

1 SOUTHCENTRAL FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

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7 VOLUME II

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9
10 Anchorage, Alaska
11 February 21, 2013
12 8:30 a.m.

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15
16 COUNCIL MEMBERS PRESENT:

- 17
18 Ralph Lohse, Chairman
19 Lee Adler
20 Doug Blossom
21 Judy Caminer
22 Tom Carpenter
23 Greg Encelewski
24 Robert Henrichs
25 Andrew McLaughlin
26 Mary Ann Mills
27 Herman Moonin
28 Michael Opheim
29 James Showalter
30 Gloria Stickwan
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34 Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

(Anchorage, Alaska - 2/21/2013)

(On record)

CHAIRMAN LOHSE: I'd like to call this meeting of Southcentral Regional Subsistence Advisory Council back into session.

And we have a time sensitive or time set aside this morning to -- for Ken Lord. I saw him here so I think we'll call him right up and tweak him for a little bit a while and then we'll go on with the rest of the meeting.

MR. LORD: Good morning.

CHAIRMAN LOHSE: Good morning, Ken.

MR. LORD: I guess I'm waiting for questions or.....

CHAIRMAN LOHSE: Okay.

MR. LORD:if somebody wants to sort of frame this for me that would be helpful.

CHAIRMAN LOHSE: Donald.

MR. MIKE: Thank you, Mr. Chair. I handed out a document that a motion was made yesterday and we're discussing it this morning and it's titled Southcentral RAC Motion, Delegation of Authority. So I made a handout and it's double spaced so just for your reference.

MR. CARPENTER: I'll ask the question.

CHAIRMAN LOHSE: Ken, I'll turn it over to Tom to ask the question.

MR. LORD: Okay.

MR. CARPENTER: Thank you. Mr. Lord, yeah, I guess I'll ask the question because I was the one that asked that you come and try and help us out a little bit. We were in a discussion of delegation of authority and a couple years ago we gave a delegation of authority to the Refuge manager on the Kenai in regards to

1 wildlife. And the Cordova biologist from the Forest
2 Service, he didn't put a proposal in, but he was kind of
3 looking to the RAC to see, you know, what our feeling was
4 in regards to him having one on the Chugach for similar
5 wildlife issues. So during the conversation or the
6 debate with the biologist the question came up the way
7 some of these delegation of authorities have been written
8 in the past is that the Federal manager, whoever has the
9 delegation of authority, it's written in there that they
10 consult with the RAC Chair, ADF&G, there's Native
11 consultation, there's -- and the question came up was
12 what if the RAC Chair says he doesn't agree with the
13 Federal manager. Is it basically just a consultation and
14 the Federal manager has the ultimate authority to do what
15 he or she feels is correct or does the RAC Chair saying
16 that no, he didn't agree with the position that the
17 biologist had, did it have a -- does it have any -- is
18 there any weight involved there, I guess?

19

20 MR. LORD: The consultation is not
21 binding on the decision maker, it's simply meant to be a
22 means of gathering information and making sure that the
23 manager has all the information he or she needs to make
24 the decision.

25

26 MR. CARPENTER: Okay. And so then the
27 follow-up to that would be so we were trying to create
28 some language that the RAC felt comfortable with because
29 I think what's happened is not necessarily in regards to
30 the Refuge manager, but there have been a couple of
31 instances where either consultation wasn't conducted and
32 I think that there are some members of the RAC that don't
33 feel comfortable necessarily with giving delegations of
34 authority. So is it legal or is it binding to where the
35 RAC could change the language from consultation to the
36 manager would consult and seek a consensus?

37

38 MR. LORD: Are you suggesting that if
39 consensus is not reached then the manager could not make
40 a decision or could not decide contrary to what that
41 consensus is? If you are then I don't think that would
42 be binding. The -- we do have a delegation that sounds
43 very similar to what you're talking about where there's
44 a delegation to the director of the Office of Subsistence
45 Management for wildlife matters -- matters and that
46 director has to seek concurrence with the Staff
47 Committee. But if the concurrence is not reached then
48 the matter automatically gets bumped up to the Board. So
49 if there's a mechanism in place -- there could be a
50 mechanism in place where if concurrence is not reached

1 between the groups of people that you're talking about
2 that it -- the decision could then be bumped to the
3 Board, that would be perfectly legal.

4

5 MR. CARPENTER: It is the reason that the
6 -- is the reason that it's not legal is because there's
7 -- there are more affected parties involved besides just
8 the manager and the RAC Chair, if it was just those two
9 individuals that had to concur, you know, the way the
10 language is written now you have State biologist, Native
11 consultation and is it because there's that -- the other
12 parties involved, what if it was a one on one situation
13 if the language was written that way?

14

15 MR. LORD: I think that that delegation
16 would be legal, but the reality is that if the manager
17 could not get concurrence from the RAC Chair a manager
18 can always -- even if the authority's been delegated a
19 manager can always bump a decision up to the Board if he
20 or she doesn't like what or doesn't feel that, you know,
21 the decision is something they want to make for whatever
22 reason or if concurrence isn't reached in the scenario
23 you're talking about then I suspect the decision would
24 just go to the Board.

25

26 MR. CARPENTER: Well, I think that's kind
27 of where the conversation led to at the end is that, you
28 know, I -- not speaking badly or about any poor decisions
29 that a manager would make, but I think some of the
30 members of the RAC though that if there was a one on one
31 consultation and if the RAC Chair did have some binding
32 authority there that the manager still have the option of
33 going to the Board and asking for a special action, but
34 at least there'd be some debate afterwards with the Board
35 and the RAC Chair as to why either the RAC Chair didn't
36 think it was appropriate at the time and, you know,
37 ultimately the Board's going to make that decision, but
38 it's not a unilateral move, the RAC is involved in the
39 whole process. And I think that's kind of where the
40 concern is.

41

42 And so I think -- I think maybe you've
43 answered the questions that, you know, we had yesterday
44 so I don't know if anyone else has any.

45

46 MR. LORD: Well, there's one point that
47 I would like to address. You just said that the RAC is
48 involved. We -- because of FACA concerns we can't have
49 a RAC meeting, there isn't time to have a publicly
50 noticed RAC meeting, it would be the RAC Chair who was

1 involved.

2

3 MR. CARPENTER: Right. I guess I implied
4 that with the RAC Chair representing us as a whole that,
5 you know, we -- we're basically still -- we're in the --
6 we have the dialogue still through the Chair.

7

8 CHAIRMAN LOHSE: Greg.

9

10 MR. ENCELEWSKI: Yeah, through the Chair.
11 Ken, I would like to kind of approach it a little
12 different here because I know what Tom said was good, but
13 I look at it a little different. And here's my concern.
14 And I think what I'm wanting to see is -- and I realize
15 that we're just advisory and it goes through the Chair
16 here and then the Board makes those decisions, but what
17 ultimately I would like to see when you give a delegation
18 of authority that authority you lose control, okay, so to
19 speak. They have the right to come back the way it's
20 written, but we're trying to figure out a way that -- you
21 know, if it's in-season and you give a delegation and
22 something goes bad, they make that decision you got no
23 recourse. I would rather see them go back to the full
24 Board or whatever. I'm very skeptical of delegating away
25 authority and I know there's opinions on both sides and
26 I know we can probably get opinions on both sides, but
27 what I'd like to see is there a way that we could -- if
28 you do give a delegation could you make it binding that
29 they have to have concurrence from the Chair or the Chair
30 delegee or a group of people.

31

32 Thank you.

33

34 MR. LORD: Well, as I said it -- I think
35 the way the Board would structure that scenario is that
36 if there is not concurrence then the decision would jump
37 up to the Board level rather than staying at the manager
38 level. And that seems to be something that would be
39 helpful.

40

41 CHAIRMAN LOHSE: Doug.

42

43 MR. BLOSSOM: Yeah, Mr. Chair, but the
44 way it reads now -- I'll go back a little bit. This RAC
45 voted to give that authority to the Refuge. And in doing
46 so we didn't intend to vote our right away to have our
47 Chairman be able to say no. And the way it reads now he
48 can say no and the Refuge manager can thumb his nose at
49 him. Nothing against the Refuge manager, but we didn't
50 vote to give our authority away, if -- and if that's what

1 we've done in this case we'd like it rectified because if
2 that's the way it's going to stay what do you need us
3 for, the manager will take over.

4
5 MR. LORD: Mr. Blossom, but in this case
6 there is -- it's not the RAC's authority that's
7 being.....

8
9 MR. BLOSSOM: Right.

10
11 MR. LORD:brought into the decision
12 making process, it's the -- you got consultation with the
13 RAC Chair. The.....

14
15 MR. BLOSSOM: Right.

16
17 MR. LORD: Yeah, and that's not -- that's
18 not the same authority as the entire RAC. The entire RAC
19 has that authority that the Board defers to in decision
20 making, but the RAC Chair does not and in this kind of
21 situation there is no opportunity for the entire RAC to
22 weigh in on the decision.

23
24 MR. BLOSSOM: Yeah, Mr. Chair. You're
25 misunderstanding me. I didn't say we should be involved.
26 When we voted this we voted that as our understanding was
27 our RAC Chair would have a final say in it. If he said
28 no it wouldn't happen. The way it's written and the way
29 you're telling us the RAC Chair could say no and they
30 don't have to pay any attention to it. So that's what
31 we'd like rectified.

32
33 MR. LORD: The -- there is no statutory
34 authority for the -- to the RAC Chair. So that will
35 always be the case, there is no way to fix that.

36
37 CHAIRMAN LOHSE: I've been thinking about
38 this all night, Ken, and I know I probably will get in
39 trouble with the rest of my Council on this, but the
40 thing is it is not the RAC that grants the authority to
41 the Refuge manager, the RAC gives advice to the Board,
42 the Board makes the decision and the Board gives their
43 authority to the Refuge manager. It's almost just a
44 courtesy to notify or consult with the RAC Chair because
45 there's no authority involved in it. And it would be
46 pretty hard -- and I'm speaking as a RAC Chair right
47 here, it would be pretty hard to, and that was what
48 brought up the whole thing, I didn't know whether if the
49 -- if the Refuge manager consults with me what happens if
50 I say no, that's what brought up the whole thing, because

1 I've never felt like it was a position to say no or yes,
2 it was more of a position of information. And if -- if
3 you take a look at it from that standpoint the RAC Chair
4 is neither elected or -- by the people, the outside
5 people, there is no authority in the RAC Chair other than
6 inside of the RAC. And I can see where you're coming
7 from that there's no way to give a veto authority to
8 somebody who has no authority.

9

10 MR. LORD: That's exactly right.

11

12 Thank you, Ralph.

13

14 CHAIRMAN LOHSE: Greg.

15

16 MR. ENCELEWSKI: Well, that's exactly why
17 I don't like to see a delegation of authority. I think
18 that even clarifies it even more that I wouldn't vote for
19 one. But I would like to make one statement that I offer
20 Ken that I kind of disagree a little bit with Ralph on
21 and that is that, you know, the RAC is here for a purpose
22 and if we're not here for a purpose to give, you know,
23 recommendations to the Board to act on, for the Board to
24 get that delegation of authority, then we don't need to
25 be here. And so I feel that's our position to make a
26 recommendation to that Board, they could give us
27 deference to -- at least give us some credence, otherwise
28 we could fold up and pack our bags and go home.

29

30 CHAIRMAN LOHSE: Oh, I agree with you 100
31 percent on that, Greg, and that's exactly what our
32 position is is to give recommendations to the Board, but
33 the Board makes the decision that has the authority
34 behind it, not us. So.....

35

36 MR. LORD: Right. And I.....

37

38 CHAIRMAN LOHSE:and they have
39 granted us deference in most cases, but I don't know what
40 you would do in a short-term thing and we can just -- we
41 have the authority to recommend to the Board that they
42 don't grant that kind of authority and then everything
43 has to go through special actions. And if we think that
44 that's more appropriate then that's the authority that we
45 have, we have the authority to make that recommendation
46 and the Board has the authority to override us, but that
47 is what we have for authority if I understand right.

48

49 Ken.

50

1 MR. LORD: That's right. But I think
2 again we're being a little sloppy with talking about the
3 RAC versus the RAC Chair, the RAC's authority. The RAC
4 has the authority, the RAC Chair does not as Ralph
5 pointed out.

6
7 CHAIRMAN LOHSE: Gloria.

8
9 MS. STICKWAN: So does the full Board
10 meet and make a decision or does the Chair make the
11 decision for the Board?

12
13 MR. LORD: Normally it's done by email.
14 The -- OSM will do an analysis of some abbreviated --
15 often an abbreviated version of an analysis because the
16 decision needs to be made quickly. That goes out to the
17 entire Board and then they vote by email.

18
19 CHAIRMAN LOHSE: That's how special
20 actions are handled?

21
22 MR. LORD: Yes. That's what I thought
23 Ms. Stickwan was asking about.....

24
25 CHAIRMAN LOHSE: Okay.

26
27 MR. LORD:or what the -- I thought
28 she was asking about. Is that -- is that correct?

29
30 CHAIRMAN LOHSE: Yeah, but, I mean --
31 yeah, if you delegate authority it does not have to go
32 through that process?

33
34 MR. LORD: That's correct. Then the area
35 manager, the person who's delegated the authority makes
36 the decision and is supposed to write up the reasoning
37 behind that decision in a way that we can put it into the
38 administrative record so we have a basis to defend the
39 decision if we need to.

40
41 CHAIRMAN LOHSE: Greg.

42
43 MR. ENCELEWSKI: I just have one other
44 question on the delegation. You know, when we delegated
45 authority on the Kenai we delegated it with the intent
46 that -- there was a conservation concern on some moose
47 and we wanted Andy to have some quick action and it
48 worked well, he was able to consult with us, it worked
49 well. But that kind of grew somehow in my opinion
50 because now it's an open end delegation and we thought it

1 was kind of a time thing for a one time. Can you put
2 that delegation to one specific season, one specific
3 event, I'm assuming we can.

4
5 MR. LORD: We can. We never have, but
6 certainly you could -- the Board could put a time limit
7 on any allocation.

8
9 CHAIRMAN LOHSE: Gloria.

10
11 MS. STICKWAN: So we can change our
12 delegation, whatever we wrote up, we can change that
13 then?

14
15 MR. LORD: Well, keep in mind as Ralph
16 said.....

17
18 MS. STICKWAN: We can change.....

19
20 MR. LORD:it -- it's the Board's
21 delegation to the area manager. So what you would do is
22 ask the Board to limit that delegation to a particular
23 year or particular season.

24
25 MS. STICKWAN: We can never take it back,
26 right, what we.....

27
28 MR. LORD: The Board can.

29
30 MS. STICKWAN: The Board.....

31
32 MR. LORD: It's the Board's decision
33 making authority that's being delegated.

34
35 CHAIRMAN LOHSE: Judy.

36
37 MS. CAMINER: Well, I just want to make
38 a comment because I feel like people are maybe thinking
39 okay, if the RAC Chair does not concur we haven't been
40 heard. I think the value in the manager calling RAC
41 Chair and I want to check with Ken if it's okay to add
42 and affected RAC members, that information is valuable,
43 it may not go our way, but it may influence a decision.
44 I think Andy gave an example of that yesterday that when
45 he was called he and Milo worked out something different
46 that maybe wouldn't have been thought of initially. So
47 I think even if the answer goes against what the RAC
48 Chair says it doesn't mean that the input was not
49 valuable and valued.

50

1 MR. LORD: Ms. Caminer, on your question
2 of affected RAC members that's not a problem, we can ask
3 the manager to consult with anyone who has relevant
4 information.

5
6 MS. CAMINER: Great.

7
8 So that's good.

9
10 Thank you.

11
12 CHAIRMAN LOHSE: Tom.

13
14 MR. CARPENTER: Just one final question
15 in regards to delegation. Has the Board ever given
16 delegation of authority without concurrence from the RAC
17 or a res.....

18
19 MR. LORD: The standard delegation of
20 authority requires consultation with the RAC Chair and
21 the State of Alaska.

22
23 MR. CARPENTER: No, I mean, I'm talking
24 about the original proposal where a delegation would be
25 asked for through a proposal. So if a Federal manager
26 came to us and said I would like this delegation of
27 authority for this reason, if the RAC doesn't pass on to
28 the Board that we feel positively that that is something
29 that should happen, have they ever given out delegation
30 of authority without concurrence from the RAC?

31
32 MR. LORD: I don't know. I can't -- I
33 don't -- I'm not aware of any time that's ever happened,
34 but it could have.

35
36 MR. CARPENTER: I was just curious if
37 that was one of the -- if that was one of the instances
38 where deference to the RAC would play -- to me it would
39 seem like it would play a significant part in the
40 decision making process of the Board members.

41
42 MR. LORD: One would think, yeah.

43
44 MR. CARPENTER: All right. Thanks.

45
46 CHAIRMAN LOHSE: Ken, have you got any
47 idea how many or how many designated authorities there
48 are, I mean, we know of a couple in our area, but are
49 they common in other areas?

50

1 MR. LORD: They are. In fact, there's --
2 there was a summary sheet put together a couple years ago
3 of all the delegations and it was a list probably -- I'll
4 say 20 per page and about four pages long. So they
5 are.....

6
7 CHAIRMAN LOHSE: Of delegated authority?

8
9 MR. LORD: Of delegated authorities.
10 They're very common and we have them all over the state.

11
12 CHAIRMAN LOHSE: Judy.

13
14 MS. CAMINER: Mr. Chair, I think I
15 remember that in the early days of the fisheries program
16 and delegation of authority started mostly with the
17 managers in Southeast Alaska and Forest Service and there
18 were many of them. Those may have started out as annual
19 ones and then after a while everybody just thought well,
20 we renew these annually so now it has no deadline.

21
22 MR. LORD: Mr. Chair, if I could point
23 out -- make one other point. My understanding in
24 telephone conversations yesterday was that the genesis of
25 this discussion was that fishing for kings on the Kenai
26 was closed by the Federal manager before it was closed by
27 the State of Alaska. And regardless of who the decision
28 maker is, the Board or the Federal manager, that's always
29 a possibility, that this program -- its first priority is
30 to conserve the resource. And so if the decision maker,
31 whoever that is, comes to believe that there is a concern
32 about the viability of the resource or a conservation
33 concern that decision maker has the responsibility to
34 close regardless of what the State does or doesn't do.
35 So if it's the Board, if it's the Federal manager, it --
36 there is always that chance that we could close even if
37 the State doesn't. It's not a comfortable position, but
38 it can happen.

39
40 CHAIRMAN LOHSE: Greg.

41
42 MR. ENCELEWSKI: I'd like to address
43 that, Ken, if I could. I understand that and that could
44 be a good thing, but in this particular case it was
45 closed for a conservation concern because of the users in
46 the subsistence which was no take so there was not a
47 conservation concern.

48
49 Thank you.
50

1 CHAIRMAN LOHSE: Any other questions for
2 Ken?
3
4 MR. LORD: I'll.....
5
6 CHAIRMAN LOHSE: Judy.
7
8 MR. LORD:I'll be here for a while
9 if any come up.
10
11 MS. CAMINER: Okay. Thanks. Process
12 question so maybe for you or maybe for OSM. If this RAC,
13 and we had planned to put it in our annual report, that
14 we would like the wording of the delegation regarding
15 Kenai Refuge Unit 15 changed. But is it better to have
16 that as a proposal or just have it as a letter to the
17 Board?
18
19 MR. LORD: I would suggest doing it as a
20 letter to the Board. It's not really proposal material,
21 but it is something the Board would have to -- you know,
22 there would have to be a document in front of the Board
23 so that they could consider what it is you're asking.
24 So.....
25
26 MS. CAMINER: Okay. Thanks.
27
28 CHAIRMAN LOHSE: Any other questions for
29 Ken?
30
31 (No comments)
32
33 CHAIRMAN LOHSE: Ken, thank you for
34 taking the time to come.
35
36 MR. LORD: My pleasure.
37
38 CHAIRMAN LOHSE: Okay. At this point in
39 time, Council, do we want to revisit this item or do we
40 want to go on with what we were doing and then come back
41 to this again when we discuss a little bit more on our
42 letter that we were -- our annual report letter.
43
44 MR. BLOSSOM: Mr. Chair.
45
46 CHAIRMAN LOHSE: Doug.
47
48 MR. BLOSSOM: Mr. Chair, I hate to put a
49 load on somebody, but Judy is so capable, if she could
50 come up with a rough draft and then we could look at it

1 maybe after lunch or something and -- oh, she's already
2 ahead of us see.

3

4 MS. CAMINER: Well.....

5

6 MR. BLOSSOM: So anyway I think that's
7 the way to go is have a rough draft to talk about.

8

9 CHAIRMAN LOHSE: Okay. Are we still
10 interested in putting the consensus idea in or are we
11 thinking of maybe having a time limit on delegation of
12 authority or what are some of the things that she might
13 want to work into her letter? Greg.

14

15 MR. ENCELEWSKI: Well, in light of
16 everything that's been brought before me in the
17 delegation of authority, I'm very reserved to give one or
18 to authorize it because actually we lose our intent
19 there. And I would rather see it go to the Board as a
20 special action. I think this delegation could end up in
21 something that's -- already appears to be out of hand.

22

23 CHAIRMAN LOHSE: Okay. Okay. With that
24 then we will proceed with where we were, turn back to our
25 agenda. We are on customary and traditional use
26 determination. We had a public testimony by Sky and who
27 is presenting this one?

28

29 MR. FRIED: Good morning, Mr. Chair and
30 members of the Council. My name is Steve Fried with the
31 Office of Subsistence Management. And I wanted to bring
32 to your attention -- I think you have in your notes the
33 -- there's a customary and traditional use determination
34 recommendation briefing, it comes from the Southeast
35 Alaska Subsistence Regional Council.

36

37 MR. MIKE: It's Page 32, Mr. Chair.

38

39 CHAIRMAN LOHSE: Thank you.

40

41 MR. FRIED: The Southeast Alaska
42 Subsistence Regional Council doesn't agree that the
43 current method of restricting access to fish and wildlife
44 resources through a customary and traditional use
45 determination process was what was intended in ANILCA.
46 And they recognize there's probably a number of possible
47 solutions, but they have a preferred solution and they --
48 what their solution would be would be to eliminate the
49 customary and traditional use determination regulations
50 and they cite the CFR regulations. And then they said

1 eliminate the C&T determination and allocate the
2 resources as directed in Section .804 of ANILCA.

3
4 So the current regulations that we use
5 for customary and traditional use determination have the
6 eight factors that you're all familiar with and these
7 were based on preexisting State regulations that were
8 adopted by the Federal program with some differences.
9 And essentially when the Federal program started I think
10 everybody thought that it was going to be temporary for
11 just a few years and the State would assume management
12 and obviously that hasn't happened.

13
14 The Southeast Council contends that the
15 primary purpose of customary and traditional use
16 determination by the State is to limit the subsistence
17 priority by adopting negative determinations for specific
18 fish and wildlife species in specific areas. And it was
19 -- and it's also used to establish non-subsistence use
20 areas where no species are eligible for subsistence use.
21 A positive C&T use determination in State regulations
22 recognizes subsistence use and provides residents with a
23 legal protection to engage in priority subsistence
24 activities.

25
26 Unlike the State process on which some
27 lands are excluded from subsistence use, most that are
28 public lands are available for subsistence use by rural
29 residents. There's a few exceptions, but not, you know,
30 very many. And the Federal program uses C&T use
31 determination to restrict which rural residents can
32 participate in subsistence. And if you go to the --
33 either the game -- the wildlife regulations or the
34 fisheries regulations there's a table and it goes through
35 it and says who has C&T for specific areas, specific
36 resources. And the abundance of fish and wildlife isn't
37 a factor in deciding, you know, who can participate, but
38 they can restrict, you know, residents in time of, you
39 know, low abundance and other resource conservation
40 issues.

41
42 The Southeast Council also contends that
43 the Federal customary and traditional use determination
44 process is actually a means of closing an area to some
45 rural residents, but there are no provisions for periodic
46 review of this action similar to the review policy on
47 other closures. And during the fall of 2007 a draft
48 policy on C&T use determinations was open for public
49 comment and the Federal Subsistence Board decided not to
50 take action on the policy in March of 2008.

1 And then as you all recall there was --
2 in 2009 the Secretary of Interior decided there'd be a
3 review of the Federal Subsistence Program and in the
4 report that came out of this they indicated that the
5 first relevant task was to review with Council input
6 Federal subsistence procedural and structural regulations
7 adopted from the State to ensure that the Federal
8 authorities were fully reflected and complied with Title
9 VIII of ANILCA. And if they found anything that didn't
10 then they were -- new regulations had to be promulgated.

