I think the whole thing's farcical. You've got 43 things. If you've got 43 things, show us. You know, if you've got four that met it, we should see it.

I don't think any of them meet it. I think you've got a bunch of sportsmen and you're going to have 500 things. I don't think any of them meet your criteria. That's my personal opinion.

But I've talked to so many people, including Senator Bachiki, that immediately went to the Senate and didn't even contact any of the proponents or the writers of the proposal. I mean it's so outlandish it just reeks. I've never seen anything like it in my life.

But anyway, you know, there will be legal challenge I guarantee you from within. And I think that you -- you know, you're going to go through your process and it's going to be very interesting.

But I think -- I don't think we're going to get there, Ralph. Because I think when people realize, you know, the outcome is -- it's real simple. You know, they're going to have to close other fisheries first.

MR. ARDIZZONE: Yeah. Mr. Chair, I was just going to say I didn't say the four that I -- have merit. I just said they seemed to meet this criteria.

CHAIRMAN LOHSE: No. They addressed -- they addressed it.

MR. ARDIZZONE: Right. Yeah. They didn't.....

CHAIRMAN LOHSE: They addressed it. They didn't answer it.

MR. ARDIZZONE: Right. Right.
CHAIRMAN LOHSE: They addressed it.

MR. ARDIZZONE: Right.

CHAIRMAN LOHSE: That's what I was trying to correct with you. Is at least they talked to the issues. They didn't just make comments.

MR. ARDIZZONE: Correct. That's what I was trying to say. Thank you, sir.

CHAIRMAN LOHSE: Yeah.

UNIDENTIFIED VOICE: It's like a tweet nowadays, holy smokes.

CHAIRMAN LOHSE: So anyhow, Mary Ann.

MS. MILLS: So will we be able to see the comments or the letters, or how does that process work.

MR. ARDIZZONE: Yes. We'll get those together. But like I said, it's just -- I mean we have new ones every day. And we have another 60 days to go. We thought we'd compile them and get them to you all at once, and that way you're not getting piecemealed.

CHAIRMAN LOHSE: Greg.

MR. ENCELEWSKI: Yeah. I've got a question through the Chair. My question and comment is why is not the OSM and the Federal subsistence -- you know, why are they not publicly coming out and, you know, correcting some of these mis-truths.

CHAIRMAN LOHSE: Right.

MR. ARDIZZONE: And it's just -- I
don't know. We have a -- you know, a person that works
in outreach and she said it's like chasing, you know,
something that you can't ever catch to try and correct
things.

CHAIRMAN LOHSE: Right.

MR. ARDIZZONE: I mean we did put out a
news release what happened. And that's the best we can
do.

CHAIRMAN LOHSE: Any other questions
for Chuck.

Andy.

MR. MCLAUGHLIN: Yeah. Through the
Chair. When this compilation finally gets grouped
together -- you have enough of them where you think
that's the mass of them -- can those go through Donald
and out to us, so we can see them.

MR. ARDIZZONE: Yes. Yes, they can.

Yep.

CHAIRMAN LOHSE: And Council members,
remember. It's not how many of them there are. It's
just like on C&T. It's not the abundance. It's the
merit.

MR. ARDIZZONE: I mean it's just like a
lot of other things where -- you know, people send all
these form letters and they don't -- you know, that's
just the same comment over and over. I mean that's
kind of what we're getting right now is lots of, you
know, request that you reconsider your decision.
That's all.

CHAIRMAN LOHSE: Yeah.

Andy, one more.

Of these like five criteria, you're talking about --
could you give us a hint as to which ones they're kind
of leaning towards falling under.

MR. ARDIZZONE: I think a lot of them
are trying to hang their hat on -- like what Mr. Lohse
said -- the rainbow trout and conservation concerns, I
believe. But.....
CHAIRMAN LOHSE: Well, thank you, Chuck. If there's no other comments, we've pretty well gotten to the point where we're going to go on to agency reports. And thank you muchly.

And I think at this point in time we have a meeting tonight from 7:00 to 9:00. And is that going to be held here.

MR. MIKE: Yes, Mr. Chair. It's a public meeting on rural. And the public's invited. And if the Council wishes to participate or listen, they are more than welcome to. But we'll be addressing this tomorrow also for action.

Thank you.

CHAIRMAN LOHSE: Oh. So am I -- okay. Am I under the impression then that this is not a Council meeting tonight. And that the Council is not required to come, but may come.

MR. MIKE: That is correct. This is a public meeting. And we had the flyers out, inviting the public to come and testify on rural determination. And it's not a requirement for the Council members to attend. But if you wish to listen to the public, you're more than welcome to attend.

Thank you.

CHAIRMAN LOHSE: Thank you, Donald. If -- I would imagine then if they're going to be using this meeting room for something else tonight, you're probably better off to take your stuff home with you. And bring it back tomorrow.

MS. CAMINER: 8:00 a.m.

CHAIRMAN LOHSE: And the meeting starts at 8:00 tomorrow morning -- or 8:30.

MR. ENCELEWSKI: How about 8:30.

MR. MIKE: 8:30.

MR. ENCELEWSKI: We're going to be done by noon, right. I've got to head out.

MR. MIKE: Unless you want to start at
8:00, we can start at 8:00.

CHAIRMAN LOHSE: I thought we'd start at 6:00 o'clock and be done by 9:30.

(Laughter)

MR. MIKE: Okay. We.....

CHAIRMAN LOHSE: Do you think we could get the agencies to be here to start testifying at 6:00 o'clock in the morning.

(Laughter)

MR. ENCELEWSKI: 8:30 tomorrow.

CHAIRMAN LOHSE: Okay. Okay. I have a Council member requested 8:30. What's the rest of the Council feel like. Huh. 8:30. 8:30. All in favor of 8:00 hold your hand up.

MR. ARDIZZONE: Six.

(Laughter)

CHAIRMAN LOHSE: All in favor of 8:30 hold your hand up. Okay. In that case, we have a consensus for 8:30 tomorrow.

(Off record)

(PROCEEDINGS TO BE CONTINUED)
CERTIFICATE

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

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THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 2nd day of March 2015.

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Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/18