11
12 The second task was to review customary
13 and traditional determination process to provide a clear,
14 fast and effective determination in accord with Title
15 VIII goals and provisions and any changes again would
16 require new regulations.

17
18 So in a letter to Mr. Towarak in
19 December, 2010 the Secretary requested that the Federal
20 Subsistence Board review with Council input the customary
21 and traditional use determination process and prevent the
22 recommendations for regulatory changes. The following
23 year in 2011 in an annual report the Southeast Council
24 suggested that the Board consider modifying current
25 regulations to be more representative of the way people
26 use subsistence resources.

27
28 And this Council suggested the following
29 specific regulatory change and they have that on the
30 second page and essentially what they would do is -- at
31 the end it says these determinations shall identify the
32 specific community or area's use of specific fish stocks
33 and wildlife populations. And they're suggesting that
34 specific fish stocks and wildlife populations be deleted
35 and the following language be substituted. So it would
36 read these determinations shall identify the specific
37 community's or area's use of all species of fish and
38 wildlife that have been traditionally used in their past
39 and present geographic areas.

40
41 And the -- in the reply to the Southeast
42 Council in the annual report the Board encouraged the
43 Southeast Council to develop recommendations in the
44 format of a proposal so they could be reviewed. And the
45 Office of Subsistence Management said that the staff
46 would help if the Council wished to pursue the matter
47 further. In March of 2012 there was a Board meeting in
48 Juneau and there was an update on the Secretarial review
49 and it stated that nine Councils felt that the customary
50 and traditional use determination process was adequate

1 and only the Southeast Council had comments for change to
2 the process.

3
4 So the Southeast Council formed a working
5 group to review the materials, provided a report on the
6 issue during the March, 2012 Southeast Council meeting
7 and they developed a recommendation for consideration by
8 the Southeast Council at their September, 2012 meeting.
9 And what they found -- this is the Council findings for
10 Southeast, that an eight factor framework for Federal
11 customary and traditional use determination analysis was
12 first adopted by Alaska Board of Fisheries and is not
13 found in ANILCA. So there's no eight factors if you look
14 in ANILCA, there's -- that's not specified in ANILCA.

15
16 Although there are clearly some instances
17 where it is appropriate to provide a preference to local
18 residents, for instance an early start to the moose
19 season in Yakutat was an example I gave, the Southeast
20 Council has a history of recommending customary and
21 traditional use determinations for a large geographic
22 area.

23
24 When necessary the Board can restrict who
25 can harvest the resource by applying ANILCA Section .804
26 criteria. And that -- these criteria are to a customary
27 and direct dependent upon populations as the mainstay of
28 livelihood, local residence and the availability of any
29 alternate resources. ANILCA Section .804 is a management
30 tool that allows seasons on Federal public lands and
31 waters to remain open to all rural residents until
32 there's a need to reduce the pool of eligible harvesters.
33 So replacing the Federal C&T use determination eight
34 factors with ANILCA Section .804's three criteria might
35 be a preferred method of restricting who can harvest the
36 resource instead of using C&T.

37
38 So in January, 2013 the Southeast Council
39 sent a letter to the Federal Regional Advisory Councils,
40 the other Councils, regarding deficiencies in the current
41 -- what they saw as deficiencies in the current C&T use
42 determination process. And the Southeast Council is
43 asking the other Councils to review during their fall,
44 2013 meetings whether this C&T process is serving the
45 needs of the residents of their region -- of their region
46 and to report their findings to the Southeast Council.
47 If it is the desire of the other Councils a proposal for
48 amending or eliminating current regulations could be
49 developed for consideration by all of the Councils.

50

1 So what the Council is asking the other
2 Councils to do is take a look at their suggestion of what
3 they think is needed to amend the C&T process and decide
4 whether or not they wanted to get on board with the
5 Southeast Council or if they feel the C&T process is fine
6 or if they have maybe some other suggestions.

7
8 So that's basically what it is in not
9 quite a nutshell, but hopefully that helps.

10
11 CHAIRMAN LOHSE: So the -- so that's the
12 -- that's the issue that's before us right now. Other
13 than that there is no current review being taken place on
14 the customary and traditional use determinations then?

15
16 MR. FRIED: Not that I'm aware of, no.

17
18 CHAIRMAN LOHSE: Because I was looking at
19 the draft policy on implementation of customary and the
20 Federal Subsistence Board on the next page and I was
21 wondering if that was an opening or that's their current
22 status, right?

23
24 MR. FRIED: That's correct.

25
26 CHAIRMAN LOHSE: Yeah. I just saw a
27 draft on it and I thought possibly they'd revised
28 something in it.

29
30 Comments, questions, Council. Gloria.

31
32 MS. STICKWAN: I have a question about
33 the .804 criteria, the way it's worded. Is there like a
34 priority, are all three considered at the same time,
35 Section .804, criteria, is one more prominent than the
36 other one or.....

37
38 MR. FRIED: I think really that the basis
39 of what the Southeast Council's proposing is that.....

40
41 MS. STICKWAN: I'm not asking what
42 Southeast proposed, I'm asking about Section .804
43 criteria. Is one more prominent than the other, is local
44 residency more important than the other or is customary
45 and direct dependence more important than the other.

46
47 MR. LORD: For the record, Ken Lord. Ms.
48 Stickwan, no, we do not have any mechanism where one is
49 considered to be more important than the other. It's all
50 very much dependent on the circumstances of the

1 situation. So it might be that if a particular community
2 is extremely dependent on the resource that might
3 outweigh some of the other -- the other two factors or,
4 you know, can think of any number of scenarios where one
5 factor might be more important than the other in a
6 particular circumstance.

7

8 CHAIRMAN LOHSE: Ken, has .804 been
9 applied any place at this point in time?

10

11 MS. STICKWAN: It's be applied on
12 Chisana.

13

14 MR. LORD: Yes.

15

16 MS. STICKWAN: We were given all kinds of
17 scenarios when we did the Chisana and caribou.

18

19 CHAIRMAN LOHSE: I wanted it on record.

20 So.....

21

22 MR. LORD: Yes, we haven't had many in
23 recent years, but we have -- we do do .804 analyses and
24 there have been decisions made on -- based on .804.

25

26 CHAIRMAN LOHSE: And how has it worked?

27

28 MR. LORD: I'm not aware of any problems
29 with -- that have cropped up after a decision has been
30 made.

31

32 MR. FRIED: I don't think I ever been
33 involved in an .804 so, but in fisheries, but the.....

34

35 MS. STICKWAN: We were involved in it in
36 the Mentasta Herd when it first came out, it was a
37 Section .804 because the eight villages had applied for
38 it and it left out all the other communities in the area.
39 They applied the Section .804 then, that was the first
40 one I believe that was done.

41

42 CHAIRMAN LOHSE: And did it -- did it
43 work?

44

45 MS. STICKWAN: They gave the eight
46 villages the eight crit -- they applied the Section .804
47 and it was applied only to the eight villages.

48

49 CHAIRMAN LOHSE: Judy.

50

1 MS. CAMINER: Mr. Chair. Maybe a little
2 bit of history and perspective. Yes, the criteria were
3 adopted from the State system, they've been used for
4 many, many, many years, there's hundreds of C&T
5 determinations. They're probably not perfect, we've had
6 several -- I mean, probably hundreds of proposals come
7 before the Board and the RACs to amend or adjust or
8 reduce C&T. It's not perfect, but -- and not always
9 pleasant, but in the end it seems to work okay.

10
11 The review that was done in 2006, '7, was
12 quite candidly because of very heavy pressure by the
13 State for the Federal program to change how C&T was done
14 for whatever purpose. And so in '08 the Federal program
15 kind of put the brakes on it and so we still have the
16 system pretty much that we're using now.

17
18 So the suggestion by Southeast to amend
19 those few words in the regulations, if those few words
20 were not in the regs it would have made Ninilchik's life
21 a lot easier several years ago because those seem to be
22 the catch phrases that some people looked at, but I guess
23 I personally wouldn't be in favor of eliminating the C&T
24 process because it's held up under court scrutiny quite
25 well and like Southeast I think this particular RAC has
26 tried to be inclusive when communities come before us on
27 C&T matters.

28
29 CHAIRMAN LOHSE: Tom.

30
31 MR. CARPENTER: Yeah. I tend to concur
32 with Judy. I think the -- I think the big problem with
33 the C&Ts in the Federal system is that when the system
34 first started the people that were involved, at least the
35 public that was pretty significantly involved with C&Ts,
36 were used to doing it on the State level where the eight
37 criteria are scrutinized very independent or they have to
38 be very specific to qualify for a C&T whereas under the
39 Federal system they look at it more in a holistic
40 fashion. And I think it just took a while for people to
41 get used to that idea. At least it did for myself, I
42 mean, I went through several C&T debates and findings on
43 the State level with salmon on the Copper River. And it
44 was -- you know, Dr. Fall has reports that are miles long
45 based on each step in the criteria and I think that's a
46 problem. I think the one thing that's interesting is
47 when you look at some of the comments that the Southeast
48 RAC made and some of the language that they'd like to
49 modify, I think it would be great to be able to use all
50 species of fish, for example, but I don't think you could

1 necessarily do that in every circumstance and I think
2 they said that. So I don't know -- I don't know how you
3 could pick and choose between which circumstance you
4 would apply that language to. So I -- I think we're just
5 going to have to stick with what we have for now until I
6 guess somebody can show otherwise that it would work
7 better.

8

9 CHAIRMAN LOHSE: Greg.

10

11 MR. ENCELEWSKI: Steve, Ken, I -- you
12 know, I kind of like what Southeast did here. But anyway
13 I shouldn't say this, but I think our attorney advised us
14 to get rid of C&T. But anyway, you know, C&T has been a
15 real nightmare for Ninilchik and the big thing about it,
16 why it's been such a nightmare, is because we had to
17 prove it when we started for every species and, you know,
18 that's just -- it was just -- it was on -- and yeah, you
19 guys know the system, you know how it works. So it was
20 -- it was just overbearing. I truly believe that some of
21 the needs of the subsistence would fit much better under
22 an .804 or some community hunts or some other things.

23

24 So I think it might merit some looking
25 at, Mr. Chairman and that's all I got to say.

26

27 Thank you.

28

29 CHAIRMAN LOHSE: Gloria.

30

31 MS. STICKWAN: I'd like to know a bit
32 more about the history of the one hunt they were talking
33 about, what was that all about or in Southeast they were
34 talking about a hunt, they made an exception because it
35 didn't fit, the .804 criteria. There was a moose hunt in
36 there or something.

37

38 CHAIRMAN LOHSE: The hunt in Yakutat.

39

40 MR. FRIED: Yeah, I don't really have a
41 lot of information on that other than what they provided
42 here. It just -- it just indicated there were some
43 instances where it was appropriate to provide a
44 preference. And there's some -- okay.

45

46 The other thing I want to just mention is
47 that, you know, we're not looking for the Council to take
48 action on this right, you know, it's just start to
49 consider it. You might want to contact the Chair or
50 other members of the Southeast Council to discuss it and

1 then maybe do this in the fall meeting.

2

3 Thank you.

4

5 MS. PETRIVELLI: My name's Pat Petrivelli
6 and I travel to a lot of the Council meetings and I got
7 to participate in the subcommittee of the Southeast RAC
8 that looked at this issue.

9

10 Because when they were asked to review
11 the question -- it was a year ago and then the Board
12 asked is C&T working for you and, you know, if not why
13 not. So the Southeast formed a subcommittee and they met
14 and they talked about it. And when they talked about it
15 eventually they ended up with the question why are we
16 doing C&Ts. Is -- it's -- C&Ts are a restriction, it
17 ends up with a restricted pool of users so why is it
18 necessary to restrict -- to make these restrictions. And
19 the instance they came up with where it is beneficial was
20 in Yakutat. So in the instance where they restrict the
21 C&T use to the residents of Yakutat then what -- for
22 conservation purposes they can say these people can hunt
23 for two weeks earlier than other people. That was an
24 area where they saw it was beneficial to restrict the
25 pool of users to a certain group. Now is it necessary in
26 all cases to make such restrictions, how -- why is it
27 necessary to say that only the people of Ninilchik can
28 harvest salmon on the Kasilof River. Is that necessary
29 to provide a subsistence priority, to just restrict it to
30 those people and not any other people because essentially
31 what you do with a customary and traditional use
32 determination you're restricting the pool of users to
33 certain people at least the way the program's doing it
34 now. Because -- and when you look at the State
35 determinations they identify species and area, with our
36 determinations we restrict it to people. So once we make
37 a C&T determination only those people are eligible for
38 subsistence uses under our regulations. So that's why
39 they were looking at -- that broader look. As a
40 management tool is it necessary to make these
41 restrictions. And so they -- and that's why they -- the
42 subcommittee looked at it and then they opened it up to
43 the rest of the Council and they didn't have an answer.
44 Some people said yes, it's good, some people says no,
45 it's not and they said well, we could work on this and,
46 you know, define it, but then it would just be
47 appropriate for Southeast. Why should we do all this
48 work, why don't we see if the other Councils even think
49 that it's a good idea. So they just wanted to see do you
50 think it's a good idea and if you think it's a good idea

1 how should we approach it. And then they would do all
2 that work and try to come up with a system that would be
3 different, you know, but the big question is is it
4 necessary to restrict the pool to a smaller group. I
5 think that was the question they were looking at.

6

7 CHAIRMAN LOHSE: Judy.

8

9 MS. CAMINER: And, Pat, thank you, that
10 was really helpful. Is the rest of that question or is
11 it okay for the specific hunts or fish to be open to all
12 rural users?

13

14 MS. PETRIVELLI: I think that was, you
15 know, and how do you have that discussion, what are the
16 context, are there parameters, you know, and does it --
17 is a C&T determination necessary or yeah, it's just --
18 you could look at -- it's just -- so I don't know if you
19 want to think about all that and then talk about it in
20 the fall or if you just think it's not necessary to think
21 about.

22

23 CHAIRMAN LOHSE: Thank you. Mary Ann.

24

25 MS. MILLS: The customary and traditional
26 is really confusing for the Kenaitze Indian Tribe. And
27 one of the reasons why is we thought customary and
28 traditional and I'm glad you brought this out is
29 restricted to people. And at one of the meetings that I
30 attended, I think the one in Cantwell, it was -- we were
31 told that customary and traditional had nothing to do
32 with people, that it had to do with the area. Well, that
33 kind of was confusing too because customary and
34 traditional, we always pictured it as those who have used
35 the resources for a millennia, for a long, long time
36 that, you know, the salmon, for instance, it's
37 genetically in our -- in our DNA. And so when you
38 deprive people of that opportunity of sustenance we
39 notice that there's a very high disease rate that goes
40 with it and this is why the customary and traditional is
41 important, but we are still very confused as to what is
42 customary and traditional, how does it apply, who does it
43 apply to, if a person comes let's say to Alaska and moves
44 to a rural area and they've been in Alaska for a week do
45 they have customary and traditional. And so these are --
46 these are just all issues that, you know, I think need
47 more clarification.

48

49 Thank you.

50

1 CHAIRMAN LOHSE: Greg.

2

3 MR. ENCELEWSKI: I just got a question,
4 Pat, and, you know, the customary and traditional I agree
5 with kind of what Mary Ann was saying there, but also, I
6 mean, it is -- it is restrictive to the area unless I'm
7 missing something because, you know, customary and
8 traditional use finding determinations for the Ninilchik
9 area. Residents of Ninilchik only. That's my example
10 I'm using. So it fits that area. Are we looking at
11 anyone that's qualified for rural -- I mean, a use to go
12 to all areas or am I missing something?

13

14 MS. PETRIVELLI: Well, technically when
15 the Board has not made a C&T finding all rural residents
16 are eligible so until there was findings for the Kenai
17 Peninsula I think all rural residents were eligible to
18 harvest salmon in the Kenai River and so the Board had
19 put sportfish regulations in place. But -- so yes, until
20 a C&T finding is made all rural residents are eligible.

21

22 And then -- oh, to speak to Mary Ann's
23 thing with Southeast, they've grappled with this question
24 and they have the recognition that there are different
25 kinds of customary and traditional uses. You know,
26 there's the millennia use and then there's just the
27 general rural residents, we're recognizing dependence on
28 the resource and just different ways of using it that the
29 relationship with the resource is -- that there are
30 different kinds of customary and traditional uses. Now
31 so but the Board has done it with like whole units and
32 whole drainages, like the Yukon River, all residents of
33 the Yukon drainage have a customary and traditional use
34 of pretty much all fish, I think chinook is only limited
35 to certain areas, but at least I'm not sure, but it's a
36 broader category.

37

38 CHAIRMAN LOHSE: I think one thing that
39 we're dealing with here, just -- oh, Greg's not here, the
40 idea to me and it's always been if somebody uses
41 subsistence they use all the species that are in their
42 area. And I agree with Southeastern on that one. But
43 the one thing we have to remember is Southeastern is
44 different. I didn't realize how different Southeastern
45 was until I went down there. Southeastern is this long
46 stretch of thing and everybody uses boats and like up
47 here you have Cook Inlet fishermen and Copper River
48 fishermen and all these different little things, in
49 Southeastern if you can fish you can fish from one end of
50 Southeastern to the other end of Southeastern. And they

1 mix back and forth and, you know, they stay on their
2 boats, they go on these different bays and stuff like
3 that. And this idea of only restricting it on an .804
4 basis would probably work pretty good down in
5 Southeastern because basically you pretty much live down
6 in Southeastern if you're going to be doing any of the
7 things down there because you have to have a boat to go
8 do them.

9
10 And I think that our idea that what we've
11 tried to do I think as this Council we've tried to
12 include as many people in our C&T as we could, but at the
13 same time recognize that C&T should be something fairly
14 close to where you live and that's where the .804 comes
15 in. And if we used .804 every hunt would have to be
16 decided by, you know, do you have other avail -- I mean,
17 and the State tries some of this in their tier two stuff
18 and, you know, are you a local resident, what's your
19 other alternatives, how much do you depend on it. And
20 it's been a nightmare for -- it's been a nightmare for
21 the State and it's been a nightmare for people that I
22 know who've tried to apply for tier two. And I can see
23 that if we don't have what we currently have or we say
24 okay, we're on this and I don't think it needs to go to
25 this individual kind of fish or anything like that, but
26 this area is basically we recognize that these group of
27 people have C&T in this area right here. And I think to
28 just say all rural residents can go anywhere on the road
29 system that would be -- I think we'd have -- we'd be
30 sitting there trying to sit down and do .804 on every
31 individual hunt because we'd have to sit down and say
32 okay now, do -- we've got such a big pool of users that
33 the resource can't handle that whole big pool of users.
34 How do we restrict it then, we have to go to are you a
35 local resident and what do we class as local. Is local
36 as far as you can walk in one day, is local as far as you
37 can drive in one day, what constitutes local, do you make
38 a circle around every community and you say, you know,
39 this is this community's area and this is a little bit
40 broader area for these species and a little bit broader
41 area for that species. One time when we first started
42 that I didn't actually think that was a bad idea, have
43 resident zones and just say that's local. But we didn't
44 go that way, we went with the C&T and we made it a little
45 bit broader brush stroke and we said okay, what are the
46 people that are semi-local that have used this resource
47 right here. And that does limit it, that means that
48 somebody from Southeastern can't come up and hunt caribou
49 on the Nelchina, for example. It also means that I can't
50 go out to -- I can't go out to Unit 9 on the peninsula

1 and I can't hunt moose as a subsistence hunter. I can't
2 go to Southeastern and I can't take red salmon out of K
3 Creek or something like that as a subsistence user, it's
4 reserved for them.

5
6 And so that's what we have to decide
7 whether -- you know, do we support that system of do we
8 want to kind of throw the whole thing open and then come
9 down to individual species and individual hunts and say
10 okay, this hunt can't support all of us so how do we
11 decide who's a local resident. And then you're a local
12 resident, but you make more money than I do so you have
13 better alternative means of providing for yourself so I
14 think I got a higher priority than you do. And then I've
15 been there longer and used it longer. And that's what
16 the State does with their tier two.

17
18 UNIDENTIFIED VOICE: Want to see my DNA?
19

20 CHAIRMAN LOHSE: Huh? Yeah. Yeah, we
21 have -- you know, but, I mean, that -- that's literally,
22 you know, I mean, it -- it's -- that's what the State has
23 tried to do with tier two. And I don't know, from people
24 I've talked to that have tried -- basically what it does
25 with tier two, if you're not old and haven't been doing
26 it for a long time, if you're one of the young kids, you
27 can't come up with enough -- you can't come up with
28 enough points to get a tier two, you know, but if you're
29 70 years old it's pretty easy.

30
31 UNIDENTIFIED VOICE: You're getting
32 there.

33
34 CHAIRMAN LOHSE: I'm past there.

35
36 UNIDENTIFIED VOICE: You're older than
37 70?

38
39 CHAIRMAN LOHSE: No comment.

40
41 (Laughter)

42
43 CHAIRMAN LOHSE: But, I mean, it's a fact
44 and so I'm open for suggestions and if this Council wants
45 to review it and start something equivalent to the C&T
46 process over again that's fine.

47
48 Greg.

49
50 MR. ENCELEWSKI: Well, I think -- I don't

1 want to start it over again, but I would like to review
2 it individually so to speak and come back in the fall and
3 have some presentations because I would like to review it
4 with, you know, the tribes and people and the residents
5 in the area and maybe some Council and maybe some Council
6 and think about it a little bit because I think there's
7 potential to maybe make it better.

8

9 CHAIRMAN LOHSE: Maybe tweak it. Lee.

10

11 MR. ADLER: I think in our proposal we
12 should address the problem of certain villages and change
13 to the overall area because I know there's certain
14 instances where, you know, I don't -- I'm opposed to
15 spring and summer waterfowl hunting, but living in
16 Glennallen I couldn't go duck hunting in the summer if I
17 wanted to, but everybody else can that lives in the
18 villages. And it's the same way with the goat hunting,
19 Kenny Lake people want to hunt goats, they live in
20 between, you know. And so I -- to be realistic the area
21 should be an area not designated by village or townsite.

22

23 CHAIRMAN LOHSE: Gloria.

24

25 MS. STICKWAN: I just want to make a
26 correction to his statement. The migratory birds allows
27 communities to be included if they apply so they're not
28 left out. That's not true.

29

30 CHAIRMAN LOHSE: Yeah. Tom.

31

32 MR. CARPENTER: Yeah, I tend to agree
33 with you, Mr. Chairman. Unfortunately I think the C&T is
34 kind of the controlling factor. I think that -- I just
35 think when you're dealing with humanity unfortunately
36 people are going to -- people are going to go where the
37 resource is especially if they don't have it. And when
38 you take something like all rural residents and you try
39 and apply that to all these subsistence areas, I think it
40 could be kind of chaotic. And basically I think all we'd
41 be doing is we'd just be revisiting every single C&T that
42 we've made in the last 20 years and doing .804 analyses
43 all over again and basically coming up with the same
44 thing that we have now. So, I mean, I -- I'm more than
45 willing to consider all these ideas that the Southeast
46 RAC came up with and I don't know if it's possible, I
47 mean, I don't know if it's -- if it would be legal for
48 the Board to authorize that this sort of activity just
49 take place in Southeast. I don't know if it has to be
50 inclusive with the whole Federal system or not, but, you

1 know, I've -- personally I've always been kind of opposed
2 to statewide proposals, I think that each area within the
3 State ought to -- they ought to write the regulations
4 that suits them best. And if it suits Southeast best
5 then they should -- they should pursue it. I don't
6 necessarily know that it suits us best or if it suits the
7 other regions of the State best. So but I think it would
8 be kind of interesting if they really profoundly think
9 that this is the way to go I think it would be maybe
10 appropriate to extend an invitation to the Southeast
11 Chair in the fall and explain in person to us, you know,
12 why they feel this way. And maybe when he's sitting
13 there we'd get a better understanding of the way they
14 feel because it's -- sometimes it's kind of hard to look
15 at a three page letter and get the true meaning of what
16 they're trying to set forth. So anyway.....

17
18 CHAIRMAN LOHSE: Thank you, Tom. And I
19 think that is a good idea to invite them, but I also
20 think it would be a good -- I don't know whether it's --
21 I don't know whether it would fit within the scope of
22 this program, but I can't see why if that's the way they
23 feel Southeast can't just give C&T to all rural residents
24 in Southeast for everything all over and see how it works
25 out. I mean, that would be one way -- that would be one
26 way to do it. I don't know if they want to give C&T to
27 all rural residents of the State of Alaska, but they
28 could at least do it in Southeast. And then, you know,
29 try the .804 on -- they have some small fish runs and
30 that in places that wouldn't support the whole Southeast
31 during that that local communities use that I know of.
32 But I think inviting Mr. Adams down here for the fall
33 meeting would be a good idea because he's a very
34 knowledgeable person and I do think -- like I said I do
35 think Southeast faces some different issues and has some
36 different attitudes than the rest of the State there.
37 They don't have some of, and I'll use the word stresses
38 that the road system has. They don't have -- you know,
39 they don't have the large centers of population that are
40 very mobile right in their backyard, but they also
41 haven't -- they also have a history of traveling up and
42 down the coast, they're boat people. And they travel --
43 guys will go from Yakutat to Ketchikan during the fishing
44 season and anyplace in between depending on where the
45 fish are. And that's something that we don't see in the
46 rest of the State, you know, if the fish aren't in Cook
47 Inlet you can't take off and go to Kodiak or Chignik or
48 Copper River and down there they can do that.

49
50 Judy.

1 MS. CAMINER: Mr. Chair, picking up on a
2 point that you mentioned, you know, maybe if they wanted
3 to they could have an example .804 done and maybe see how
4 or if that changes the result like Tom was saying.

5
6 CHAIRMAN LOHSE: Yeah.

7
8 MS. CAMINER: That might be helpful to
9 others to learn more what an .804 is, but a whole program
10 change would be a sweeping amount of work and take a long
11 time I would think.

12
13 MR. CARPENTER: Yeah, Mr. Chairman, just
14 -- if I may, I just wanted to talk, I mean, a big -- I
15 don't want to take over a sweeping change either, but it
16 may be necessary in some aspects. I don't take this
17 just, you know, for an .804, I look at it a little bit
18 different, there's some changes in here that could be
19 improved and I just want to let you know that one of the
20 reasons counsel was here for Ninilchik, we were talking
21 about some changes to C&T and where actually we'd like to
22 draft some thoughts of our own and submit them to the
23 Board for -- the RAC for our next meeting. So that's
24 kind of where we're looking at. And I was thinking if
25 everyone else, because you know our areas are a lot
26 different in Cordova and different areas and it might be
27 applicable and maybe we'll come to the determination we
28 don't have to change it, but we do plan on addressing it.

29
30 CHAIRMAN LOHSE: Good. I don't think
31 there's any action we need to take on this at this point
32 in time, this is kind of an information thing if I
33 understand right.

34
35 Steve.

36
37 MR. FRIED: That's my understanding.
38 They just -- they wanted to reach out to the other
39 Councils and get feedback and see eventually whether or
40 not there was support statewide or in just some areas of
41 the State so they could decide how to go forward with
42 this, you know, or not to go forward with it.

43
44 CHAIRMAN LOHSE: Okay. So in that case
45 we had some suggestions out of this and that was that if
46 people have things that they would like to bring to the
47 fall meeting bring them to the fall meeting. And if we
48 have the chance I would suggest that we go along with the
49 idea of inviting the Chair from Southeast to attend our
50 meeting if he has time and wishes to do so or a

1 representative from him if that's okay with the rest of
2 the Council.

3

4 Gloria.

5

6 MS. STICKWAN: I think we should maybe
7 come up with some questions to him about how he would
8 address our area, if he could address those questions
9 just for him to think about other.....

10

11 CHAIRMAN LOHSE: And have him think about
12 that ahead of time.

13

14 MS. STICKWAN: Yeah, about other areas,
15 how he's going to apply this to our areas.

16

17 CHAIRMAN LOHSE: That would be very good.
18 And I think Mr. Adams would be -- he's a good thinker so
19 I think that he would be more than inclined to do that.
20 So maybe I'll even get in touch with him and talk to him
21 a little bit about that, but I think as a Council we need
22 to extend him an invitation as a Council, not as myself.

23

24

25 And, Donald, can you do that for us?

26

27 MR. MIKE: Yes.

28

29 CHAIRMAN LOHSE: Okay. Okay. With that
30 I had a request to go back to the rural determination
31 process for a minute or two and.....

32

33 MR. CARPENTER: Take five minutes first.

34

35 CHAIRMAN LOHSE: We need five minutes
36 first? Okay. We'll take five minutes first and then
37 we'll go back to that.

38

39 (Off record)

40

41 (On record)

42

43 CHAIRMAN LOHSE: Okay. We're going to go
44 back to the rural determination letter -- determination
45 just for the fact that to bring to everybody's attention
46 the letter that we got from Southeast RAC for your
47 consideration. I don't think.....

48

49 Judy, do we need to consider any points
50 out of that at this point in time you'd like to bring to

1 our attention?

2

3 MS. CAMINER: Yes, thanks, if you don't
4 mind. If you look at the top of the very last page
5 pretty much Southeast RAC went through the population
6 numbers that have been used as guidelines. And that
7 first full sentence says if the Federal Subsistence
8 Program needs to use the threshold as part of its rural
9 determination process that threshold should be set at
10 11,316, the population of the Ketchikan Gateway Borough
11 at the time of passage at ANILCA. The reason they say
12 that is because that's what was referenced in the
13 Conference Committee was that Ketchikan would be an
14 example of a non-rural community. But they thought the
15 population at the time was 7,000 when, in fact, it was
16 about 11,000. So something for us to think about when we
17 have further discussion in the fall about these numbers
18 and like we were saying looking at numbers and thinking
19 of natural population growth in the last 30 years too.

20

21 So thanks for taking a look at this
22 letter.

23

24 CHAIRMAN LOHSE: Thank you, Judy, and
25 thank you, Donald, for distributing this and maybe if
26 everybody has a chance they can read this and -- oh, we
27 have another.....

28

29 MS. PETRIVELLI: Just -- this is Pat
30 Petrivelli again. And I handed out the cover page of
31 that wolf report that Gloria had asked about and
32 yesterday I said it was on the OSM website under issues
33 in depth and I was wrong. It's on the ISER website, but
34 the website address is on that cover page if anyone wants
35 to read it. And but I guess you can tell Donald to print
36 you out a copy and give it to you, but if you -- if
37 you're a web person. But I was wrong, it's not on the
38 OSM website, it's on the ISER website.

39

40 And so I apologize for the mistake.

41

42 MR. MIKE: Thank you.

43

44 CHAIRMAN LOHSE: Okay. With that then I
45 think we're done with our new business and we need to go
46 on to agency reports at this point in time. I guess
47 we'll go to the OSM first.

48

49 Steve, sorry to put you on the line
50 again, I see you have quite a few of them.

1 MR. FRIED: Okay. For the record my name
2 is Steve Fried with OSM. And yeah, these will be fairly
3 brief.

4
5 So going in order the first one is the
6 MOU with the State of Alaska. And as you are certainly
7 aware of that the Regional Advisory Council have provided
8 recommendations on, you know, modifications to the MOU
9 and the Board's looked at that. And essentially the
10 Board's waiting to hear back from the State Advisory
11 Committees on, you know, getting some of their comments
12 and edits on that and they'll probably address the MOU
13 again at the April/May meeting. And that's really about
14 all I have to say about that.

15
16 And now I'll go on to the Federal budget
17 which probably people are very aware of from listening to
18 the news. We're currently operating under a continuing
19 resolution and OSM is operating under a reduced budget
20 and we have pretty severe travel restrictions.
21 Essentially we're making every effort to support the
22 Regional Advisory Council including providing travel to
23 meetings and conferences and conference lines to the
24 meetings to ensure that support staff and analysts are
25 available to provide, you know, any kind of briefing and
26 address any questions. So, I mean, that's kind of our
27 bottom line is supporting the Council process, you know,
28 the Board process. And we'll see what happens in the
29 next week or so, whether or not Congress does anything
30 with the budget. So March 1 is when they're supposed to
31 act. So that's -- I don't have any insider information
32 on that.

33
34 CHAIRMAN LOHSE: Well, Steve, would you
35 advise that we cash our checks before March 1?

36
37 (Laughter)

38
39 CHAIRMAN LOHSE: Well, yeah, like you
40 said, Steve, it's going to affect everybody everywhere.
41 So I'm sure that we'll see some repercussions from it
42 too. So thank you for that enlightening update. And we
43 will hurry since we know it's by March 1st.

44
45 Staffing.

46
47 MR. FRIED: Okay. Go on to staffing
48 here. I guess everybody knows this, that Pete Probasco
49 who is the System Regional Director in charge of the
50 Subsistence Program took a new position, now he's the

1 Assistant Regional Director for Migratory Birds and State
2 Programs. Kathy O'Reilly-Doyle is now acting as the
3 Assistant Regional Director for Subsistence and they
4 actually have started the -- they announced they have --
5 I guess people have applied and they're going through the
6 selection process. So I'm not sure when that's going to
7 be completed, but it's definitely underway. And since
8 Kathy O'Reilly-Doyle used to be the Deputy, now she's --
9 now that she's acting as the ARD David Jenkins who used
10 to be our Policy Coordinator is now acting in Kathy's old
11 spot. Helen Armstrong who you recall is the Anthropology
12 Division Supervisor and has been with this program for
13 quite a long time is going to retire soon. And they're
14 actually doing a recruiting process to replace her and
15 I'm not sure if they'll have somebody, you know, at least
16 maybe not in place, but selected before she leaves would
17 be nice so they can maybe pass along some information and
18 advice. But I'm not sure if Helen has a specific date,
19 but I think she'll be retired before the summer. And
20 Michelle Chivers who you recall used to be with -- a
21 Council Coordinator and then she took another position
22 within OSM working on regulatory issues and permitting is
23 retiring. They're also recruiting now for her position
24 and it's my understanding she'll be gone by the end of
25 this month. So we've got people leaving and they're
26 recruiting and we still have some vacant positions that
27 I'm not sure they'll ever be filled, but that's basically
28 what staffing is like in OSM at this point.

29

30 CHAIRMAN LOHSE: Any questions on
31 staffing?

32

33 (No comments)

34

35 CHAIRMAN LOHSE: It's interesting that
36 people will -- actually will apply for the job, huh?

37

38 (Laughter)

39

40 MS. CAMINER: Mr. Chairman.

41

42 CHAIRMAN LOHSE: Judy.

43

44 MS. CAMINER: I guess in case Helen
45 doesn't come to the meeting please extend the Council's
46 thanks to her for her tremendous support over many, many
47 years.

48

49 MR. FRIED: I certainly will. Thanks
50 very much.

1 CHAIRMAN LOHSE: Thank you, Judy. Okay.
2 Next request for fishery monitoring proposals.

3
4 MR. FRIED: Okay. Something I'm a bit
5 more familiar with than rural determination and C&T
6 and.....

7
8 (Laughter)

9
10 MR. FRIED: But we have a request for
11 proposals, it's the 20 -- for 2014 proposals. It's --
12 the details are on our website, you know, under the
13 Fisheries Resource Monitoring Program. We have some
14 changes this year, instead of having people submit first
15 a proposal which is a short two or three page, sort of a
16 concept thing that it goes only before the Technical
17 Committee and then they decide whether to advance it for
18 further consideration or not. We've decided to get rid
19 of that, we didn't really see it was, you know, serving
20 a useful purpose, there aren't really any other funding
21 programs that, you know, in Alaska and most other places
22 that use that. So we're going to -- we decided to go
23 right to a full proposal that we call the investigation
24 plan. And the full -- these investigation plans are due
25 I think it's April 4th by 5:00 p.m. So we're trying to
26 give people a chance to do that. We're a little late in
27 getting out the RFP, we usually get them out in the
28 middle of November, we didn't get this one out until
29 December, but they still have several months to put
30 together an investigation plan. And once they come in
31 it's going to go through the full process of, you know,
32 Technical Review Committee and the Councils and the
33 public and the Interagency Staff Committee and finally to
34 the Board to, you know, adopt a plan and then to OSM
35 where the Assistant Regional Director approves the
36 funding. Supposedly we have about \$3.7 million available
37 to fund, you know, the new projects in 2014. Who knows
38 what happens when we finally get there, but that's what
39 we're thinking about now.

40
41 As in the past, you know, we consider all
42 the investigation plans as long as they address a Federal
43 subsistence fishery issue, but we do have priority
44 information needs that are also on the website so that
45 people know about which issues and topics and species
46 we're really interested in. In the past our award -- the
47 financial awards each year for an individual project have
48 been as low as about \$3,000 a year up to about \$375,000
49 a year and I think it's the Copper River chinook
50 assessment project that's probably our most expensive one

1 at this point. And as we talked about earlier the last
2 time it was funded through the Monitoring Program we
3 actually capped it, you know, at that level. So how long
4 they can still do that given inflation and all the other
5 problems we don't know, but we'll see. It's certainly a
6 very important project. And since we went to a every
7 other year cycle we're looking at -- well, we'll fund
8 projects for as little as one year and up to four years
9 so that we can at least bridge the cycle if it's
10 something that needs to be kind of a long-term project.

11
12 So there's I think a green sheet in your
13 -- I guess the green sheet in your folder that has, you
14 know, some more information on it, but that's probably it
15 in a nutshell unless anybody has any questions.

16
17 CHAIRMAN LOHSE: Judy.

18
19 MS. CAMINER: I guess I'm just wondering
20 of Council members if there's any of the organizations
21 that might be putting in ideas or proposals or is there
22 anything that might come out of those taskforce meetings
23 that would spur ideas for research on subsistence
24 fisheries.

25
26 CHAIRMAN LOHSE: At least take the
27 availability of this program back to your various
28 Councils and Tribes and see if they have anything that
29 they might want to present as a project that fits our --
30 you know, fits our needs because that's the idea behind
31 it is to, you know, get local involvement in doing these
32 projects.

33
34 Did you have something, Mr. Henrichs?

35
36 MR. HENRICHS: No.

37
38 CHAIRMAN LOHSE: Okay. Greg.

39
40 MR. ENCELEWSKI: Yeah, I would just
41 comment since you opened the door there for us. You
42 know, I'd love to see something on the Kenai especially
43 with the king salmon. And even though it's a small
44 subsistence fishery area there's such a influx of knowing
45 what's happening with the runs, the early, the late, and
46 I think they're all, you know, somewhat intertwined with
47 the whole State in the king depletion and the changing of
48 -- everything is changing. So I don't know, I'm going to
49 look at whatever I can come up with to maybe suggest
50 something for you guys to take a look at if you don't get

1 sequestered too bad. And give my regards to Helen, but
2 tell her to take it in a lump sum and cash it.

3

4 (Laughter)

5

6 MR. FRIED: Yeah. The priority
7 information needs for Southcentral that are in the call
8 right now are to obtain reliable estimates of chinook
9 salmon escaping at the Copper River and Kasilof River.
10 We didn't mention Kenai, but if somebody comes up with a
11 good Kenai proposal we'll certainly consider it. The
12 other one was information relating to spawning
13 distribution and run timing of chinook and sockeye salmon
14 that can be used to identify long-term stock trends in
15 the context of climate change. The third one was effects
16 of climate change and water temperature and flow as it
17 relates to survival and other species. And the fourth
18 and last one was mapping of lifetime and current
19 subsistence use areas for harvest of salmon and non-
20 salmon fish species by residents of Ninilchik, Hope and
21 Cooper Landing. And this research to include the
22 intensity of the use as well as use on Federal public
23 lands and water and should supplement and build upon
24 existing knowledge. Those are the four information needs
25 that are out as part of the call, but as I said we also
26 tell people that, you know, if you have another study you
27 think, you know, warrants funding then please send it in
28 and make sure that it fits our program and we'll consider
29 it.

30

31 CHAIRMAN LOHSE: Thank you, Steve. Any
32 questions for him on Fisheries Monitoring Program?

33

34 (No comments)

35

36 CHAIRMAN LOHSE: No. With that I think
37 we can go on.

38

39 MR. FRIED: Okay. The next one I have is
40 the regulatory cycle review and if you'll recall that we
41 had Council recommendations on possible regulatory cycle
42 changes as to, you know, there have been some problems
43 with when we hold RAC meetings with people, you know,
44 being out, you know, hunting and doing things and also
45 the difficulty of some people getting into the Federal
46 meeting in January because of, you know, weather and it's
47 kind of a hard time of winter especially living in some
48 of the rural areas. And the Councils weighed in with
49 various suggestions. And the Board, you know, is taking
50 these recommendations under advisement and they're going

1 to address those recommendations after a future meeting
2 after they had more time for the Board plus the
3 Interagency Staff Committee to review them. And I think
4 what my understanding is it's going to be a lot -- it's
5 going to be easier to change things for the wildlife
6 regulatory cycle because -- mostly because of when the
7 regulations come into effect. If you look at the bottom
8 of your regulation books, wildlife regulations are
9 effective, you know, July 1 so moving that January Board
10 date when they consider those is not -- you have some
11 leeway. And you have to remember that once the Board
12 makes their decision on regulations and they're adopted
13 they have to go through a whole process down in D.C.
14 before they get published. So the problem with fisheries
15 is that the effective date for fisheries is April 1. So
16 it's almost like we'd have to have a proposal to change
17 that date, it's just not administrative, you'd have to
18 have a regulatory proposal that goes through the cycle to
19 change the date before you can really change the -- that
20 January Board meeting because there's really not a big
21 window, not enough of a window to get those things in
22 place if we change it and then -- and shift it too much.
23 So that's where that is now.

24

CHAIRMAN LOHSE: Judy.

25

26
27 MS. CAMINER: But that was exactly one of
28 the options that was -- that is being considered,
29 correct, changing that date?

30

31 MR. FRIED: Yeah, that's -- yeah, the
32 Board is looking at all that. So what they decide I
33 don't know, but they're looking at that right now.

34

MS. CAMINER: Okay.

35

36
37 MR. FRIED: I just -- it's just easier to
38 do it administratively with wildlife and it's going to be
39 a little bit more complicated with the fish, but, you
40 know, still doable I would assume.

41

42 CHAIRMAN LOHSE: That's not much
43 fisheries to take place before the 1st of May.

44

45 Okay. Any other -- any questions on the
46 regulatory cycle review?

47

48

(No comments)

49

50

CHAIRMAN LOHSE: Hearing none, we'll go

1 on to the briefing on the consultation.
2
3 MR. FRIED: And I'm not -- that's not me.
4 I think it's going to be Jack Lorrigan.
5
6 CHAIRMAN LOHSE: Do you have another one
7 that you're going to give us yet, are you going to give
8 us the Upper Cook Inlet chinook -- we already had that,
9 didn't we, the Upper taskforce?
10
11 MS. CAMINER: Yes.
12
13 CHAIRMAN LOHSE: Yeah, we already had
14 that. So you have nothing more.....
15
16 MR. FRIED: Yeah. No, we covered that.
17 So no, unless there's any other questions that come up
18 during the meeting then I think that's it for me.
19
20 CHAIRMAN LOHSE: The only other one that
21 I had down was the climate change one. And do we have
22 anybody that's going to present us anything on climate
23 change?
24
25 MS. CAMINER: I don't think so.
26
27 CHAIRMAN LOHSE: I don't think so.
28 So.....
29
30 MR. FRIED: I didn't have anything
31 specifically, but if you have any questions I can try my
32 best to do something or at least gather some information
33 that we can get to you later.
34
35 CHAIRMAN LOHSE: Okay. So we'll go on
36 then to the briefing on the consultation.
37
38 Donald.
39
40 MR. MIKE: Thank you, Mr. Chair. During
41 the Council discussion with Mr. Pappas yesterday on the
42 Upper Cook Inlet he provided more information for the
43 Council's reference and I'll pass it out before the
44 meeting ends.
45
46 Thank you.
47
48 CHAIRMAN LOHSE: Thank you. Okay.
49 Briefing on the consultation process.
50

1 MR. LORRIGAN: Good morning, Mr. Chairman
2 and Council. My name's Jack Lorrigan, I'm the Native
3 Liaison for the Office of Subsistence Management. This
4 my first time before you. I've been asked to give you
5 the consultation briefing for the fiscal year 2012.
6 There were -- I don't know which page that is in your
7 documents and I just found out five minutes ago or less
8 I'd be doing this for you today.

9
10 The title should read Briefing on
11 Consultation with Tribes and ANCSA Corporations. The
12 introduction defines how Title VIII directs OSM to -- and
13 the Secretary of Interior's ordered to have the agencies
14 consult with the Tribes on a government to government
15 basis. Also the Executive Order 13175 and the President
16 -- Obama Administration to keep that consultation
17 directive going has us -- I think you had a briefing on
18 the implementation guidelines yesterday, but in that
19 light there were four consultations beginning in December
20 of 2011 at the providers conference. The Board heard
21 from several Tribes on issues from subsistence and
22 regulatory proposals, guidelines for the consultation,
23 the draft guidelines. And then they had a second
24 consultation in May, I believe, to hear comments back on
25 those draft guidelines. There was a third consultation
26 -- I'm sorry, that was March. Again May there was a
27 third consultation for the comments on the guideline, the
28 draft guidelines. And then our fourth consultation was
29 a teleconference between the Tribes and the ANCSA
30 corporations. The first day was with the Tribes and Tony
31 Christianson from the -- one of the new public members
32 was a Board member present at that. And it went pretty
33 well, he was able to hear the concerns from the Tribes
34 that are affected by the fishery proposals. And then the
35 second day Joel Hard represented -- he's an alternate to
36 the Board and he was present for the corporations
37 consultation on the same proposals.

38
39 The public law -- sorry. There's a
40 public law that was passed in 2004 that directed agencies
41 to deal with corporations on a similar -- not government
42 to government, but consult as if they're Tribes. So
43 we're trying to divert -- we're going to be drafting
44 guideline policies for dealing with the corporations in
45 the future. So we had our first corporation consultation
46 in September. So and those were on the fishery issues in
47 their areas. And for the most part they went well. We
48 found that the feedback has been fairly positive and that
49 consultations will most likely occur if there's a
50 restriction or a limitation on harvest and not so much

1 when regulations are relaxed.

2

3 Mr. Chair.

4

5 CHAIRMAN LOHSE: Mr. Henrichs.

6

7 MR. HENRICHS: Yeah, you said, you know,
8 to -- consultation with corporations not as government to
9 government, but as corporations. So the -- and you know,
10 of course, the corporations are owned by shareholders
11 that are scattered all over the world, they're State
12 chartered corporations. So what did you mean when you
13 said not as Tribes though. The proposal carries
14 unanimously.

15

16 MR. LORRIGAN: The -- I meant that
17 they're not a government to government relationship, it's
18 just a step below. We understand that they're
19 shareholders or Tribal citizens, but they don't have the
20 government -- they don't have sovereignty that a Tribe
21 has.

22

23 MR. HENRICHS: Okay.

24

25 CHAIRMAN LOHSE: Any other questions?

26

27 (No comments)

28

29 CHAIRMAN LOHSE: So far the feedback has
30 been favorable then?

31

32 MR. LORRIGAN: Yes, Mr. Chair.

33

34 CHAIRMAN LOHSE: Well, hearing no further
35 questions on that we can go on.

36

37 Thank you.

38

39 Okay.

40

41 I think we need a five minute break don't
42 we or 10?

43

44 MR. ENCELEWSKI: How far is the bank?

45

46 CHAIRMAN LOHSE: Huh?

47

48 (Laughter)

49

50 CHAIRMAN LOHSE: How far is the bank?

1 It's -- I don't know where the closest one is.

2

3 What we have left this afternoon, we
4 already went through the revision of the Chugach National
5 Forest plan. So we have -- what time is it right now?

6

7 MS. CAMINER: 10:20.

8

9 CHAIRMAN LOHSE: Oh, 10:20. We have time
10 to have a 10 minute break then and then we will get back
11 to our business that's on the table. And it looks to me
12 like we should be done somewhere between 12:30, 1:00
13 o'clock or maybe even sooner if everybody quits asking
14 questions like they've been doing.

15

16 MR. ENCELEWSKI: Mr. Chair.

17

18 CHAIRMAN LOHSE: Yes.

19

20 MR. ENCELEWSKI: Just one thing, I'd like
21 to be excused by noon. So I made other commitments, but
22 I would like to be able to sit in on your future meeting
23 confirmation for sure.

24

25 CHAIRMAN LOHSE: That sounds good.
26 Future meeting confirmation. We'll make sure that we do
27 that before you -- we allow you to leave.

28

29 MR. ENCELEWSKI: Thank you.

30

31 (Off record)

32

33 (On record)

34

35 CHAIRMAN LOHSE: I'd like to call this
36 meeting of the Southcentral Regional Subsistence
37 Advisory Council back into session. I was informed that
38 I spoke out of turn. I said we'd already handled the
39 Chugach National Forest and I thought with as much time
40 as Milo's taken up already that we would be done.
41 However, I was informed that there still are some things
42 that the Chugach National Forest would like to tell us.
43 And we're going to have to come back to Milo again later
44 this meeting so we'll give him an opportunity at this
45 point in time.

46

47 MR. BURCHAM: Thank you, Mr. Chair and
48 Council again. I think I have less controversial topics
49 to speak about this time. This will be myself and Ruth
50 D'Amico from the Kenai, just giving an update on what's

1 going on in our areas subsistence-wise.

2

3 I was going to report on the moose hunt
4 this fall. This year the number of applicants for some
5 reason was down, it was 600. This is for the past
6 season. I drew 21 bull moose permits, there were an
7 additional seven permits in the State drawing and 40 cow
8 moose permits. The harvest this year was 16 bulls out of
9 the 21 with two unknown and cows, 33 out of the 40 were
10 harvested with one unreported. And anyway it was a
11 successful moose hunt. The bull/cow ratio where we have
12 had problems seems to be slowly improving. There was
13 only one bull over 50 inches which is unusual. The
14 Copper River Delta has had, you know, a population with
15 a lot of mature bulls in the past and they were over
16 harvested for a few years and lower, you know, numbers of
17 bull permits have helped that come back, but we're not
18 out of the woods yet as far as getting mature bulls back
19 in the population.

20

21 This year -- I already have the
22 applications for this year's hunt, I haven't done the
23 drawing yet. I have 750 applications. And the State is
24 proposing a fairly high harvest. The population
25 objective for the delta -- west delta where the
26 subsistence hunt, the west side of the Copper River, is
27 400 animals. And the -- last year's population estimate
28 was close to 700 moose. The State biologist is really
29 concerned about that and is suggesting a fairly high
30 harvest and some people in the community and myself have
31 a little nervousness over that, but anyway we're hoping
32 to get another survey in this winter and look at our
33 options and see what happens there.

34

35 With mountain goat I issued eight permits
36 and that included permits to Tatitlek and Chenega and a
37 few to local residents in Cordova. I didn't get any
38 reported harvest from those permits.

39

40 Deer were a popular topic this fall and,
41 you know, kind of what prompted me to come to you guys
42 and talk about our request for delegated authority.
43 There was a heavy deer kill in Prince William Sound, 50
44 to 70 percent or greater and the State opted to close the
45 season on December 7th, it normally closes December 31st.
46 They closed, you know, the entire State season which left
47 it open in Federal regulation, but we had concerns on the
48 Federal side with how many deer could be taken especially
49 if there was a good snowfall. And so we decided after
50 consulting with the villages and Fish and Game and the

1 local AC to close the Federal season to the harvest of
2 does and left it open for a harvest of bucks just to
3 leave a little bit of opportunity especially for the
4 villages in the Sound. And that seemed to be popular,
5 not a lot of deer were taken and I think there was a lot
6 self restriction that went on. People realized that the
7 chances of taking deer were low and that the deer need a
8 break. And so anyway the harvest appears to have been
9 light.

10

11 That said the deer are getting a break
12 this year. We're having a very mild winter in Cordova
13 and Prince William Sound, maybe Southcentral in general
14 and anyway that will help bring the deer back. I'll say
15 this ahead of time, one year of light hunting isn't going
16 to fix what happened after last winter and so I would
17 expect the need for closing seasons early or closing doe
18 or something along those lines next year especially and
19 where deer become real vulnerable is if you get a heavy
20 snowfall in November or December, you know, during the
21 hunting season that pushes deer on the beach, it makes
22 them, you know, very vulnerable. So that's the sort of
23 thing I'll be looking for and is part of the reason for
24 my pushing for that delegated authority is so that we
25 have a tool in the toolbox for helping deal with
26 emergencies like that.

27

28 For salmon the Cordova District issued 66
29 freshwater fishing permits. I had a problem with
30 reporting this year, I'm not sure why. I have been
31 chasing people down and I still have 13 unreported, but
32 the coho harvest was almost 400 and the sockeye harvest
33 was 64.

34

35 And then just to give you a quick heads
36 up on upcoming wildlife cycle proposals, there's two that
37 I'm helping with and -- or actually three, I'm helping
38 Andy with one and there might be another one coming
39 along. One of them is there's a Federal subsistence hunt
40 for mountain goats in Prince William Sound and it's
41 broken down among seven sub-units in Prince William Sound
42 and there's a small quota or a quota in each of those
43 sub-units that's reserved for Federal subsistence
44 harvest. The unit closest to Tatitlek, Unit 244, has a
45 quota of two goats. And, you know, we encourage them,
46 you know, to use -- utilize those. Well, it has gone
47 overlooked for quite some time by me anyway, most of that
48 Unit 244 is non-Federal land, it's Tatitlek Corporation
49 land, private, and not legal to hunt under Federal
50 subsistence regulations. There's a small sliver of

1 public land at the north end of that unit that includes
2 a small amount of goat habitat. But anyway I talked to
3 the Fish and Game biologist, he seemed okay with the idea
4 of switching that unit for Unit 245 which is just north
5 of there, has more Federal land in the alpine, in
6 mountain goat habitat, and give them a more meaningful
7 unit close to the village where they could take goats
8 under Federal regulation. So I'll be proposing to switch
9 those two units.

10
11 Chenega has asked me to open up -- they
12 have a ceremonial harvest for deer, they're able to take
13 five deer for the Chenega -- Old Chenega Memorial
14 Celebration which occurs in the spring, I think, Andy.
15 And they've asked for a little more flexibility in how
16 they can use those five deer and are submitting a
17 proposal to be able to use those deer at other ceremonies
18 in the village.

19
20 And then I've been talking with Andy,
21 he's actually going to submit the proposal, he's
22 interested in lengthening the baiting -- the season for
23 baiting black bears in Prince William Sound, moving it
24 from June 15th where it closes in Federal regulation to
25 the end of June which is a date where it used to be
26 allowed.

27
28 So that's all I have from the Cordova
29 District side of the Chugach Forest and Ruth is going to
30 talk about Kenai issues and then has a report on
31 scheduled -- you know, proposed actions on the Chugach
32 Forest that might interest you guys.

33
34 MS. D'AMICO: Thank you, Mr. Chair,
35 members of the Council. I'm Ruth D'Amico with the
36 Chugach National Forest, Subsistence Biologist located on
37 the Kenai Peninsula. I'm mainly going to give a brief
38 summary on the 2012 caribou and moose hunt.

39
40 The caribou hunt is open for the rural
41 community of Hope, that closed December 31st, we issued
42 19 permits, had a harvest of two caribou.

43
44 Under the Federal moose in Unit 7
45 Remainder we issued 31 permits to the residents of Cooper
46 Landing with a harvest of one. And we had 20 permits
47 issued for the residents of Hope and they didn't have any
48 luck this year. We did however set a quota under the
49 delegated authority that was granted last season for that
50 hunt due to it was being opened for the harvest of spiked

1 fork bull moose so there was a quota of three that was
2 set and that was with consultation that Milo had with the
3 Chair, conversations with Fish and Game personnel as well
4 as conversations with both of the affected communities as
5 well. So we set a quota that was not met.

6
7 I do believe that there will be a
8 proposal being submitted for -- from the community of
9 Hope, from quite a few members, requesting that they be
10 provided inclusion into the caribou -- I mean, for the
11 Cooper Landing residents for the caribou hunt that occurs
12 that right now is only affected -- is only permitted to
13 Hope residents. So the way the current regulation reads
14 is that it will be closed by the District Ranger after
15 the harvest of five. I don't -- I do not know where that
16 actually came from other than it was something that's
17 already been set in regulation that's in the current Unit
18 7 regulations in the booklet. So if Cooper Landing gets
19 included again, we've had very little harvest I believe
20 in the past few years that that hunt has been open only
21 two caribou have been harvested under Federal regulation.

22
23 CHAIRMAN LOHSE: Only two total or.....

24
25 MS. D'AMICO: Under -- only two total per
26 year by the residents under Federal permit.

27
28 So that's all I have.

29
30 CHAIRMAN LOHSE: (Microphone off).....

31
32 MR. HENRICHS: (Microphone off).....

33
34 MR. BURCHAM: The State draw just came
35 out. I would generally try to get my drawing done within
36 a month of that date so middle of March. I might drag my
37 feet just a little bit waiting to see if we get new
38 numbers or, you know, new information on the size of the
39 herd. So I might slow down the process just a little
40 bit, but let's just say during March, by the end of
41 March.

42
43 CHAIRMAN LOHSE: Tom.

44
45 MR. CARPENTER: Yeah. Thank you, Milo.

46
47 I -- maybe just for a second I'd just
48 kind of like to bring the RAC up to date on what's going
49 on with this moose hunt in Cordova. I think Milo's been
50 doing a good job and it's kind of a dual management

1 system. It's a peculiar hunt, it's a drawing hunt, it's
2 typical Cordova all the way. But one of the problems
3 that we potentially foresee, at least myself and why I'm
4 a little concerned, is that when the State changed the
5 time of year that they draw their applications for the
6 State drawing hunts the area biologist had to put in, you
7 know, give to Juneau how many tags that he wanted to draw
8 under the State side for the upcoming year. Well,
9 unfortunately that's in -- you know, I think he probably
10 has to put those numbers in in October or November so
11 that they can be printed in the pamphlets. Well,
12 typically the aerial surveys, at least the last five or
13 six years, haven't -- usually don't get done and actually
14 I think they're trying to do them as we speak. So the
15 number that the State is setting for the State side is
16 done well in advance of what the actual aerial surveys
17 are. Well, when this hunt was created, depending on the
18 number of animals that the State suggest being harvested,
19 like this year for example he wants to harvest I believe
20 is it 16, he put out -- he gave out 16 tags?

21

22 MR. BURCHAM: No, 13 bulls.

23

24 MR. CARPENTER: Thirteen bulls. Well,
25 that number is significant because that is a percentage
26 of what he wants the overall harvest to be. The rest of
27 the animals would be under the Federal system. So in
28 that instance the State kind of puts the Federal manager
29 in a situation to where depending on what number that he
30 wants under the State hunt, the Federal manager has to
31 put out for the Federal hunt a specific number of
32 animals.

33

34 MR. BURCHAM: If I could just clarify.
35 The State bull harvest is supposed to be 25 percent of
36 the allowable quota so when he picks a number to be in
37 the State harvest and he publishes at 13, that
38 automatically means that we have to harvest the other 75
39 percent which is 50 -- a total of 52 moose. Thirteen is
40 25 percent if I'm doing my math right of 52. So when he
41 publishes that that forces us to have to issue the
42 remainder of those -- of that 52, you know, so that that
43 balance between State and Federal is there and that we
44 meet, you know, our rural preference of 75 percent of the
45 harvest. And 52 bulls is a lot of moose for that without
46 having, you know, real current information. So we have
47 a few concerns there and we're boxed in to that number at
48 this point.

48

49 That's another reason delegated
50 authority, you know, the ability to react quickly to, you

1 know, information as we -- as it develops even during the
2 season could be a valuable tool.

3

4 MR. HENRICHS: The only reason I bring
5 this up to the RAC is it's quite concerning to me because
6 I'm not -- I'm not very confident in the analysis that
7 the State has done in the past year or two in regards to
8 the overall population of moose in Unit 6C. The reason
9 I suggest that is, I mean, I spend a fair amount of time
10 out there, I've done a fair amount of flying in this
11 area. And last year for example we had an incredible
12 winter and it was fairly easy to get a pretty good count.
13 And if you look at the long-term historical harvest
14 information for Unit 6C it's almost 100 percent. You can
15 go back as far as you want and it's almost always 100
16 percent. There's three things that have happened. The
17 size of the large bulls is down significantly. You know,
18 it used to be if you wanted to shoot a 70 inch bull you
19 could shoot a 70 inch bull, you can't do that now, there
20 are no 70 inch bulls. The harvest percentages from the
21 last two years is not 100 percent so that suggests
22 anecdotally that it's obvious harder for people to find
23 these moose because Cordova's a mechanized community, we
24 use airboats, we have airplanes and typically that's what
25 generates such a high success rate.

26

27 I guess I'm just bringing this up because
28 it kind of puts the Federal biologist in kind of a
29 precarious situation because I want those tags to be
30 given to the people of Cordova under the Federal system,
31 but I know in my own mind that there is absolutely no way
32 that he can let 51 bulls under the Federal hunt take
33 place this year. But the State has put him in that
34 position. And so I'm not sure how to remedy this in the
35 long run, but I think maybe it's something that we're
36 going to have to consider because I just don't think that
37 it's warranted.

38

39 The other piece of information is, and I
40 -- and there's a collaborative study being done right now
41 to do a carrying capacity study for this area and we're
42 kind of hopeful that maybe if we're cautious for the next
43 year, maybe year or two, that this carrying capacity
44 study will show significant updated information of how
45 many moose that this area can handle. The State feels
46 that it's far lower than what maybe I think or the
47 community thinks. So I think before we really go out and
48 hammer and harvest these moose the next year or two that
49 we need to be a little cautious until this study comes
50 out because I think it's going to show that the area that

1 we're talking about can handle a lot more moose per
2 square mile than what the carrying capacity study that
3 was done, you know, 20 years ago showed.

4

5 So anyway I just wanted to update the
6 Council.

7

8 CHAIRMAN LOHSE: Bob.

9

10 MR. HENRICHS: Yeah. And last year we
11 had 30 feet of snow and it sounded like the moose made it
12 through the winter fairly well, lot better than the deer
13 did. But, you know, at the Moose Federation we offered
14 to go down there and feed some of the moose and the State
15 said no. You know, it's really difficult to deal with
16 Fish and Game.

17

18 CHAIRMAN LOHSE: I don't know about last
19 year because I wasn't down there doing anything last
20 year, but I know the year before we had a fairly big bull
21 harvest. And I flew with my son at the end of the season
22 and we went moose looking, not hunting and we had a hard
23 time finding any bulls, they were pretty few and far
24 between and they were pretty small. And evidently if the
25 population has bounced back to that degree they must have
26 done a fairly decent job of breeding. But it -- from our
27 standpoint it looked like the moose bull level, bull/cow
28 ratio was way off. But and that seems to be the feeling
29 that -- that seems to be the feeling a lot of locals have
30 and like Tom was talking about, the anecdotal feeling is
31 that there's not as many or not as good a proportion of
32 moose as the State seems to feel that there is. And I
33 know what Milo's talking about is how do you in good
34 conscience give more -- you know, you're -- by law you're
35 supposed to give 75 percent, how do you in good
36 conscience give that many permits if you really don't
37 feel like the herd can support that kind of a take even
38 if that's what's on the book and that's where another --
39 like he said that's another place where I know that he's
40 looking for emergency management so that if it proves to
41 be true that that herd can't support a take of -- I think
42 it's 72 bulls, isn't it, that he was proposing or
43 something like that, or 75, 65.

44

45 MR. BURCHAM: Well, the total would be 52
46 bulls with his proposed 13 in the State draw, that would
47 indicate a total harvest -- you know, 100 percent would
48 be 52 animals. So 52 bulls and he's told me he'd like to
49 harvest 70 cows.

50

1 CHAIRMAN LOHSE: Oh, 70 cows.
2
3 MR. BURCHAM: And the population is high,
4 but my first concern is that those bull/cow ratio and age
5 structure of the bulls is not recovered yet.
6
7 CHAIRMAN LOHSE: Yeah.
8
9 MR. ADLER: Mr. Chair.
10
11 CHAIRMAN LOHSE: Lee.
12
13 MR. ADLER: Milo, are you running any
14 browse transects for the moose, you know, like willow and
15 this sort of thing?
16
17 MR. BURCHAM: We're just starting into
18 that. You know, so far browse hasn't been much of an
19 issue. It's been healthy on the Copper River Delta.
20 We've grown the herd, it's getting used -- utilized at a
21 higher rate now and we are looking at that and we have a
22 graduate student, it's a cooperative project that's, you
23 know, taking place right now, the results will be a year
24 or two away. But we're looking at the browse, trying to
25 re-estimate the carrying capacity and right now our
26 management goal is 400 animals and we possibly, you know,
27 from the results of that might be able to increase that
28 management objective to a higher number if we see that
29 the browse can sustain it.
30
31 MR. ADLER: In my earlier years with the
32 Forest Service and the BLM I did a lot of range
33 transects, browse and grass and everything else and when
34 I first came to Alaska the -- it was on the tail end of
35 a very high population of moose in Unit 15. And the
36 willows were dying off, you'd see where they would chomp
37 off willows as big as your thumb. And now they're never
38 any bigger than your little finger. So and it's just
39 kind of -- you know, you run these transects and I just
40 wondered have you seen anything to that extent down
41 there?
42
43 MR. BURCHAM: Nothing close to that.
44
45 MR. ADLER: Nothing close to that.
46
47 MR. BURCHAM: Yeah, I mean, you can see
48 good use of browse in the core winter range, but I've
49 seen heavily -- you know, Anchorage hillside is one
50 example that's heavily used and at a moose workshop that

1 was in conjunction with a Wildlife Society meeting in
2 Juneau, we flew to Gustavus where moose had really
3 hammered the range there. And yeah, I've seen plenty of
4 examples of heavy use of browse and we're nowhere near
5 that level of use.

6

7 MR. ADLER: Probably just snowfall then
8 is maybe a more significant factor, the depth of the
9 snow.

10

11 MR. BURCHAM: No, the moose on the Copper
12 River Delta have it pretty good, it's a maritime climate,
13 generally we don't get huge snowfalls. We did get a lot
14 last year and I think it was a little bit of luck with
15 the snow conditions that allowed moose to stay on top of
16 it that kept us from getting a large die off last year.
17 I think moose were walking on top of five and 10 feet of
18 snow, eating on the tops of trees rather than getting
19 buried in it. When the first big snows did happen in
20 December, late December or early January, there were
21 reports of moose floundering on the shoulders of the
22 roads and even some mortalities right off the bat, but
23 that snowpack stabilized and yeah, the moose for
24 inexplicable reasons seem to have done pretty well last
25 year with little reported mortality after that first big
26 event.

27

28 Thank you.

29

30 CHAIRMAN LOHSE: Mr. Henrichs.

31

32 MR. HENRICHS: Yeah, I know that snow
33 last year packed down so heavy that I had eight feet of
34 snow on my roof twice and the only way we could get it
35 off was to cut it with a chainsaw. So.....

36

37 CHAIRMAN LOHSE: That's his roof though.

38

39 (Laughter)

40

41 CHAIRMAN LOHSE: Were you getting the
42 snow off or the roof off?

43

44 MR. HENRICHS: Snow off.

45

46 CHAIRMAN LOHSE: Okay.

47

48 MS. D'AMICO: Sorry, Mr. Chair. I
49 actually forgot to brief everyone on the schedule of
50 proposed actions. I -- hopefully everyone's got a copy

1 in front of them. I believe this list is very close to
2 the one that you received in the fall with only two new
3 listings on it which one you got a briefing on yesterday
4 on the Chugach Forest Plan Revision and then one on the
5 next to the last page on special use permits renewals.
6 And so, you know, the Forest has a lot of different
7 things going on, you can certainly find more information
8 on any of these projects by calling the -- those listed.
9 But with the special uses it's just looking at renewals
10 at this time, no new special permits being requested at
11 this time.

12

13 CHAIRMAN LOHSE: Any other questions for
14 the Forest Service? Greg.

15

16 MR. ENCELEWSKI: Yeah, if I may I just
17 got a quick question for Milo here. I may have known at
18 one time, but I'm probably aging gracefully, but you made
19 a statement 75 percent preference or for the subsistence.
20 I would like to know how -- I don't quite understand
21 that.

22

23 MR. BURCHAM: For a couple of reasons.
24 Several years back when the Federal hunt was set up most
25 recently I guess, we looked at the proportion of tags
26 that were going to Cordova residents. It had been half
27 or more in the State drawing that were going to Cordova
28 residents, but that started getting worse, you know,
29 through luck of the draw and Cordova residents started
30 getting a smaller percentage. And then we also looked at
31 land ownership on the Copper River Delta and there is a
32 pretty large block of non-Federal land there's that's
33 moose habitat. And so we arrived at that 75/25 split or
34 that's part of why the proposal went in or where we --
35 how we ended up there is to kind of account for that. So
36 when the State chooses an allowable harvest level, you
37 know, based on the current population information, in
38 this case he decided 52 animal -- bulls was the allowable
39 part of the bull harvest, 75 percent of that is supposed
40 to go to Federal subsistence, you know, users in the
41 Federal subsistence drawing and then 25 percent remains
42 in the State draw. And that's -- so that some of that
43 land on the delta that's non-Federal can still be hunting
44 so we're not setting up a moose refuge, you know, per se,
45 you know, a no hunting zone so some hunting can occur on
46 the non-Federal land and, you know, just sort of share --
47 it's a share with the State also for that opportunity.

48

49 MR. ENCELEWSKI: Thank you very much.

50

1 CHAIRMAN LOHSE: Mr. Henrichs.

2

3 MR. HENRICHS: I know the State has
4 wanted to get control of this hunt back and they came
5 before this body twice and asked to have control of that
6 hunt back and they've got shut out both times. So.....

7

8 CHAIRMAN LOHSE: Milo.

9

10 MR. BURCHAM: That's true. And the hunt
11 as it is seems to be very popular with Cordova residents,
12 they recognize that split, they recognize they can put in
13 for those State tags and to have the best chance of
14 getting a moose permit they should be putting into the
15 State draw and the Federal draw which is what most people
16 do. And it seems to have been a balance that was
17 reached, you know, through the community that way and so
18 far it seems to be working and I don't hear much
19 complaint about how it works right now.

20

21 CHAIRMAN LOHSE: Thank you, Milo. And I
22 think the one thing that needs to be pointed out that
23 this is an isolated population of moose that was
24 basically planted by the community and so it's kind of
25 considered a -- it's kind of considered a community
26 resource and it was considered a community resource for
27 a long time. And then gradually it became -- when you
28 have 70 inch moose running around it attracts attention.
29 And nobody -- to an extent people in Cordova don't mind
30 hanging up a 70 inch rack, but they're really after the
31 meat.

32

33 And now before Milo leaves I will let him
34 take up just a little bit more time. We were going to
35 back through that motion and your request for designated
36 authority. What we have in front of us right here and I
37 don't know if everybody's got it, is kind of a revised
38 idea and what we're going to suggest is that when you put
39 your letter in that you don't say that we gave you our
40 permission, but that we discussed it thoroughly, we had
41 some questions on it and the things that are in this
42 letter reflect what we would like to see in a designated
43 authority.

44

45 Am I correct in my.....

46

47 MR. CARPENTER: Yeah.

48

49 CHAIRMAN LOHSE: assumption right
50 there? So you can say that we didn't object to you

1 having it, but we did not unanimously support you having
2 it, but you brought up questions and we discussed it
3 thoroughly and our ideas are -- as what we would like to
4 see in a designated authority are reflected in this
5 letter. And we will give you the letter and we'll also
6 submit it in our annual report.

7

8 And if that's agreeable to the rest of
9 the Council?

10

11 Gloria.

12

13 MS. STICKWAN: Yeah, it was suggested
14 about a time limit on this and.....

15

16 CHAIRMAN LOHSE: What?

17

18 MS. STICKWAN: There was a suggestion
19 about a time limit on this and it's not included in this.

20

21 CHAIRMAN LOHSE: Did we put a time limit
22 on this one right here?

23

24 MR. CARPENTER: No.

25

26 CHAIRMAN LOHSE: No.

27

28 MS. CAMINER: We did not and I don't
29 recall if we were going to do that only in our annual
30 report or if we want to say it here too as part of the
31 feedback to Milo.

32

33 CHAIRMAN LOHSE: I don't know. I think
34 that part of the feedback to Milo is one of questions --
35 one of the questions that has come up a lot in this
36 Council is the fact that it basically has no review
37 process or time limit on it and that I -- you know, I
38 think from this Council's standpoint from what I heard is
39 -- the fact that it's a -- goes off into the future and
40 basically's forgot about is one of the objections, that
41 they would like the ability to review it or a time limit
42 or something to that effect. And am I correct in that?

43

44 MR. CARPENTER: Yes, that's right.

45

46 CHAIRMAN LOHSE: So I think that that
47 could be included in it and so what you'll be doing is
48 you'll be taking -- you'll be going there with -- kind of
49 with our blessings, but not quite our blessings, but
50 you'll be taking our concerns there at the same time if

1 you don't mind.
2
3 MR. BURCHAM: Yeah, that's how I had
4 planned to write the letter and I think it's the same
5 language that Judy and I talked about yesterday. That
6 seems reasonable to me, it's the process that we strive
7 for, you know, every time, you know, we -- whether we go
8 into a special action or, you know, anything like that
9 anyway. And yeah, I planned on trying to capture, you
10 know, the gist of the Council's concerns in the letter,
11 you know, I can't skate by that. But anyway, yeah, I
12 think that will all be present.
13
14 CHAIRMAN LOHSE: If you want a good copy
15 of what the Council's concerns are written down.....
16
17 MR. BURCHAM: I think I have that now.
18
19 CHAIRMAN LOHSE: You have that.
20
21 MR. BURCHAM: Yeah.
22
23 CHAIRMAN LOHSE: And then.....
24
25 MS. CAMINER: From.....
26
27 MR. BURCHAM: I'll double check.
28
29 MS. CAMINER: It says at the bottom
30 justification the RAC and that's different from the
31 previous version. So Donald has it.....
32
33 MR. BURCHAM: Okay.
34
35 MS. CAMINER:or we can give you one
36 of ours.
37
38 MR. BURCHAM: Okay. I'll do that.
39
40 CHAIRMAN LOHSE: And thank you, Milo, and
41 thanks for -- thanks for taking up so little time in our
42 meeting.
43
44 (Laughter)
45
46 CHAIRMAN LOHSE: Okay. With that we are
47 going to go on to the U.S. Fish and Wildlife Service. Do
48 we have anything from the U.S. Fish and Wildlife Service
49 to be presented? Steve.
50

1 MR. FRIED: You thought you were rid of
2 me. For the record my name's Steve Fried with Office of
3 Subsistence Management. And just wanted to bring to the
4 Council's attention this kind of pinkish orange sheet in
5 your packet which is a summary of the 2012 Cook Inlet
6 harvest. And basically in a nutshell there were 133
7 subsistence permits issued, most of those came out of --
8 were issued to resident of Cooper Landing, they had 76
9 permits. And most of the permits were for the Kenai
10 River. Out of 133 permits 120 of those were for Kenai
11 River. The other 13 were for the Kasilof and there were
12 none issued for the Tustumena Lake ice fishery. The
13 reported harvest was all sockeye salmon. There was 1,414
14 sockeye from the Kenai River and all of those reported to
15 have come from I believe -- yeah, the Russian River dip
16 net fishery and a few from the rod and reel fishery on
17 the Upper Kenai/Russian River. And then the remainder
18 came out of either the dip net fishery on the Kasilof or
19 yeah, there weren't any rod and reel fish -- reel fishery
20 sockeye reported out of the Kasilof. So total of 1,438
21 sockeye, most of them from the Russian River Falls dip
22 net fishery.

23
24 CHAIRMAN LOHSE: Any question on that?

25
26 (No comments)

27
28 CHAIRMAN LOHSE: Thank you, Steve.

29
30 BLM.

31
32 Do we have anybody from the BLM here?

33
34 (No comments)

35
36 CHAIRMAN LOHSE: Seeing none, we'll go

37 on.
38
39 National Park Service.

40
41 MR. RABINOWITCH: Good morning, everyone,

42 I'm Sandy Rabinowitch with the National Park Service.

43
44 I was requested from Donald a number of
45 weeks ago to give you a short update, it's kind of a
46 status report on a project you've heard about over the
47 last several years. It's an environmental assessment that
48 deals with a collection of horns, antlers, bones and
49 plants on NPS lands. For you longer serving members
50 you've heard a number of things over a number of years,

1 for the newer members if you want to know more just catch
2 me at a break or something, I'll be happy to, you know,
3 give you some more background or get you a copy of the
4 document or whatever.

5

6 So this is just a very quick update.
7 We've been studying this for a long time, an
8 environmental assessment was completed last spring, the
9 spring of 2012. Public comment period was held and this
10 and every other Council in the State had the opportunity
11 to comment along with National Park Service Subsistence
12 Resource Commissions and the whole -- the public.

13

14 The -- so the comment period closed in
15 May of 2012. During the summer myself and others
16 reviewed all the comments. We made some changes, we made
17 a number of corrections and then we developed what is
18 called a FONSI and that stands for finding of no
19 significant impact so it's a short little kind of a
20 summary document with recommendations for how to you
21 finish this work out. That FONSI document was reviewed
22 by each of our different Park units, Park staff and
23 superintendents through the fall and they all provided
24 input into myself and the rest of the team that's been
25 working on this. In the fall which would be September of
26 2012 we provided that document, the FONSI document, up
27 our chain of command within NPS and that document is
28 still on internal review within the NPS. So that's kind
29 of been moving a little slow and I'm sorry to say that,
30 but that's just the honest, simple reality.

31

32 At this point I do not know nor can I
33 predict when it will -- when that review's going to be
34 completed, but I am happy to say that I recently was
35 asked to come to a meeting next week on it so hopefully
36 maybe we are going to get something done here. But I
37 don't have any information about that meeting that I've
38 just been asked to come to. When the review is complete
39 and if a decision to move forward is made, so it could be
40 either to not do anything or move forward, those are the
41 simple choices. The NPS would then begin the formal rule
42 making stage, i.e., propose a regulation that would relax
43 our existing regulations which are essentially very, very
44 stringent. And so if that happens then we'll be back
45 kind of slugging through the next part of, you know,
46 making changes to NPS regulations.

47

48 That's the quick update. For those of
49 you that are familiar, hopefully that makes sense. For
50 those of you who are hearing about this for the first

1 time probably nothing I just said makes sense, but I can
2 fill you in more if you want to know.

3
4 CHAIRMAN LOHSE: Then until that moves up
5 through the chain of command and a new regulation is put
6 in place my interpretation is that it remains illegal to
7 remove antlers and bones and things like that from
8 National Park Service land.

9
10 MR. RABINOWITCH: That is correct. And
11 let me just put a fine edge on what you said, more for
12 maybe the newer members. So if you were inside an NPS
13 area and you were hunting, okay, you shot a moose let's
14 say, you can take the antlers with you. Fine, no
15 problem, just like you've probably always done. What
16 this is about is you're out taking a hike or you're out
17 hunting and you see a horn or antler laying there on the
18 ground, somebody else left it, maybe the animal just
19 died, you know, whatever, you can't pick that up and take
20 it home, that's the distinction.

21
22 CHAIRMAN LOHSE: Yeah. Under current
23 law.

24
25 MR. RABINOWITCH: Under current NPS
26 regulations.

27
28 CHAIRMAN LOHSE: And that applies to not
29 just horns and antlers, that applies to.....

30
31 MR. RABINOWITCH: It.....

32
33 CHAIRMAN LOHSE:bones, hoofs,
34 hides?

35
36 MR. RABINOWITCH: Yes.

37
38 CHAIRMAN LOHSE: Wood products. Or is
39 that -- the wood products I know under subsistence we're
40 allowed wood products under a certain size and if dead or
41 downfall or something like that?

42
43 MR. RABINOWITCH: Right. I was going to
44 say that's why I hesitated because there -- you get into
45 more specifics just as you're saying.

46
47 CHAIRMAN LOHSE: So this is pretty much
48 dealing with horns, antlers and bones and things like
49 that, claws?

50

1 MR. RABINOWITCH: And plants. And plants
2 are also a little more complicated and I would just say
3 that you can collect -- let me think how to say this.
4 You can collect some plant materials, take them home, use
5 them for personal use right now.....

6
7 CHAIRMAN LOHSE: Uh-huh.

8
9 MR. RABINOWITCH:but what our
10 regulations don't allow you to do would be to say make a
11 plant into a handicraft and then sell it.

12
13 CHAIRMAN LOHSE: Okay.

14
15 MR. RABINOWITCH: So again it's a little
16 different with plants. But when we got these requests a
17 number of years ago to look at this and consider relaxing
18 our regulations we decided we would combine them all
19 together because it's a -- you know, a lot of work and if
20 we're going to hopefully make some changes we'd get it
21 all going.

22
23 CHAIRMAN LOHSE: So I have one more
24 question then. Is it illegal to pick up the horns or is
25 it illegal to take them out of the National Park and
26 Preserve?

27
28 MR. RABINOWITCH: Technically both.

29
30 CHAIRMAN LOHSE: Both.

31
32 MR. RABINOWITCH: Yeah. Because our
33 regulations and this is from memory here talk about not
34 disturbing, defacing or removing. I think I'm.....

35
36 CHAIRMAN LOHSE: Okay.

37
38 MR. RABINOWITCH:remembering the
39 phrase. So technically if you pick it up.....

40
41 CHAIRMAN LOHSE: You've disturbed it.

42
43 MR. RABINOWITCH:you're disturbing
44 it. I mean, pick it up and you put it back down in the
45 same place I don't think anybody's going to bother you,
46 but technically you shouldn't.

47
48 CHAIRMAN LOHSE: But don't take it home
49 and hang it on your cabin wall inside Park Service?

50

1 MR. RABINOWITCH: Yes.

2

3 CHAIRMAN LOHSE: Mary Ann.

4

5 MS. MILLS: I have a question. What
6 about porcupine quills and also I know people that make
7 salves and so forth out of the different medicine plants
8 that are for sale?

9

10 MR. RABINOWITCH: Okay. You know, people have asked
11 me about porcupine quills and I'm trying to -- I'm
12 honestly trying to remember. I think the answer is no,
13 but I would sort of need to go back and triple check that
14 because it's been a long time since anyone asked me the
15 question and I'm just honestly not exactly remembering
16 the answer. In terms of plants and herbal medicines,
17 this does not include anything that you would eat or use,
18 you know, as medicines. There are -- and I apologize, I
19 don't have my NPS reg book with me this morning, but
20 there are allowances for subsistence qualified people to
21 -- and correct me if I'm wrong here, Judy, if you can
22 help me, there are allowances for you to collect certain
23 plants and use them. Where we go over the line is when
24 you -- when -- is in selling, like selling for cash. And
25 so -- and I could dig up my regulations and give you a
26 more complete answer if that would be helpful to you.

27

28

29 MS. MILLS: Does that mean if you are in
30 a non-subsistence area you cannot pick your medicine
31 plants or if you're not a designated subsistence.....

32

33 MR. RABINOWITCH: Well, any NPS area
34 that's open to subsistence uses, you -- you know, you can
35 do what our regulations allow. So an exception would be
36 like the old part of Denali National Park that's closed
37 to subsistence use.

38

39 CHAIRMAN LOHSE: I think what needs to be
40 brought out is this only applies on National Park Service
41 land, it does not apply on Forest Service land, it does
42 not apply on BLM land. But I have a question, does it
43 apply on National Preserve land?

44

45 MR. RABINOWITCH: Yes.

46

47 CHAIRMAN LOHSE: So park and preserve
48 counts the same?

49

50 MR. RABINOWITCH: And monumental though

1 I don't think you.....
2
3 CHAIRMAN LOHSE: And mon.....
4
5 MR. RABINOWITCH: have any monuments in
6 this region, but we have three kinds of areas, yes.
7
8 CHAIRMAN LOHSE: So all land that's
9 administered by the National Park Service?
10
11 MR. RABINOWITCH: Right.
12
13 CHAIRMAN LOHSE: Okay.
14
15 MR. RABINOWITCH: Right.
16
17 CHAIRMAN LOHSE: Any other questions?
18 Greg.
19
20 MR. ENCELEWSKI: Yeah, through the Chair.
21 Just a quick question. Forgive my ignorance. Not
22 including berries.....
23
24 MR. RABINOWITCH: Berry.....
25
26 MR. ENCELEWSKI:as long as you're
27 not selling them?
28
29 MR. RABINOWITCH: Again berries fit into
30 a different category, they're, you know, food. And again
31 I apologize, I don't have my reg book, but each of these
32 categories are treated a little differently. And I'm
33 also suffering from a lot of jet lag, I just came from a
34 very long trip. And so it's an excuse, but it's actually
35 real. And.....
36
37 (Laughter)
38
39 MR. RABINOWITCH:but I'm happy to
40 look that stuff up if you'd like me to send you an email
41 back or something, I -- just give me an email address,
42 I'm happy to do the follow-up and answer your question
43 more thoroughly.
44
45 CHAIRMAN LOHSE: And again remember that
46 this limitation does only apply on National Park Service
47 land. It does not apply on Forest Service land. But I
48 suppose they have their own permits and regulations that
49 you have to abide by if you want to go through that.
50

1 MR. RABINOWITCH: I'm confident all of
2 our Federal agencies have our own rules and regulations.

3

4 CHAIRMAN LOHSE: Okay. Do we have
5 anything else on -- from you?

6

7 (No comments)

8

9 CHAIRMAN LOHSE: Okay.

10

11 MS. PUTERA: Mr. Chair, it's been about
12 a year since I've been to a meeting so I think my
13 etiquette is going to be questionable, but I -- Mr. Chair
14 and members of the Council. My name's Judy Putera and
15 I'm the Wildlife Biologist for Wrangell-St. Elias
16 National Park and Preserve and I've been asked to come
17 and give an update on the Mentasta Caribou Herd.

18

19 So what I've handed out is -- I'm going
20 to read from -- so the most recent population estimate
21 for the Mentasta Caribou Herd is the 2010 estimate of 336
22 animals. Unfortunately poor weather at the time of the
23 June post-calving count as prevented determining a
24 population estimate in 2011 and 2012. Basically we
25 pretty much need a blue bird day to get these -- this
26 count done and we've just had, you know, really low
27 clouds obscuring a lot of the area that we need to count.
28 So it makes it difficult to get it done.

29

30 So I'm going to kind of just give you a
31 little idea of what we do to come up with this estimate.
32 We do a June post-calving count and that's become
33 challenging given the small number of caribou which are
34 spread over a very large area which is basically between
35 the Dadina and Copper Rivers. Typically the survey's
36 divided into three sectors with one aircraft assigned to
37 each sector resulting in three aircraft searching for
38 caribou simultaneously. And we do have a portion of the
39 cows in the herd that we fit with radio collars and that
40 helps us determine how many animals we are actually
41 missing during the survey. So following the survey we
42 determine which radio collared cows we miss and then we
43 go back and locate each one and then count the number of
44 animals associated with those radio collared cows. Then
45 we adjust that post-calving count by an estimate of the
46 number of caribou missed during the survey.

47

48 The fall estimate -- we come up with a
49 fall estimate based on a fall composition count and use
50 the fall calf count and bull/cow ratios combined with the

1 post-calving count to determine the fall population
2 estimate.

3
4 Another challenging -- another challenge
5 into getting a good population estimate is the fact that
6 the -- part of the Nelchina Herd and primarily the bulls
7 that early in the fall start moving into the Mentasta
8 Herd's range. So we have been getting these sort of
9 outrageously high bull/cow ratios in the fall. And those
10 high numbers of bulls are likely due to encouraging them
11 to the Nelchina Caribou -- from the Nelchina Caribou
12 Herd. So we went back and recalculated the last three
13 population estimates from 2008 to 2010 and basically
14 using a -- sort of a -- I don't want to -- sort of a more
15 realistic what we would expect the actual bull -- bull
16 ratio of 30 bulls per 100 cows. So I guess what I'm
17 trying to say is it's -- it's become pretty difficult to
18 get a really good estimate of this herd based on those
19 factors. So moving on to the second paragraph, basically
20 although we didn't get a good estimate for 2011 and '12,
21 we did do some radio tracking flights in the summer just
22 to try to get an idea of how many calves and cows we had
23 out there. So in -- on June 11, 2011 we located radio
24 collared -- a radio collared cow so we came up with a
25 total of 102 caribou with 86 adults and 16 calves. Again
26 on July 21st -- actually that year I thought well, what
27 the heck, I'll try to do a -- see if I can do a
28 population estimate. It was very late in the year and I
29 just had two aircraft out and we searched for caribou
30 within the survey area. And then we kind of followed our
31 traditional, you know, going after the radio collared
32 cows that we missed and counted their groups. But just
33 because of the late survey and the -- we missed so many
34 groups just because at that time of year the caribou are
35 just really hard to see and they're very spread out. So
36 but we did -- we counted 117 adults, 12 of those were
37 obvious foals and then 12 calves.

38
39 One thing that we haven't been doing that
40 we did try to do last year was a parturition survey. So
41 we -- last year on May 24th we located 12 of our radio
42 collared cows that were within the calving range. We
43 classified cows as being parturient based on the presence
44 of a calf or whether they were observed with hard antlers
45 or a distended udder. We had six cows or 50 percent had
46 a calf present and five or 42 percent had a distended
47 udder or hard antlers, but no calf. And one had evidence
48 -- had no evidence of parturition or being pregnant. So,
49 you know, this is only based on one flight and in the
50 future we probably need to do several flights, but this

1 does give an indication that a large portion of the cows
2 do become pregnant, but are just, you know, losing their
3 calves through early losses and then throughout the
4 summer.

5
6 One other thing we did last year and I'll
7 talk about that next, but we did do -- we did capture
8 some caribou and then sort of tagged on at the end of
9 that capture we decided to sort of look for groups and
10 count them on our way back to the hanger. So we did --
11 we located 11 groups consisting of 62 cows, 20 calves and
12 49 bulls resulting in 32 calves and 79 bulls per 100
13 cows. If I recall we -- the groups that we didn't get
14 were sort of towards the east end of the range there
15 between probably, I don't know, Boulder Creek and the
16 Copper River so we didn't comp any animals there.

17
18 So we did some winter distribution
19 flights and this is just from 2010, '11 and '12 and these
20 were a couple flights we did in the middle of winter to
21 try to determine where the Mentasta cows are going during
22 the winter. And this -- these were just our kind of
23 regular VHF collars, the ones you have to go fly to to
24 find them. So basically what we're still finding is a
25 portion of the Mentasta cows are leaving the Park and
26 Preserve in the winter and then traveling up through
27 Tetlin National Wildlife Refuge and I guess you could say
28 really, you know, the southern or the northern portion of
29 GMU 12 and then on into the southern portion of GMU 20E.
30 Those -- all the red dots are Mentasta cows and the
31 different shapes are for the different years and the blue
32 dots are the Nelchina cows. So we are still seeing that
33 eastward migration into the winter.

34
35 This past winter or this past fall I was
36 able to find some funding for some GPS Argos radio
37 collars and we did put those out on eight Mentasta
38 caribou. And those collars, they're GPS collars, and
39 they obtain a location on the animal approximately five
40 times per day. And what's nice about these is that the
41 actual data is transmitted through the Argos satellite
42 system and comes right to my computer about four times a
43 month. So I was really hoping with these collars to get
44 -- you know, my -- one of the main things I wanted to do
45 with these collars was to use them to be able to see how
46 these -- how Mentasta Caribou were moving out of the Park
47 through the Refuge and then up into 20E and try to get
48 the timing on that. And unfortunately all eight caribou
49 that I put these GPS collars stayed in the Park this
50 winter so I didn't get that information.

1 But also Becky Schwanke with Fish and
2 Game in GMU 11 has also put a number of these GPS Argos
3 collars on Nelchina Caribou associated with that Watana-
4 Susitna hydro project. And so I think -- and she -- I --
5 I've seen some of the results of those collars. I didn't
6 want to include them here because I didn't know if, you
7 know, it was appropriate for me to display her data, but
8 the collars that she had from -- that she put on last
9 fall showed Nelchina Caribou coming through the northern
10 part of the Refuge or the Park also. So I think with us
11 combining our data from those collars for the Mentasta
12 Herd and the Nelchina Herd, I think it'll be really
13 interesting and will give us a lot of information on how
14 those two herds are intermingling and moving through, you
15 know, Wrangell and then out.

16
17 These -- I've got a couple illustrations,
18 these kind of smaller ones show -- it's just -- I just
19 paired a couple for the Mentasta cows with the GPS
20 collars, two per photo, but -- and then the different
21 color dots are -- you know, each color represents one
22 cow. So I just kind of wanted to show sort of some of
23 the distribution, some of the cows are kind of, you know,
24 making a lot of movements, moving up towards kind of
25 Slana and that area, others are kind of staying really
26 clumped up tight. So I thought that was pretty
27 interesting.

28
29 But that's kind of where we are right
30 now. I will again attempt this year to try to get an
31 estimate done. I think I'll start a little bit earlier.
32 But, you know, it's a little bit difficult. You try to
33 schedule three planes, three pilots and three observes
34 and then when, you know, everything goes to heck because
35 of weather it's a little bit difficult to kind of bring
36 everybody together again. So I think I'll just try to
37 start earlier and then that'll just give me that many
38 more days to try to regroup.

39
40 But those are all the -- I just thought
41 I'd give you guys an idea of how kind of difficult this
42 is becoming and but hopefully these GPS collars will give
43 us a lot of good information.

44
45 CHAIRMAN LOHSE: Thank you. I've got a
46 couple questions and I think there's a couple other
47 questions from the audience. You say the Nelchina bulls
48 are mixed in with the Mentasta Caribou in fall.

49
50 Are they in there early for the breeding

1 season?

2

3 MS. PUTERA: They -- yeah, I mean, we've
4 -- as early as -- I mean they start coming in as early as
5 the beginning of September.

6

7 CHAIRMAN LOHSE: Which would kind of go
8 along with the idea that a lot of the local people have
9 that the Mentasta Herd is not really an isolated genetic
10 population, but it's actually an offspring of the
11 Nelchina Herd that just goes over there. Have any of
12 your cows that have been collared showed up in the
13 Nelchina Herd any place?

14

15 MS. PUTERA: Well, yeah, let me -- there
16 was a genetic study done and it was just published on the
17 Nelchina and Mentasta Herd and basically -- and I'm not
18 a -- unfortunately genetics was probably one of my poorer
19 subjects in school, but what I understand that the cows
20 genetically, the Mentasta and Nelchina cows are very
21 distinct.

22

23 CHAIRMAN LOHSE: They're distinct from
24 each other?

25

26 MS. PUTERA: Yes. And but there is some
27 genetic interchange from the bulls, you know, to -- they
28 looked at the DNA that's inherited by only the maternal
29 -- I don't know, it's -- there is some genetic.....

30

31 CHAIRMAN LOHSE: Genetic markers that
32 come strictly from the female side.....

33

34 MS. PUTERA: Right. Right.

35

36 CHAIRMAN LOHSE:that you can
37 actually trace and.....

38

39 MS. PUTERA: Right.

40

41 CHAIRMAN LOHSE:show that the
42 cows.....

43

44 MS. PUTERA: Right.

45

46 CHAIRMAN LOHSE:even if they're
47 crossed with the bulls then the next generation still
48 carries those markers?

49

50 MS. PUTERA: Right. So there is some

1 genetic exchange between the bulls, you know, mating with
2 the cows of different herds, but the -- yeah.

3

4 CHAIRMAN LOHSE: So you can't have
5 genetic exchange between the bulls, you've got.....

6

7 MS. PUTERA: That's all I'm saying. I
8 know -- that's why I like to read things, I.....

9

10 CHAIRMAN LOHSE: You got genetic exchange
11 from the Nelchina bulls into the Mentasta cows is what
12 you're saying?

13

14 MS. PUTERA: And maybe vice versa too,
15 the Mentasta bulls and the Nelchina cows.

16

17 CHAIRMAN LOHSE: Mentasta bulls and
18 Nelchina cows.

19

20 MS. PUTERA: Right. But the --
21 genetically the cows are distinct and they do for the
22 most part are -- what's the word, they show a high degree
23 of fidelity to the different calving ranges which are,
24 you know, pretty far apart.

25

26 CHAIRMAN LOHSE: Okay. Mr. Adler.

27

28 MR. ADLER: I've been a biologist and a
29 hunter and a pilot in Glennallen, Unit 11, 12, 13, for 43
30 years. And I've seen the Mentasta Herd go from over
31 5,000 down to about 350. That's more than a 90 percent
32 reduction. I've seen the Dall sheep go down 90 percent
33 reduction. I've kept track of them and I know that to be
34 a fact. Now you people change every three or four years
35 and I'm not buying this stuff about the difference
36 between the Nelchina and the Mentasta Caribou. I've seen
37 it go back in course across the river by the thousands a
38 dozen times. And Wilson Justin could correlate that or
39 verify it. And I'm quite alarmed at the reduction of the
40 caribou and Dall sheep population in the Wrangells. And
41 I think the Park Service should be alarmed about it too.
42 And this whole drainage whether there used to be three or
43 400 Dall sheep there's essentially none. And it's not
44 just a little area that I looked at, I looked at
45 everything from the White River, the Upper Chitina, the
46 western forefront of the Wrangell and Chenega Lake and
47 Upper Copper River. So I'm -- I think I'm on good
48 grounds and I think we need to be alarmed about this
49 reduction in particularly Dall sheep. Caribou are very
50 mobile and you can always say well, they moved out of the

1 area because of the overall population. When the
2 Nelchina Herd was over 100,000 there was a lot of
3 pressure to move and they tended to move in and out of
4 the Wrangells in mass. And I think -- I used to hunt the
5 Wrangells exclusively for caribou in the late '70s, the
6 mid '70s to the late '80s and you can't do that any more
7 because there's not enough caribou left and it's been
8 closed down.

9

10 So that's what I had to say about it.

11

12 MS. PUTERA: Well, through the Chair. I
13 -- the Dall sheep population has not -- has not seen a 90
14 percent decline based on our surveys. So I guess I would
15 invite you to come and look at our data and the data that
16 Fish and Game is getting.

17

18 MR. ALDER: But the Park Service hasn't
19 been around long enough and they change biologists every
20 three or four years and I'm talking back in the '60s and
21 '70s, not just the '90s and the -- since.

22

23 CHAIRMAN LOHSE: Judy.

24

25 MS. CAMINER: Thanks, Judy, for the
26 presentation. I just had a question on the figures.
27 There are green lines and purple lines. And so -- but I
28 wasn't sure what those were exactly.

29

30 MS. PUTERA: I'm sorry, the green lines
31 and the.....

32

33 MS. CAMINER: On figure 1 and figure 2
34 and then there's also little purple lines going off. I
35 wasn't sure if those are flights or what.

36

37 MS. PUTERA: No. I'm sorry. I -- yeah,
38 I was having problem with our GIS and ended up not having
39 a whole lot of time to do this, but I would have put a
40 lot more in here. But on figure 1 the brown lines
41 basically delineate the game management units. So I
42 wanted to show where the caribou were going in the winter
43 with respect to the game management units. That purple
44 line sort of is actually the boundary for Tetlin National
45 Wildlife Refuge. And then the green line is the northern
46 portion of Wrangell-St. Elias. So I was trying to show
47 that some Mentasta Caribou were staying in the Park in
48 the winter, some were going east with the Nelchina
49 Caribou.

50

1 MS. CAMINER: Thank you.
2
3 MS. PUTERA: And then on the other
4 figures -- oh, I don't have any lines except the green
5 line which is the boundary of the Park.
6
7 CHAIRMAN LOHSE: Gloria.
8
9 MS. STICKWAN: Could you get us a copy of
10 that study that was done on the genetics?
11
12 MS. PUTERA: Yes. There is a -- there is
13 a published paper now on the general mammology, I can get
14 that to everybody.
15
16 CHAIRMAN LOHSE: I don't know if I'd --
17 I don't know if I'd go along with Lee all over because I
18 haven't been all over, but I do know in the areas that I
19 have seen a 90 percent reduction in sheep population is
20 very -- maybe even conservative in some places. Now I
21 was looking at your overall count and your overall count
22 looks pretty good, but boy, I know along the McCarthy
23 Road system it sure -- anybody that was there in the late
24 '60s, early '70s, has to -- I mean, when you looked up
25 the hillside and it was no problem looking up at the
26 hillside and seeing 300 sheep, you know. It was no
27 problem going to the top of the Crystalline Hills and
28 seeing 11 or 12 full curl rams in one bunch, you know,
29 and now it's -- I don't know if you'd find a full curl
30 ram up there. And I know in '67 I made a flight from the
31 Lakina to Jack Wilson's camp over on Mount Drum and we
32 flew a straight line and I counted 274 bull moose that I
33 could see just by flying high and not looking for them,
34 we just went in a straight line to go there. Landed on
35 Mount Drum and his only instructions he gave me was don't
36 shoot a moose, you can't handle one. So he dropped me
37 off to get caribou and the problem with getting caribou
38 is every time you tried to go sneak up on a bunch of
39 caribou you ran into a couple bull moose fighting that
40 you couldn't get by, you know. So I -- there's a drastic
41 drop in game on the western side of the Wrangell-St.
42 Elias western -- there on that side right there. Not --
43 like I said I haven't been all over like Lee has, but
44 they definitely have dropped tremendously.
45
46 CHAIRMAN LOHSE: Doug.
47
48 MR. BLOSSOM: Mr. Chair. You got my
49 interest, Lee, why, where have they've gone. You've got
50 all these years, tell us, don't give us half the story.

1 MR. ADLER: Well, there's no one simple
2 answer and you can talk about predation, you can talk
3 about disease, over hunting and still I've been around
4 like I say for 43 years, Bob Toby was here 31 or '2 years
5 and we can't put our finger on it quite frankly where
6 they went. You could say oh, the Park Service came in
7 and they disappeared, but.....

8

9 (Laughter)

10

11 MR. ADLER:I don't know if that's
12 quite fair either, but, you know, it's just a problem.
13 But like I say I remember flying over -- around Wilson
14 moose camp too and you'd -- moose here, moose here, four
15 or five here, they're not there any more. And it's
16 probably a little bit of everything, you know, a little
17 bit of everything. And that's one of the things I think
18 that the Park Service and the Fish and Game, the BLM need
19 to do a little more research. And I know what they did
20 in Idaho and Colorado, there was a big sheep die off in
21 Colorado, the Cherault Herd, and they sent the biologists
22 to autopsy the dead animals and they find out that they
23 were dying of scabies and lung worm and ammonia and
24 things like this. And so we don't know here, it would
25 take some intensive on the ground management, I have to
26 admit, you know, to find this out. It wouldn't be easy
27 and it wouldn't be cheap, but it probably needs to be
28 done.

29

30 CHAIRMAN LOHSE: Mary Ann.

31

32 MS. MILLS: Well, I don't have proof, but
33 I know that, you know, when I was young and these are
34 just stories that were passed down because we would go up
35 there and we'd always get caribou. And then there was a
36 sharp decline. And we were told that a lot of the
37 decline came from the military that would go up there and
38 just target practice on the animals. I have no proof of
39 that, but I'll just put that out.

40

41 CHAIRMAN LOHSE: Gloria.

42

43 MS. STICKWAN: AHTNA put in a proposal to
44 do predator control on the Mentasta Herd and the bears
45 in Unit 11 and 12 and it wasn't passed by the Board of
46 Game. We asked for a feasibility study to be done and
47 they refused to do it based on land ownership and mostly
48 because of land ownership in the Calvin area they said
49 was on National Park land. So and Fish and Game didn't
50 -- I don't -- I got the impression they weren't

1 supporting the proposal either. I mean.....

2

3 CHAIRMAN LOHSE: Yeah, that's a problem
4 that we'll always have because that's against National
5 Park Service basic premises and on the healthy natural
6 populations. And the one thing about healthy natural
7 populations is they go this way and they go this way.
8 And the problem is when they hit the bottom it takes a
9 long time before they turn around and go back up. But if
10 you can't do anything -- you know, when you and I came in
11 the late '60s we weren't very far behind the time that
12 we've heard some of these other people talk about whose
13 uncle or like Wilson Justin said, his dad was a Fish and
14 Wildlife Service Predator Control Agent and we had them
15 over the area there. And we had a -- I don't know about
16 on -- where -- with -- from the Glennallen area, but I
17 know in Chitina we had -- in the late '50s we had a wild
18 -- Fish and Wildlife Service agent that I would never
19 like to see what he did happen again, but there was no
20 question that he had the predators down -- on the western
21 side of the Wrangells down to nothing because he
22 basically bombed the western side of the Wrangells with
23 poison baits in the wintertime. And that took care of
24 the wolves in the winter and the bears when they came up
25 in spring. And so by the late '60s you had this
26 tremendous ungulate population all over the Wrangells.
27 And you'd talk to people in -- old timers in Cordova that
28 went up the McCarthy to go sheep hunting and the question
29 wasn't whether you could get a full curl ram, the
30 question was which one of that bunch up there is the
31 biggest, you know, and that's what the results were in
32 the late '60s from what happened prior to statehood.
33 When statehood came in in 1959 the Fish and Wildlife
34 Service, Federal Predation Program was stopped. I mean,
35 prior to that my father-in-law shot eagles. I mean, that
36 was underneath Federal regulation under Fish and Wildlife
37 Service. And that all stopped when statehood came. But
38 it's just like what we were talking about, cycles go up
39 and they take a while to go up and so in the late '60s
40 you had this tremendous spike of ungulate population in
41 the Wrangells. Well, some of it's going to be die off,
42 some of it's going to be predation, some of it's going to
43 be old age, some of it's going to be everything, but we
44 started on a downhill decline. And I don't think the
45 downhill decline has stopped yet myself. Although the
46 moose in our area seem to be rebounding a bit in our
47 area, I don't know about over where you are.

48

49 MR. ADLER: Well, I have to kind of echo
50 what Ralph is saying and I know from my research as a BLM

1 biologist in the past record that it was this aerial
2 shooting in the late '40s and early '50s by biologists
3 and the Fish and Wildlife Service policy, they did, they
4 eliminated the wolves in Unit 13 and other areas and in
5 the Wrangells and not only by shooting, but by putting
6 out 10/80 baits that would kill everything that ate meat.
7 And the results of that was like Ralph said, a tremendous
8 increase in ungulate population. And that must have
9 affected the Wrangells too. And actually it was -- they
10 went too far because then when I came in the late '60s I
11 could see all this browse from the moose. It's pretty
12 hard to kill a willow bush, but actually the moose are so
13 thick they actually killed the bushes. And I'd seen
14 acres of willow bushes that had actually died from over
15 browsing. And so -- and now, of course, the pendulum has
16 shifted the other way, we don't control predators, we
17 make a stab at it, but we don't really control them to
18 the point that we did back in those years. So and then
19 we have policy -- the Park Service policy and the
20 greenies and this sort of thing and I'm not speaking
21 derogatorily of the greenies because I -- in some ways
22 I'm a greenie too, but it's hard to manage wildlife
23 nowadays and even the Fish and Game, as long as they keep
24 the population at around 30,000 on the Nelchina Caribou
25 Herd I don't think they have any tendency to migrate into
26 the Wrangells and repopulate them. And that's -- those
27 are I think the animals we were hunting back in the '60s
28 and '70s and '80s in the Wrangells on caribou were
29 animals that came -- overflow from the Nelchina Herd.
30 And now that we're keeping them down to 30,000 they
31 pretty much stay in the Nelchina area. I think so.
32 There's no big.....

33
34 Wilson, I can remember when thousands of
35 caribou would come through Chistochina and cross the
36 Copper River and then they'd go back again. And they
37 just don't do that any more.

38
39 Yeah.

40
41 MR. JUSTIN: (Indiscernible - away from
42 microphone).....

43
44 CHAIRMAN LOHSE: Thank you, Lee. Doug.

45
46 MR. BLOSSOM: Yeah, Mr. Chair. Thank you
47 for your report.

48
49 We're not trying to chastise you.
50

1 CHAIRMAN LOHSE: No.

2

3 MR. BLOSSOM: We've lived here so long we
4 like to know about the good old days sometimes.

5

6 (Laughter)

7

8 CHAIRMAN LOHSE: And I'm going to throw
9 one thing in that shows that the good old days weren't
10 all the way good because the trapping cabin that I moved
11 into had the records of the trappers that trapped there
12 in the '50s. And I saw their fur tickets and they didn't
13 catch much because the same poison baits that wiped out
14 the predators wiped out the fur bearers. And if you go
15 back and look in the '40s and in Unit 11 in the '40s they
16 had a 10 limit on marten, that was the limit for the --
17 that was the limit for the year. And that was because
18 those kind of animals were so far down. So again, you
19 know, we recognize that things have changed, but things
20 have changed. And we know some of the things you're not
21 going to be able to -- you know, you can't change back
22 and some things you don't want to change back all the
23 way. But when we look at this -- you know, to me when I
24 look at the Mentasta Caribou Herd and I look at the bulls
25 going across the river and breeding with them and I look
26 at the cows breeding with the bulls from Mentasta
27 breeding with the Nelchina, it's awful hard for me to
28 think of them as having separate genetics. I just -- you
29 know, but I guess if you trace it back far enough you can
30 tell where all of genetics came from too, you know, you
31 just have to go back far enough.

32

33 With that we better let you go. We need
34 to take care of something so Greg can leave and then
35 we're going to let the BLM -- since we call the BLM man
36 we're going to allow him to give his talk before we
37 recess for lunch and then we'll take care of the rest of
38 things. Does that sound okay to the rest of the Council?

39

40 (No comments)

41

42 CHAIRMAN LOHSE: Or maybe we'll take care
43 of the rest of things and we'll just recess.

44

45 Okay. Okay. Greg, you wanted to know --
46 confirm the date and location of the fall meeting, right,
47 that's what you were interested in before you go?

48

49 MR. ENCELEWSKI: Yeah, I was interested
50 to know, but I was requested to make sure I stay for that

1 part so I wanted to make sure I did that.

2

3 CHAIRMAN LOHSE: Okay. So let's put the
4 future meeting dates on the table right now so that we
5 can take care of those for Greg. Page 90 in your book.
6 And then we'll go on to the BLM after we take care of
7 that.

8

9

10 Okay. The fall meeting. So we are on
11 the fall regional meeting and we have the Southcentral,
12 Copper River Basin is all we have down. We're going to
13 decide where we're going to have a meeting this fall,
14 October 2nd and October 3rd. And we want to have it in
15 the Copper River Basin.

16

17 Wilson, I saw you had your hand up a
18 little bit, were you going to suggest something in your
19 area?

20

21 MR. JUSTIN: Well, not in no particular
22 area and I think it's a very good move, but I think you
23 could consider McCarthy Chitina, Copper Center,
24 Chistochina and Mentasta for your deliberations. And I
25 think any one of those communities would be very happy to
26 have you.

27

28 CHAIRMAN LOHSE: Where do you think we
29 could find the facilities for having them?

30

31 MR. JUSTIN: Well, Chitina has a hotel,
32 I'm not sure what their.....

33

34 CHAIRMAN LOHSE: I know the Chitina Hotel
35 is up for sale. I don't know if it's -- but it was open
36 this fall for the.....

37

38 MR. JUSTIN: I'm not.....

39

40 CHAIRMAN LOHSE: Okay. Well, we could
41 sure check into that. I think -- personally I think that
42 would be -- if it would be acceptable to everybody I
43 really think Chitina would be a good place to have one.

44

45 MR. ADLER: Mr. Chairman, do they have a
46 conference room there. I don't know of any place there
47 that's big enough for us to gather.

48

49 CHAIRMAN LOHSE: You don't think the
50 dining hall's big -- dining room's big enough?

1 MR. ADLER: I don't know. I was thinking
2 Glennallen has the American Legion's big enough and even
3 the Caribou Cafe has a conference room that's big enough
4 and would also have food and lodging all in one building.

5
6 CHAIRMAN LOHSE: Yeah.

7
8 MR. ADLER: So that would be a
9 possibility.

10
11 CHAIRMAN LOHSE: Donald.

12
13 MR. MIKE: Yeah. Thank you, Mr. Chair.
14 I can look into the Chitina area and if it's the wish of
15 the Council he can pick an alternative site besides
16 Chitina.

17
18 Thank you.

19
20 CHAIRMAN LOHSE: Well, I -- how about the
21 Glennallen area for everybody? Tom.

22
23 MR. CARPENTER: I still like the
24 Kennicott Lodge idea, but.....

25
26 MS. CAMINER: Kennicott Lodge is open
27 until September 14th.

28
29 CHAIRMAN LOHSE: Okay. Let's put down --
30 let's put down the Chitina area, but we have to make sure
31 that we can get food and a place to have our meeting in
32 Chitina. And the Glennallen area would have that.

33
34 Gloria.

35
36 MS. STICKWAN: Why did we say October 2nd
37 and 13, why can't we change it to September, there's open
38 dates there.

39
40 CHAIRMAN LOHSE: I think nobody wanted to
41 have it in September because it was hunting season if I
42 remember -- if I remember right. The bunch from the
43 Kenai are all into hunting in September and they didn't
44 want to skip that. But.....

45
46 MR. ADLER: I was just down to Chitina
47 last week and there was nothing open, the cafe's shut
48 down, the grocery store's shut down, you can't buy -- the
49 only thing that's open is the post office, that's it.
50

1 MS. CAMINER: It says they're open to
2 October 1, maybe they'd be interested in staying open two
3 more days.

4
5 CHAIRMAN LOHSE: At Chitina?

6
7 MS. CAMINER: Yeah.

8
9 CHAIRMAN LOHSE: It -- she's says that
10 her thing says that the Chitina Lodge is open until
11 October the 1st. So maybe they would be interested in
12 staying open a couple days more for business. But I
13 agree with you there's not much at Chitina, but if the --
14 I don't know if the hotel's got enough rooms for
15 everybody.

16
17 MR. CARPENTER: We got to think about all
18 the staff and everybody coming. That was the problem we
19 had at Cantwell.

20
21 CHAIRMAN LOHSE: Yeah.

22
23 MR. CARPENTER: Glennallen sounds fine.

24
25 CHAIRMAN LOHSE: Glennallen sounds fine.

26
27 MS. STICKWAN: Well, we could travel to
28 Chitina.

29
30 CHAIRMAN LOHSE: You could check on
31 Chitina, but I think probably we're going to find
32 logistically Glennallen's.....

33
34
35 MS. STICKWAN: We could travel to
36 Chitina, I mean, we have to -- we always have to drive
37 down there why can't everybody else drive down there.

38
39 CHAIRMAN LOHSE: My wife says yeah,
40 that's a good idea.

41
42 MS. CAMINER: We could meet in Canada.

43
44 CHAIRMAN LOHSE: Well, that's true. And
45 we could actually divide it between -- you know, we could
46 -- well, it's pretty hard for the logistics for the --
47 you know, for the recorder and everything to move
48 equipment and stuff like that, but anyhow I'm going to
49 leave it up to the rest of the Council. Somebody make a
50 motion.

1 MR. ADLER: Well, Mr. Chairman, I'd make
2 a motion that we have it in either Glennallen, Copper
3 Center or Chistochina more central than the valley where
4 there's better facilities. And that's my motion.

5
6 MR. CARPENTER: Second.

7
8 CHAIRMAN LOHSE: It's been moved and
9 seconded that our choices would go Glennallen, Copper
10 Center, Chistochina. Are there facilities in
11 Chistochina?

12
13 MR. JUSTIN: Andy Hall's got a bed and
14 breakfast. We have means of having a meeting, and the
15 bed and breakfast I'm not sure of yet.

16
17 CHAIRMAN LOHSE: Okay. Judy.

18
19 MS. CAMINER: Mr. Chair, and depending,
20 I guess, how full our agenda is, it may be worthwhile to
21 do a little field trip down to Chitina and the Copper
22 River so if people have not seen that part of the area it
23 would be very worthwhile.

24
25 MR. CARPENTER: Question.

26
27 CHAIRMAN LOHSE: Do we have a second?

28
29 MR. CARPENTER: Yeah, I seconded it.

30
31 CHAIRMAN LOHSE: Oh, you have a second.
32 Okay. Okay. It's been moved and seconded that we have
33 our meeting in either Glennallen, Copper Center or
34 Chistochina depending on what we can get for facilities.
35 Is that agreeable, 1st and 2nd? All in favor say aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN LOHSE: Opposed say nay.

40
41 (No opposing votes)

42
43 CHAIRMAN LOHSE: Motion carries. Okay.
44 At this point in time we can also go right on to
45 scheduling our winter meeting.

46
47 Donald.

48
49 MR. MIKE: Thank you, Mr. Chair. Bristol
50 Bay selected meeting dates for February 11th and 12th and

1 I also coordinate Bristol Bay Regional Advisory Council
2 so we need to avoid February 11 and 12. And the Eastern
3 Interior selected March 5 and we share agency staff with
4 Eastern Interior so if we can avoid that also.

5
6 Thank you, Mr. Chair.

7
8 MR. CARPENTER: Mr. Chair, I move we have
9 our March, 2014 meeting in Anchorage on February 20th and
10 21st or 19th and 20th.

11
12 CHAIRMAN LOHSE: 19th and 20th.

13
14 MR. CARPENTER: 19th and 20th.

15
16 MR. ENCELEWSKI: Second.

17
18 CHAIRMAN LOHSE: It's been moved and
19 seconded that we have our meeting on February 19th and
20 20th.

21
22 Greg, did you have a conflict?

23
24 MR. ENCELEWSKI: I'm thinking that'll
25 work. I've got a Council meeting on the second Thursday,
26 but I think that's the third one so that should work for
27 me.

28
29 CHAIRMAN LOHSE: Okay. 19th and 20th.
30 We have a motion and a second.

31
32 MR. CARPENTER: Question.

33
34 CHAIRMAN LOHSE: The question's been
35 called. All in favor signify by saying aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN LOHSE: Opposed signify by
40 saying nay.

41
42 (No opposing votes)

43
44 CHAIRMAN LOHSE: Motion carries. Greg,
45 with that you can be excused if you need to take off and
46 we'll go back to our agenda. And at this point in time
47 we'll have a report from the BLM.

48
49 MR. JUSTIN: (Indiscernible - away from
50 microphone).....

1 CHAIRMAN LOHSE: I didn't hear.....
2
3 MR. CARPENTER: He wants to comment on
4 that.
5
6 CHAIRMAN LOHSE: You want to comment on
7 it afterwards, after the BLM?
8
9 MR. JUSTIN: Before BLM.
10
11 CHAIRMAN LOHSE: Before BLM. Okay.
12
13 MR. JUSTIN: Thank you.
14
15 CHAIRMAN LOHSE: Submit a blue slip to
16 Donald after you're done so they'll have it.
17
18 MR. JUSTIN: I need to leave.....
19
20 CHAIRMAN LOHSE: Oh. Okay. You'd like
21 to do that before so you can take off.
22
23 MR. JUSTIN: Right.
24
25 CHAIRMAN LOHSE: Okay. So this is item
26 G on our agenda, right?
27
28 MR. JUSTIN: Yes.
29
30 CHAIRMAN LOHSE: Okay. Because we have
31 -- I think we have somebody from Eyak also that wants to
32 speak to this.
33
34 MR. JUSTIN: Wilson Justin, Cheesh'na
35 Tribal Council. Thank you for your indulgence, I need to
36 head out for another appointment pretty quick too. But
37 I wanted to speak to a couple of issues. One is salmon
38 and the other is caribou. And I also want to cross
39 reference some issues that have cropped up in terms of
40 numbers and population density. But first I'll speak to
41 the Mentasta Caribou report.
42
43 My stepfather, Lee Hancock, who came into
44 the Nabesna region and started the -- moved his big game
45 operation from Chickaloon to Nabesna in 1950, the year
46 that I was born, probably did more than anybody else to
47 initiate this Abbott and Costello routine on the Mentasta
48 Caribou Herd. And I'll explain how it happened. All the
49 old timers including Harry Boyton and Smoke Thomas and
50 all those people that were friends of Lee's up there knew

1 about the Woodland Caribou which had come across the
2 Canadian border and moved north and were actually called
3 Glacier Caribou or Medicine People Caribou. It was these
4 big Woodland Caribou were solely the province of the
5 Medicine People of my clan, nobody else hunted them but
6 the Medicine People. Well the old time guides knew about
7 these caribou and these caribou would mix with Nelchina
8 on the north side of the Wrangell, producing the genetic
9 offspring that spoke -- that was spoken about here often
10 -- off and on. The real issue then was not to speak
11 about the Woodland Caribou as the Woodland Caribou
12 because it was an international species. The big game
13 guides did not want the Woodland Caribou to be placed
14 into protective status. So they called them the Mentasta
15 Herd. That's the first transformation of these animals.
16 Then the Mentasta Herd became known as a sub-unit of the
17 Nelchina Herd. Now this is about mid '70s when we're
18 starting to do this chase your -- chase your tail routine
19 in the guiding industry about what constituted these
20 special caribou. By the time I was in big -- started
21 guiding in 1967 the Mentasta or the -- now it's called
22 the Chisana Herd, but originally the Woodland Caribou had
23 mixed itself pretty well down to somewhere between the
24 big 700 pounds bulls that we first saw as the Woodland
25 Caribou down to the much larger than the Nelchina, but
26 much smaller than the Woodland Caribou size on the north
27 side of the Wrangells and they stayed there basically
28 year round. Their range was Tetlin, Boulder Creek, all
29 the way down the Nevina River and they never numbered
30 very high, several hundred. And they were pretty
31 stationary, they just stayed there. The Nelchina cows
32 came in and bred, sometimes they moved out. Most of the
33 Nelchina cows that bred stayed up around Tanada and
34 Copper Lake, but the bulls kept to their own little
35 corner there in the -- in these drainages.

36

37 Some time in the '80s, in 1981 and 1982
38 I saw the first big die off of animals up there in a
39 region and this is sheep, moose and caribou. And it was
40 due to rain in January. I think it -- I lost 16 horses
41 the first rain in 1981 on the Nabesna, we had a 55,000
42 acre grazing lease. And I lost 16 horses that winter in
43 -- from the rain. And I cannot tell you how many sheep
44 died. They were by the thousands. The caribou, the
45 Woodland/Mentasta, whatever the heck you want to call
46 them, suffered immensely because they were stationary and
47 their lichens, their feed was covered by ice for two or
48 three inches. And the moose, of course, died the same
49 time. The very next year in 1982 same thing happened, I
50 lost eight horses that year, we had rain in January, we

1 had four days of rain. After the four days of rain it
2 hit 28 below in -- on Nabesna, but it hit 40 below from
3 Twin Lakes all the way down to Glennallen. So come the
4 spring of 1982 I was on the Nabesna, of course, trying to
5 salvage what I can of our horse herd. There wasn't that
6 much of a sheep die off then because most of them had
7 died off the previous year. But there was a much higher
8 percentage of caribou and moose die off in the spring of
9 '82 than there was in '81. So 1981, 1982 we had the two
10 biggest impact in terms of die offs among these animals,
11 you know, in all the years prior and all the years after.
12 Never once has this been recorded anywhere in any annual.
13 And I keep hearing these numbers and in early '90s I was
14 talking to the National Park biologist and I said it
15 would be just our luck at Cheesh'na that the National
16 Park would come in and pick a year to count that had the
17 highest number of count that you can get which skewered
18 everything. And sure enough 1987, 3,000 animals. That's
19 like going to Batzulnetas and counting 30,000 salmon.
20 But if you ask the locals they'd say there's no
21 Batzulnetas salmon in Batzulnetas Creek, they all come
22 from somewhere else. After the earthquake in 2002 you
23 start getting more salmon up Tanada Creek which is called
24 Batzulnetas and you start getting king salmon which never
25 happened before in all of the history of the people that
26 we have from that region. So today in Tanada Creek you
27 have exceptionally high counts of salmon. They weren't
28 there before and they're not native to that creek, but
29 they're there.

30
31 Same thing with the caribou, you have
32 this count comes from 3,300. But that's totally
33 meaningless because the issue really is all about the
34 fact that the Woodland Caribou no longer ranges to the
35 area which means that the so called Mentasta Herd
36 genetically is no longer going to be able to be defined
37 genetically in about three more generations. So what's
38 the Park going to do, pass a regulation saying you can't
39 do that, you can't be genetically the same as Nelchina
40 because you're the Mentasta. You cannot stop nature.
41 And that's something that I forcefully keep saying in
42 these meetings. I said it to the Board of -- State Board
43 of Game and the Guide Board in 1987, I think, I was
44 working for AHTNA. I said you can't go around putting
45 name tags on these things. We already know where they
46 came from, we already know what's going to happen to
47 them, genetically they're going to disappear in about two
48 or three generations, that's how it always works.

49
50 So we are going to put a proposal in Unit

1 11 again this fall to hunt this now mythical dragon beast
2 called the Mentasta Herd. It's going to be turned down
3 by the National Park Service at which point we'll
4 probably counter with a kind of -- it's not a -- it'll be
5 a quasi legal action, we're going to say that the
6 National Park Service has no business using the Mentasta
7 Herd as a genetic sub-unit of the Nelchina Herd to deny
8 Cheesh'na the opportunity to hunt caribou in Unit 11.
9 But you have to go through that administrative process
10 when you're doing it.

11
12 So my point in all of this is we hear
13 numbers, we see numbers, everything is numbers, but the
14 actual history never gets to these meetings and it's kind
15 of beginning to get on my bad side here that I come to
16 hundreds and hundreds of meetings and I get millions and
17 millions of numbers, but nobody talks about the history
18 of what happened. So I figured I come here and -- this
19 afternoon and tell you what I know and what I've seen.
20 Now there's 3,000 Nelchina Herd or Mentasta Herd in 1987,
21 well, in 1987 I think there was 62 Chistochina Indians
22 alive. And I think we should worry about that instead of
23 whether or not there's 300 or 3,000 or 10,000 Mentasta
24 Herd Caribou roaming around Unit 11.

25
26 So that's my soapbox routine for the day
27 and I -- if there's any questions I'd answer.

28
29 MR. ADLER: Wilson -- Mr. Chairman. You
30 know, there's a population of caribou on the White River
31 too and they go in and out of the Yukon territory to the
32 east and back to the White River. I just -- do you think
33 those are the Woodland -- the same as the Mentasta Herd
34 or are they barren ground?

35
36 MR. JUSTIN: Well, I think now after some
37 15 or 20 generations of intermingling that you have
38 scattered pockets of Woodland Caribou, but there are no
39 true Woodland Caribou left. The one that I remember the
40 most that I actually got in the 1968, I think, weighed in
41 my estimation close to 700 pounds. It was gigantic. But
42 those were -- by the time the '60s came around these
43 Woodland Caribou were becoming few and far in between and
44 you are seeing much more of these hybrids between the
45 Nelchina and the Woodland. Those hybrids were very
46 common in the '70s over in the area that you flew around
47 that you were seeing over in -- across the Copper River
48 and the White River.

49
50 MR. ADLER: Do you remember the biggest

1 population drop that I recall in moose in Unit 13 was the
2 spring of 1972, we had extremely high snowfall, '71, '72,
3 and I was a biologist and I didn't really monitor the
4 Wrangells much then. Do you remember that?

5
6 MR. JUSTIN: Yeah. And that was the
7 first year that we noticed a change in wind. You never
8 hear about -- discussions about wind change as far as
9 habitat, but it has a serious impact on animals. The
10 north side of the Wrangells, east of the Copper River
11 from the river itself were windswept, that's why the
12 Woodland came there because they could feed all year
13 long. And the wind was pretty steady, it was north by
14 northeast, came right down the valley and when the wind
15 changed to the west in '72 was probably the first year,
16 it might have happened before, when the wind changed and
17 started coming in from the west it blew all of the snow
18 into those areas that they normally would range including
19 the moose. Now in 2005 we had all summer long the same
20 thing, a gigantic west wind come down the Chistochina
21 River, completely opposite of what we normally would have
22 in terms of the wind. Those winds have direct impact on
23 what the animals do and can't do just like rain in
24 January. So there are ample reasons why we have these
25 population explosions and dramatic drops and they have
26 nothing to do with subsistence people's eating or
27 shooting them to death.

28
29 CHAIRMAN LOHSE: Thank you, Wilson. It's
30 kind of interesting, you know, I was thinking back and I
31 remember that, you know, it's the early '80s, I can
32 remember how much water we had alongside the road, along
33 -- you know, along the McCarthy Road that you didn't dare
34 take your snowmachine off the road because if you did
35 you'd drown. You know, it just -- and that was in
36 January. And we had -- we flooded into our yard, I mean,
37 the Lakina River opened up and we were building ice dams
38 trying to -- snow dams trying to keep the water out of
39 the cabin. And that was in January, you know, and it
40 happened a couple years in a row. And I never thought of
41 the impact that that would have on game species, but that
42 was a good -- that's a real thinking point right there.

43
44 MR. JUSTIN: Well, there are two other
45 observations I'd like to leave on table before I take
46 off. One is that we -- well, three observations. One is
47 for the first time in my life and I've asked other
48 places, Northway and Tetlin, two years ago I saw a couple
49 of caribou feeding in a lake up on Nabesna Road which
50 flooded me. I.....

1 CHAIRMAN LOHSE: In a lake that was open?

2

3 MR. JUSTIN: Right. I had never known
4 caribou to be -- the food chain itself doesn't lend to
5 caribou in lakes there, they're moose feed. And when I
6 saw that I thought the caribou is beginning to adapt to
7 a different food cycle because their natural food is
8 disappearing. So does that mean that the caribou will
9 eventually leave the area and I'm assuming they will,
10 maybe not in my lifetime. So that's an observation. I
11 saw that twice and I've talked to other people and nobody
12 ever heard of caribou feeding in lakes, but it's been
13 seen in Tetlin several times.

14

15 Second observation is that in 2010 and
16 early 2011 there was a slew of new moose come into our
17 area on the Nabesna Road, markedly different from the
18 moose that we have there. And I -- this observation I
19 brought to Becky Schwanke of the Fish and Game in -- all
20 my observations I run past her, and her remark was that
21 it was due to predator control. And I told her well, as
22 far as I'm concerned everything that happens in the State
23 is due to the success of the predator control if you're
24 talking the State, doesn't matter what. But to me those
25 are new moose and I suspect they came out of British
26 Columbia and headed north. They weren't there in 2000 --
27 this last summer, but they were there long enough for me
28 to notice them.

29

30 The third observation that I wanted to
31 bring to your attention is I was born and raised around
32 the 3,000 foot level at the headwaters of the Nabesna and
33 the Copper. And the vegetation that stopped just above
34 treeline, about 3,200 feet, is now right around the 5,000
35 foot level. So we have vegetation and if you fly out
36 there it looks really nice and really natural. But when
37 I was a teenager there were no vegetation, there was
38 still ice in those crevices at the 3,200, 3,300 foot
39 level. So the new vegetation which is not sheep friendly
40 and I suspect the new vegetation has a host bug
41 population and I suspect it has a lot to do with why
42 sheep don't like out country any more besides not
43 bouncing back from the die offs in the early '80s. But
44 I'm suspecting that the new vegetation that's coated the
45 side of the mountains up there has a lot to do with
46 hosting a kind of insect population that sheep don't
47 like.

48

49 And I suspect you'll find that all over
50 Alaska.

1 So again observations and comments to
2 counter the constant barrage of numbers that come in and
3 all the numbers are new, you know, like the last 20, 25
4 years. But the observations that I deal with are like
5 over -- far longer than my own life span.

6
7 So thank you.

8
9 MR. ENCELEWSKI: Yeah, I just want to
10 make one comment, Wilson. Thank you very much, it's very
11 helpful to me. I know there's great change going all
12 over the country. The great change in our area that, you
13 know, we no longer have kings, we no longer have king
14 crab, we no longer have shrimp, the clams are gone.
15 There's change that are bigger than we attack and it's
16 real serious. Anyway the information -- I'm glad I
17 stayed because I know you're in your onreier side in the
18 morning, in the evening you'll be soft and so I
19 wanted.....

20
21 MR. JUSTIN: I'll be friends with
22 everybody this afternoon.

23
24 MR. ENCELEWSKI: Thank you.

25
26 MR. JUSTIN: Thank you.

27
28 CHAIRMAN LOHSE: Thank you. Anybody else
29 have anything for Wilson?

30
31 (No comments)

32
33 CHAIRMAN LOHSE: Thank you, Wilson.

34
35 It's kind of interesting the things that
36 -- I find it real interesting the things you just said
37 because I've ran across a couple things in the discussion
38 of the Kenny Lake area this winter and one was exactly
39 what you said, they talk about down towards Ernestine all
40 those mountains that are between there and Chitina were
41 bare. And now they got trees and bushes up, you know,
42 where you -- they used to be able to see the moose from
43 the road because there was no trees and bushes up there.
44 Now the trees and bushes are there. But the most
45 interesting thing that I came across was we attended a
46 talk this winter by some people who lived on the Kenny
47 Lake -- Old Kenny Lake Road in the '50s. And in the '50s
48 you couldn't dig a five foot outhouse hole because you
49 hit permafrost. Today the permafrost level's down at 30
50 feet. And in the '50s every pond had -- was full of

1 water and had muskrats in it, but if you had permafrost
2 at five feet the water couldn't go anyplace. Today all
3 those ponds have dried up or they're -- or if they're not
4 dried up completely they're in the process of growing up
5 into grass and soil. And so those are changes that have
6 -- they've really affected the area that we live in. And
7 those are changes you don't think about when you start
8 thinking about game populations.

9

10 MR. JUSTIN: Absolutely. And just as a
11 side note I went around and asked a couple of the older
12 -- the elder and this is something that Gloria might
13 consider doing too. I asked about the west wind. We
14 have terms for wind like hunting -- hunting wind and we
15 have names for the north wind and the east wind, the
16 south wind, the southwest wind, but we don't have a name
17 for west wind.

18

19 CHAIRMAN LOHSE: Because you didn't have
20 it.

21

22 Never had it. So just thought I'd leave
23 that on the table.

24

25 Thank you.

26

27 CHAIRMAN LOHSE: Thank you, Wilson.
28 Okay. Now I'm going to skip back to the BLM and then
29 we'll come back to the Native organizations.

30

31 Okay. BLM. Sorry that you got to listen
32 into something that was interesting anyhow.

33

34 Merben.

35

36 MR. CEBRIAN: Mr. Chair, members of the
37 Council, my name is Merben Cebrian, I'm here to give the
38 report for BLM. It's good to see familiar faces.

39

40 And just as a comment to Wilson before I
41 begin, I think us biologists have still a lot -- long way
42 to go to taking in this oral history and traditional
43 knowledge and incorporate into our understanding of
44 things. And I appreciate hearing things like that from
45 Wilson and things from the Council as well.

46

47 So this report was generated by Sara
48 Bullock, the new biologist for BLM in Glennallen.

49

50 The first part of the report is the Federal

1 subsistence moose harvest for GMU 13. In 2012 there were
2 1,291 permits issued for moose and 642 of those permits
3 were attempted to be used. There were 61 bulls harvested
4 and that came up with a 10 percent hunter success. And
5 as far as the six year average, 63 bulls were harvested
6 within six years as an average with an average of 11
7 percent success. So we're not too far from the target or
8 from the standard anyway.

9
10 The second part of the report is about
11 the Federal subsistence caribou harvest. In 2012 the
12 season is still open, okay, until March 31st. There have
13 been 2,911 permits issued. Of those permits 490 were
14 attempted to be used. Of the 490, 254 bulls have been
15 harvested and 101 cows harvested as of the writing of
16 this report because the season is still open. And just
17 as a reference the five year average for bulls harvested
18 is 283 and the cows harvested is 116. So we're still
19 within that window.

20
21 The third part of the report is about
22 land status. There are no new conveyances since the fall
23 of 2012 RAC meeting.

24
25 And then the next part of the report is
26 about the BLM's involvement in the Susitna Watana hydro
27 electric project. I'm just going to read verbatim here.
28 The Glennallen Field Office has actively participated in
29 the Susitna Watana project by reviewing and providing
30 input to the AEA's preapplication document and proposed
31 study plans. The BLM DFO, Glennallen Field Office, has
32 also participated in public meetings and consultations,
33 provided mandatory terms and conditions for FERC license
34 and issued land use permits for ongoing studies. There
35 are two as of October of 2012. These temporary land use
36 permits have been for low impact, temporary seismic,
37 meteorological, water gauging and radio repeater
38 stations. Some anticipated BLM actions for the Susitna
39 Watana Hydro Project are right of way applications for
40 access routes transmission lines of which 25,166 acres of
41 BLM managed lands are affected and the reservoir's
42 flooded area of which 14,693 acres of BLM managed lands
43 are affected. BLM DFO specialists have proactively
44 participated in resource technical working groups to
45 address identified data gaps in drafted study plans.
46 Filling in these gaps will help us adequately understand
47 the impacts of the project that will -- it will have and
48 to make informed decisions when considering right of way
49 applications. Issues raised by BLM specialist including
50 wildlife subsistence for the Nelchina Caribou Herd and

1 moose. Cultural, palentological (ph), recreational, wild
2 and scenic eligible rivers, invasive weeds, vegetation,
3 visual, aquatics and fish and habitat fragmentation. The
4 next round of technical work -- working group meetings is
5 occurring from February 14th through March 28th, 2013.
6 The BLM DFO plans to attend these technical meetings and
7 will keep up to date on available ongoing resource
8 studies and findings.

9
10 The next part of the report here is about
11 the BLM's adjustment of Federal subsistence reminder
12 letters and compliance administrative process for overdue
13 harvest reports in GMU 13. As most of you know we have
14 this three reminder system before the hunter is
15 ineligible for the following year. The BLM DFO in the
16 past has instituted a three reminder letter and appeal
17 process to increase compliance with the mandatory hunt
18 report feedback. This method allowed a post-season
19 response period of 120 days and an additional limitless
20 appeal period. This winter a thorough review of BLM
21 DFO's administrative process was conducted. The BLM has
22 found a three year reminder letter process to be
23 ineffective in increasing hunt reporting. The current
24 process also overlaps the next hunting season causing
25 restriction, surprises and confusion. By looking at
26 response rates to each reminder letter, only the first
27 reminder letter elicited a significant response, while
28 the second and the third letters elicited a very low
29 response. Starting this year the BLM plans to send one
30 reminder letter that will allow a post-season response
31 period of 60 days and a 30 days appeal period. The BLM
32 will allow flexibility with appeal period cutoff for
33 special cases such as working out of town, deployment,
34 medical reasons. These process -- this process should
35 still allow for hunters to report in a timely manner. It
36 will eliminate restriction surprises and eliminate
37 seasonal overlap by shortening the process and give
38 hunters the ability to appeal restriction decisions
39 before the next season begins.

40
41 And the last part of the report is about
42 the Fish and Game and BLM collaborative moose
43 productivity monitoring in GMU 13B. In addition to
44 population trend surveys the BLM DFO and the ADF&G are
45 working together to learn more about moose productivity
46 and nutritional status in GMU 13B. The GMU 13B encompass
47 a large proportion of unencumbered BLM lands open to
48 Federal subsistence hunting. Densities of moose in GMU
49 13 have been steadily increasing approximately 6 percent
50 per year since the early 2000s and are beginning to

1 approach the peak recorded densities of the mid 1980s.
2 In March, 2012 29 VHF radio collars were placed on female
3 moose in the Alphabet Hills area of GMU 13B between the
4 middle and west fork of the Gulcana National Wild and
5 Scenic River. Over the next several years the collared
6 females will be surveyed regularly during late May
7 through mid June to determine the onset of spring
8 calving, how many calves hit the ground, twinning rates
9 and calf mortality. Multi year twinning rates of moose
10 are widely accepted as an indicator of moose nutritional
11 status. We plan to share preliminary productivity,
12 nutritional status information obtained from these
13 surveys during the fall, 2013 meeting.

14
15 And that ends the report for BLM in
16 Glennallen. And I'm open to questions.

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

20
21 Judy.

22
23 MS. CAMINER: Thanks, Mr. Chair. We had
24 quite a discussion on Susitna Watana earlier in the
25 meeting. And so would you be able to send to me, please
26 or to Donald for all of us because we are going to put
27 together some comments and we really would like to have
28 the agency comments as well just to give us more ideas if
29 need be.

30
31 MR. CEBRIAN: Through the Chair. When
32 would you want the BLM to send you their side of the
33 report?

34
35 MS. CAMINER: Well, our comments are due
36 March 11th to me. So before then. I mean, if -- I had
37 understood from the presentation materials we had that
38 BLM has already sent a comment in so that's what I'm
39 looking for or any other information you'd like to
40 provide us.

41
42 MR. CEBRIAN: Yes, we'll do that.

43
44 MS. CAMINER: Thank you.

45
46 CHAIRMAN LOHSE: Gloria.

47
48 MS. STICKWAN: Could we get a copy of
49 that report.

50

1 CHAIRMAN LOHSE: Donald.
2
3 MR. MIKE: Mr. Chair, thank you. I've
4 been handling a lot of information these past few days
5 and there's information I have. One of the items I
6 neglected to give a copy was the hard copies for all the
7 Council on the BLM's report. But I went ahead and
8 forwarded for those that have email address the
9 presentation. And I will mail hard copies for those that
10 do not have internet access.
11
12 Thank you.
13
14 CHAIRMAN LOHSE: Thank you.
15
16 MR. CEBRIAN: Yeah, Mr. Chair. I've --
17 you know I've been gone for about a year and a half from
18 this RAC area, but I have since moved to Anchorage to
19 take another BLM job. So I took over another Subsistence
20 Biologist position, but I'm hoping to be here more often
21 and on a more regular basis since I have a little bit of
22 history with this particular RAC.
23
24 Thank you.
25
26 CHAIRMAN LOHSE: I just have one
27 question. If I understood right moose twinning is a --
28 is used as an indicator for basically food supply, right,
29 for a healthy environment?
30
31 MR. CEBRIAN: Yes, Mr. Chair.
32
33 CHAIRMAN LOHSE: So moose twinning is
34 fairly common if you've got good environment?
35
36 MR. CEBRIAN: Yes. The general thought
37 is that if the -- if the environment is supportive enough
38 of the moose population then moose will typically have a
39 higher twinning rate than when the environment is not
40 supportive of moose population in that area.
41
42 CHAIRMAN LOHSE: Thank you.
43
44 Anybody else.
45
46 (No comments)
47
48 CHAIRMAN LOHSE: Thank you.
49
50 We have ADF&G.

1 MR. CRAWFORD: Thank you, Mr. Chair.
2 Drew Crawford, the Alaska Department of Fish and Game,
3 Federal Subsistence Liaison Team. I do not have a
4 prepared report for you, but I will let you know that I
5 will keep an eye out for the Kenai early run chinook
6 salmon reports that Mr. Blossom has requested. And I
7 will notify Donald Mike when these are available and
8 where to find them and try to make sure that Mr. Blossom
9 does have a copy of that.

10
11 Also I'd like to offer that in the future
12 if you have any data requests or reports or presentations
13 that you'd like to hear from the Department if you can
14 let Donald Mike know he'll contact us and we'll try to
15 make sure that we can provide that for you at your future
16 meetings.

17
18 That's all I have unless you have any
19 further questions.

20
21 CHAIRMAN LOHSE: Thank you. And I think
22 that -- you know, as individual Council members you don't
23 have to wait until the Council requests any data, if you
24 come up with data that you would like to have get ahold
25 of Donald and he can get ahold of the Fish and Game even
26 if you -- even if it's just on a personal basis that
27 you'd like to have it and not as a whole Council.

28
29 Gloria.

30
31 MS. STICKWAN: Is Fish and Game going to
32 give an updated report on the community studies that are
33 being done, are they going to present it to this Council?

34
35 MR. CRAWFORD: What -- are you talking
36 about subsistence studies?

37
38 MS. STICKWAN: Yes.

39
40 MR. CRAWFORD: I don't have that
41 information now, but I could -- and for your area is
42 Tetlin, is that the area you're interested or all of
43 Southcentral Alaska?

44
45 MS. STICKWAN: All of Southcentral.
46 They're doing studies in Gakona and they have a report,
47 Chistochina report. I would like to get an update on
48 that.

49
50 MR. CRAWFORD: Okay. Well, I will

1 contact our Subsistence Division and see what we have on
2 that.

3

4 CHAIRMAN LOHSE: Any other questions for
5 Fish and Game?

6

7 (No comments)

8

9 CHAIRMAN LOHSE: Thank you. And if
10 anybody needs information they will be contacting.

11

12 And lastly I've got the Native Village of
13 Eyak.

14

15 MS. PELEKIS: Hello. For the record I'm
16 Vija Pelekis, Travel Biologist with the Native Village of
17 Eyak. Hello, Chair, Council. Nice to see you guys
18 again.

19

20 And I have some numbers. I'm sorry, it's
21 a good thing that Wilson left. But first and foremost we
22 have our Copper River chinook escapement number which
23 you'll see in that table 1 for 2012 is the very bottom.
24 It's 31,452 fish give or take 5,242 fish. And that's the
25 third lowest escapement since 2003 which is when we began
26 collecting this data officially.

27

28 I've also included just sort of for your
29 interest in table 2 these are tags that are returned by
30 in-river harvests. So through fish wheels or dip net or
31 sport, tags that have been reported by harvesters and
32 sent back to us. And usually we get about -- I'd say
33 about 5 percent return and this year we've got about 2
34 percent. And I think that's probably because we need to
35 beef up our advertisement for returning tags.

36

37 Do you guys have any questions about the
38 2012 data?

39

40 (No comments)

41

42 MS. PELEKIS: I also scribbled in the
43 length conversion from millimeters to inches per the last
44 meeting. So we tag fish greater than 19 or about 20
45 inches.

46

47 CHAIRMAN LOHSE: One question, do you
48 have any idea -- and I know we didn't get that in a
49 report at this point in time, but was the 2012
50 subsistence and personal use take as big as normal?

1 MS. PELEKIS: Honestly I have no idea.
2 That area management report is not out, but I've been put
3 on the list to receive it when it does come out.
4
5 CHAIRMAN LOHSE: Yeah. So but that could
6 account for why you -- if there's a drop in the take that
7 would account for why you have less percentage recovered?
8
9 MS. PELEKIS: Right. Right. Oh, yeah.
10
11 CHAIRMAN LOHSE: And that's what I was
12 thinking of.
13
14 MS. PELEKIS: It will be interesting to
15 get those numbers and see how they compare.
16
17 And that's also a good point. This
18 escapement is escapement from the commercial fishery.
19 This number doesn't include the in-river harvest.
20
21 CHAIRMAN LOHSE: Right. How come is the
22 error, confidence error bigger on this year than on most
23 of the other years except 2003?
24
25 MS. PELEKIS: I think, and I could
26 provide more information on that, that's because when we
27 generate this escapement estimate we use a Lincoln
28 Petersen equation, but we temporally stratify it because
29 over the season you don't get the same recapture rates
30 throughout the run up at Wood Canyon or Canyon Creek and
31 some of that's due to increased water levels, like the
32 salmon are holding up and not moving through. And so
33 when we temporally stratify it you get more groups, that
34 means more error statistically speaking.
35
36 CHAIRMAN LOHSE: Okay.
37
38 MS. PELEKIS: So that's why we have
39 greater error this year.
40
41 CHAIRMAN LOHSE: So basically what we're
42 looking at is we're looking at an escapement of 26,000 to
43 30 -- about 37,000.....
44
45 MS. PELEKIS: Yeah.
46
47 CHAIRMAN LOHSE:somewhere in that
48 neighborhood?
49
50 MS. PELEKIS: We're 95 percent sure

1 that's what it is.

2

3 CHAIRMAN LOHSE: Any other questions?

4

5 (No comments)

6

7 MS. PELEKIS: I have some general sort of
8 information not included in the paper I handed out, is
9 that, you know, we're gearing up for the upcoming field
10 season, we have all our permits, we're doing our hiring.
11 And speaking of hiring we hire camp leads and technicians
12 for our -- to run our fish wheel projects and we put out
13 solicitations, you know, we advertise throughout the
14 State and nationally. The Alaska feedback has been
15 pretty low and so while we've already interviewed I
16 wanted to make available to you guys job solicitations
17 you can bring back home and if you know anyone that might
18 be interested working fish wheels on the Copper, it's
19 always great to actually have people who are from Alaska
20 working up here, you know, they know the ropes. And a
21 position just opened up for Staff Biologist so to
22 actually help out with the project logistics, but also in
23 the office doing some report writing and grant writing.
24 And that's something if you know -- if you have anyone in
25 mind or you'd be interested in taking a copy of the
26 solicitation it would be nice to get word out in the area
27 that way.

28

29 So also for our chinook escapement
30 project we're -- for this season we're coordinating with
31 ADF&G to collect ASL and genetic samples so that'll
32 happen up at Wood Canyon and we're pretty happy to be
33 collaborating that way especially because that was
34 information identified with the chinook, you know,
35 information need plan.

36

37 I think that's all I have for chinook
38 escapement monitoring. Do you guys have any thoughts,
39 questions?

40

41 CHAIRMAN LOHSE: Are you still putting in
42 pit tags?

43

44 MS. PELEKIS: Yeah, would you guys like
45 to see one of our tags?

46

47 CHAIRMAN LOHSE: Yeah.

48

49 MS. PELEKIS: Yeah? Okay.

50

1 CHAIRMAN LOHSE: And are there any radio
2 tags going in or.....
3
4 MS. PELEKIS: No, we don't have any radio
5 tag projects on the radar. In general that provides very
6 useful information, but the tags are so expensive and
7 putting that infrastructure in.
8
9 So this tag is -- it's a TBA pit tag so
10 it's an external pit tag. Essentially it's a pit tag
11 sunk into a spaghetti tag. And the nice thing about that
12 is you can see it so when we catch fish at Wood Canyon
13 you can visually see that the fish is tagged. And
14 there's a unique number on the outside you write down,
15 but we also have scanners that pick up that number
16 automatically so it kind of gets rid of some of the human
17 fumbling or chicken scratch, illegible handwriting issue.
18
19 And you'll have to excuse that entry
20 wound, I actually did that in the office before I came
21 with a -- our guns are all back at the field camps and
22 this was a larger gun that we don't typically use so it
23 took a little bit of sort of jimmy rigging.
24
25 CHAIRMAN LOHSE: Is there a recorder or
26 what inside this tag?
27
28 MS. PELEKIS: The pit tag is inside that.
29
30 CHAIRMAN LOHSE: The pit tag is inside
31 the.....
32
33 MS. PELEKIS: The palmer, like the
34 plastic sleeve. So if you cut that open there's a little
35 tag that looks like a grain of rice.
36
37 CHAIRMAN LOHSE: And you need the whole
38 thing returned?
39
40 MS. PELEKIS: Yeah. Well, you know,
41 either getting the pit tag or that unique number on the
42 outside would suffice because when we tag the fish we
43 record both. So if we get just one of the numbers we can
44 go back to the data base and find out which fish it was.
45 So it's also on our agenda to beef up our advertisement
46 for harvest returns for tags which I guess would be good
47 for contact folks up river on the Council and maybe ask
48 for suggestions of places to go put advertisements or
49 flyers.
50

1 CHAIRMAN LOHSE: Any other questions?

2

3 (No comments)

4

5 MS. PELEKIS: And for reference we insert
6 that tag upon the dorsal muscle of the adult -- of the
7 chinook. It's a pretty quick process. The tags come in
8 clips of 20, you just load it into the gun.

9

10 CHAIRMAN LOHSE: They haven't changed
11 much from spaghetti tags that we used back in the '60s.

12

13

14 MS. PELEKIS: Well, it's essentially what
15 it is is spaghetti tag with a pit tag. But you don't
16 have to, you know, do the whole needle.

17

18 CHAIRMAN LOHSE: Lee.

19

20 MR. ADLER: I had a quick question. Are
21 you seeing seal damage to these fish, is it getting more
22 or less or kind of consistent?

23

24 MS PELEKIS: I wish I had a longer
25 baseline, I honestly don't personally know. I mean,
26 maybe that's something I could go back into the data from
27 2001 to 2003 and look at notes that -- about seal damage,
28 but, you know, we -- that's information we collect, but
29 it's not necessarily consistent. And so when technicians
30 are out there -- we're out there tagging the fish our
31 first priority is to safely handle the fish and make it
32 as quick as possible. And so the notes are made, but
33 it's -- I wouldn't say it's consistent enough to be like
34 a definite proportion of all the fish we handle. We do
35 see seal bites out there and we see seals out at camp.
36 One's nickname is Mittens, but.....

37

38 (Laughter)

39

40 MS. PELEKIS:yeah, that would be --
41 you know, I could -- when I have time I'll take a look at
42 it and let you know if I find anything, I'll pass it onto
43 Donald.

44

45 CHAIRMAN LOHSE: Are you thinking about
46 the seals that are all the way up to the Copper River
47 bridge?

48

49 MR. ADLER: I see seal damage in kings
50 and reds, you know.

1 CHAIRMAN LOHSE: Yeah.
2
3 MR. ADLER: Always have, it's nothing
4 new.
5
6 CHAIRMAN LOHSE: Well, we've seen seals
7 up that far. So seal population is up pretty good.
8
9 MS. PELEKIS: Yeah.
10
11 CHAIRMAN LOHSE: And I'm sure you see
12 quite a few of them where you are.
13
14 MS. PELEKIS: Oh, yeah. Well, at Baird
15 at least, I don't know about Wood Canyon, but Baird we
16 have quite a few.
17
18 CHAIRMAN LOHSE: Yeah.
19
20 MS. PELEKIS: And if you go down to Miles
21 Lake it just -- they're everywhere. It's pretty --
22 something to see.
23
24 CHAIRMAN LOHSE: Any other questions.
25
26 (No comments)
27
28 CHAIRMAN LOHSE: Thank you.
29
30 MS. PELEKIS: Okay. I do have a little
31 bit more to.....
32
33 CHAIRMAN LOHSE: Okay. Good.
34
35 MS. PELEKIS:that's just for the
36 chinook escapement.
37
38 I'd like to report that we cut somewhere
39 between 100 and set 50 to 170 acres of mature alder for
40 moose browse out on the Copper River Delta. It was a
41 program that we were intending to cut last year, but with
42 the snow pockets we were unable to get out there with the
43 hydroaxes. But that's been cut as of a few weeks ago.
44
45 Okay. Do you have any questions
46 regarding the moose browse?
47
48 CHAIRMAN LOHSE: And that's on Eyak land?
49
50 MS. PELEKIS: That is on Eyak land, yeah.

1 MR. BLOSSOM: Eyak Corporation?
2
3 CHAIRMAN LOHSE: Yeah, corporation.
4
5 MS. PELEKIS: The Forest Service is also
6 cutting some of the Forest Service land on that out in
7 the Delta.
8
9 CHAIRMAN LOHSE: Uh-huh.
10
11 MS. PELEKIS: And also unless there are
12 questions regarding moose I'd like to bring to the
13 Council's attention, and this might be a little bit late
14 because I know the deadline for comments submitted to
15 Board of Fish is coming up, but NVE submitted a proposal
16 for this upcoming statewide fin fish cycle. And it's
17 Proposal 235 which is to establish mandatory reporting
18 for sportfish statewide. Where the issue is currently
19 the reporting system for sportfish is a random survey
20 done post-season and we feel that this is inadequate for
21 actually effectively managing the fishery and especially
22 a fishery that affects subsistence, personal use and
23 commercial users as well. And so the proposal that we
24 put in would say that -- or says that license holders
25 must keep daily records of their catch and that within 15
26 days of the expiration date that they must submit their
27 fishing reports or January 15th for persons who are
28 exempt. And then all persons engaged in sportfishing or
29 transportation, and the transportation was a point that
30 was specifically added for this proposal of fish must
31 show their sportfishing license, harvest records, special
32 permits or stamps. And any non-compliance with this --
33 with these stipulations would make that person ineligible
34 to obtain a license the following calendar year.
35
36 So again I know the comment deadlines are
37 coming up, but if anyone feels so inclined.
38
39 Proposal 235 would be nice to get some
40 support for that.
41
42 CHAIRMAN LOHSE: Thank you. Doug.
43
44 MR. BLOSSOM: Yeah, Mr. Chair. Thank you
45 for that proposal. Central Peninsula Advisory Committee
46 passed it unanimously to give you a pat on the back.
47
48 MS. PELEKIS: Nice. I'll take that pat,
49 but it was actually Keith Vandenburg who was before me,
50 but I fully support the proposal as well.

1 CHAIRMAN LOHSE: Is that something that
2 the RAC would like to weigh in on and make a motion to
3 support or not support and present that motion to the
4 Board of Fish?

5
6 Doug.

7
8 MR. BLOSSOM: Yeah, Mr. Chair. The
9 reason we supported it so good is that forever we have
10 had to account for all the fish we catch commercially and
11 on the Kenai we got a personal use fishery that is clear
12 out of control. And they don't monitor, they don't do
13 anything. All we're trying to say is like you folks said
14 is accountability. If you're going to catch a fish it
15 should be recorded so that we can write it down and have
16 a tally at the end of the year much the same as Eyak
17 produced us a 2012 chinook escapement data. We go to
18 Cook Inlet, 2007's the latest data they can give us. And
19 all we're saying is accountability.

20
21 So I thought it was a good thing for that
22 reason.

23
24 CHAIRMAN LOHSE: Thank you, Doug. I --
25 on the last cycle I had a proposal in that even if all we
26 got was accountability on the fish that was shipped out
27 of the State in wet lock boxes, but that proposal failed.
28 I too agree with this and I don't know if you just
29 applied it to sportfish or did you apply it to sport and
30 personal use and -- just sport?

31
32 MS. PELEKIS: This is specific to sport.

33
34 CHAIRMAN LOHSE: Because I think personal
35 use is supposed to file a report and I've always -- you
36 know, I think of our -- I think of our subsistence
37 fishery on the Kenai Peninsula where we have a 72 hour
38 reporting period and the Fish and Game says 72 hours is
39 too long for, you know, biological concerns and we should
40 have a 24 hour reporting period and yet the State
41 sportfishing and State subsistence fishing and State
42 personal use fishing, they don't even have the -- they
43 don't even have an estimate at the end of the year let
44 alone a report.

45
46 MR. BLOSSOM: Mr. Chair, to go along with
47 that in 2012, 20 some percent of the personal use reports
48 were not returned. 2011 it was 21 percent. If they were
49 all fined the minimum it would be a million some dollars
50 just on the Kenai for unreturned reports. That's what's

1 wrong, that's why there needs to be accountability. And
2 your report didn't go to personal use, but it's the worst
3 abused thing we have right now in the State.

4

5 CHAIRMAN LOHSE: Well, I'm not going to
6 go there, but I -- if somebody on this Council wants to
7 make a motion to support the Proposal 235 that's in
8 order, if somebody doesn't that's also in order.

9

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

11

12 MR. BLOSSOM: I'll second it.

13

14 CHAIRMAN LOHSE: It's been moved and
15 seconded that we support Eyak's motion -- Eyak's Proposal
16 235 with support from the RAC in front of the Board of
17 Fish. Discussion?

18

19 MS. CAMINER: Mr. Chair.

20

21 CHAIRMAN LOHSE: Judy.

22

23 MS. CAMINER: Because of the short time
24 frame here so, I guess, Donald will just have to make
25 sure that George who'll represent the Board at the Fish
26 Board meeting has this information?

27

28 CHAIRMAN LOHSE: Yeah. We can also have
29 a letter to be in their record.

30

31 MS. CAMINER: Uh-huh. To the Board of
32 Fish?

33

34 CHAIRMAN LOHSE: To the Board of Fish.

35

36 MS. CAMINER: Okay.

37

38 CHAIRMAN LOHSE: Any more discussion?

39

40 (No comments)

41

42 CHAIRMAN LOHSE: If there's no discussion
43 somebody can call the question.

44

45 MR. ALDER: I have one question.

46

47 CHAIRMAN LOHSE: Yeah.

48

49 MR. ALDER: What area would this
50 encompass that we record all fish?

1 CHAIRMAN LOHSE: Statewide.
2
3 MR. ADLER: Statewide. Okay.
4
5 MS. PELEKIS: Statewide sportfish.
6
7 CHAIRMAN LOHSE: Statewide sportfish.
8
9 MR. ADLER: Is that just androgenous
10 fish?
11
12 CHAIRMAN LOHSE: No.
13
14 MS. PELEKIS: All fish that are -- you
15 know, that have specific regulations for sport.
16
17 CHAIRMAN LOHSE: All fish that are caught
18 sportfishing.
19
20 MR. ADLER: A lot of these lakes around
21 Glennallen are just stocked rainbows, you know, no big
22 deal.
23
24 CHAIRMAN LOHSE: Yeah, it's not a
25 question of that it's hurting the fish population, it's
26 just I can remember when we had a discussion when we
27 wanted 200 rainbows for subsistence out of the Kenai
28 River and I asked the fisheries biologist that was there
29 at that time, you know, what was the sport take and he
30 could give me an estimate. And if I remember right that
31 estimate was about 25,000 for the sport take and we were
32 asking 200. And then I asked him what -- and I may be
33 off on my memory and that's -- so I'm not going to say
34 that this is exactly what happened, but then I asked him
35 what the catch and release was on the Kenai and if I
36 remember right they estimate, see they have no numbers,
37 it's just a after the fact ask some questions, ask 10
38 people questions and then come up with an average, and
39 they estimated 125,000 if I remember right were catch and
40 release. And I know we used the fact that even using
41 their lowest mortality for catch and release that still
42 amounted to over 1,000 fish. And the subsistence fishery
43 was asking for a maximum of 200 and they were talking
44 about the fact that the 200 fish could damage the fishery
45 on the Kenai River. And, you know, those are the kind of
46 -- those are why we would like to see numbers not going
47 along with Wilson Justin, but I think like Doug says, all
48 fisheries should be accountable so that when you have to
49 come down and make a decision you actually have something
50 that's valid, not -- and I know the last license that I

1 got you got a little tag that went with it that you were
2 supposed to fill out and then it turned out you didn't
3 have to fill it out for all fish, you just had to fill it
4 out if you fished in certain areas. And I don't see any
5 reason that we don't at the end of our license just have
6 a recording place that you can record your fish and send
7 it in at the end of the year. And if you're like you and
8 me we have to go get that recording thing because we
9 don't have to get a license every year, but even so it
10 wouldn't be that much of a hassle and it doesn't say oh,
11 my gosh we got all -- maybe it would show that it's
12 worthwhile for the State to stock fish or maybe it would
13 show that they're stocking a lot of fish and nobody's
14 taking them, you know.

15

16 Doug.

17

18 MR. BLOSSOM: Yeah, Mr. Chair, Lee.

19 We're not trying to limit, we're just trying to get
20 records. It's a lot nicer to see a record and know what
21 happened in a particular part of Alaska for the year.

22

23 MR. ADLER: Well, I think it's a good
24 idea, I'm just a little worried about the punishment
25 side, you know, we got -- we're already punished for this
26 and that and are we going to have something else we're
27 going to -- can't go fishing for five years if you
28 forget, you know, that's what I'm worried about.

29

30 CHAIRMAN LOHSE: Yeah. Well, Doug's
31 comment got me thinking is we could pay a lot of the
32 State's bills if we just -- if we had an automatic fine
33 to go with it, but we're not going to do that. And I
34 don't think you had any penalty tied to it other than the
35 fact if you don't put in a report you could lose the
36 opportunity to get next year's fishing license?

37

38 MS. PELEKIS: Correct.

39

40 CHAIRMAN LOHSE: And that applies to most
41 of your -- I don't know if that applies to most of your
42 game license now?

43

44 Tom.

45

46 MR. CARPENTER: It's kind of interesting
47 that you bring that up because it's very inconsistent.
48 On the wildlife side of things if you don't turn a report
49 in there are consequences, not necessarily financial one,
50 but they can keep you from getting drawing tag the next

1 year and it varies from state to state on the sport side
2 of things. And the only reason I know this is because --
3 I mean, there are very few species now that you do not
4 have to carry a piece of paper with and report something.
5 I don't care if it's clams or geese or anything. A
6 couple years ago I forgot to turn in a goose report, we
7 hadn't had to have them before. So the next year I was
8 ineligible for tags for drawing tags. And so I started
9 looking into it a little bit so I was ineligible to
10 harvest or to acquire a tag, but our most -- maybe our
11 most important resource on the Copper River Drainage is
12 salmon and there are absolutely no limiting factors to --
13 if somebody doesn't turn their report in about fish that
14 are harvested on the Upper Copper. And I just found that
15 dumbfounding that the State of Alaska was so exactly
16 opposite in their management practices just because of
17 the species.

18
19 So anyway I think it's a good idea that
20 there's a reporting. I'm sure that enforcement is going
21 to say there's a problem and I'm sure the Board, but I
22 think that we should show support.

23
24 CHAIRMAN LOHSE: Mr. Henrichs.

25
26 MR. HENRICHS: I know if you get a
27 subsistence salmon permit in Cordova and you don't turn
28 it in you can't get one the next year.

29
30 CHAIRMAN LOHSE: Well, I like what Tom
31 said and I too see this inconsistency. It's really
32 amazing to me that if my brother comes up from Minnesota
33 and he wants to go deer hunting with me it costs him a
34 \$250 tag for an animal that's almost considered a pest in
35 Minnesota. But if he wants to go out and catch a hundred
36 pound halibut he can buy a three day license and catch a
37 hundred pound halibut and a couple king salmon and
38 everything else and these are valuable fish to Alaskans,
39 but he can come and get those for basically nothing and
40 take them home. And it just -- to me I look at -- I look
41 at what we have for game fish and they don't have that in
42 the rest of the lower 48. I mean, they should be
43 extremely valuable trophies, you know, for the State of
44 Alaska and we give them away. And then we take something
45 that's not a valuable trophy like a deer and we charge
46 somebody \$250 to take it, you know. It just doesn't make
47 sense in my book, but that's not what we're talking about
48 right now. So I think that.....

49
50 MR. HENRICHS: Question.

1 CHAIRMAN LOHSE: The question's been
2 called otherwise Tom will get carried away. Okay. All
3 in favor of the motion to support Proposal 235 before the
4 Board of Fish by the Eyak Corporation signify by saying
5 aye.
6
7 MR. HENRICHS: Tribe.
8
9 CHAIRMAN LOHSE: Eyak Tribe. Sorry, Mr.
10 Henrichs. All in favor signify by saying aye.
11
12 IN UNISON: Aye.
13
14 CHAIRMAN LOHSE: All opposed signify by
15 saying nay.
16
17 (No opposing votes)
18
19 CHAIRMAN LOHSE: Motion carries. And
20 we'll support it be telling George and we'll support it
21 with a letter to the Board to put in the record.
22
23 MS. PELEKIS: Chair, have you guys all
24 read the proposal? I could just tell you anything.
25
26 (Laughter)
27
28 CHAIRMAN LOHSE: We take for granted that
29 you tell the truth.
30
31 MS. PELEKIS: Right. Well, if you'd like
32 I'd be happy to send Donald a copy of the book, I mean,
33 it's fairly -- it's easily accessible on the ADF&G site,
34 but I can get that to you pretty much after the meeting.
35
36 CHAIRMAN LOHSE: Okay. Now do you have
37 anything more for us?
38
39 MS. PELEKIS: That's all I have.
40
41 CHAIRMAN LOHSE: Okay.
42
43 MS. PELEKIS: Thank you.
44
45 CHAIRMAN LOHSE: Okay. With that we've
46 already decided our future meetings, we have closing
47 comments by anybody on the Council that wishes to have a
48 say on anything that we've done or anything that we think
49 we should do. And Judy's got a.....
50

1 MS. CAMINER: Do we need to review what
2 we said we're going to do or not?

3
4 CHAIRMAN LOHSE: We could review what we
5 said we're going to -- Judy could review what we said we
6 were going to do.

7
8 MS. CAMINER: I'll be quick. We did have
9 a lot of follow-up and we have a few agenda items for
10 next time. And I guess my general closing comment is
11 when the regulatory cycle went to every two years there
12 were some who thought well, why would you still need two
13 RAC meetings a year and I think we have a pretty full and
14 productive day and a half here even though there were no
15 proposals in front of us. So job well done to everybody.

16
17 For our follow-up we said probably
18 Donald, Gloria, George writing a letter to Eastern
19 Interior. We're going to put together comments on the
20 Susitna-Watana dam and that's due to me on March 11th.
21 Jean presented us with the tribal consultation procedures
22 and if there were any comments, I don't know if we want
23 to get them to her directly, if you want Donald to
24 coordinate them, we weren't really clear on that, but
25 comments on the tribal consultation procedures.

26
27 CHAIRMAN LOHSE: Do we have -- I would
28 say that anybody that has comments should forward them to
29 you.

30
31 MS. CAMINER: Okay. All right. If
32 people had comments on that Cook Inlet Taskforce report
33 or the Cook Inlet Study Plan, those were going to Donald
34 even though we know we may not be able to comment on part
35 of it, if we still have something to say.

36
37 And most recently this letter to the
38 Board of Fisheries and a letter to the Federal
39 Subsistence Board on Proposal 235. Donald, I don't know
40 if you want to put that together and I'd be glad to help
41 if you want, but I guess that needs to be done pretty
42 quickly.

43
44 MR. MIKE: I need help.

45
46 MS. CAMINER: Okay. For our annual
47 report we had concerns about Susitna-Watana and we wanted
48 the Board to perhaps get a briefing on it as well.
49 Federal closures preceding the State closure on the
50 Kenai. Also then the delegation of authority discussion

1 where we want the wording changed and we would like to
2 have the Board start setting a review or a sunset clause.

3
4 Future agenda, customary trade and we'll
5 consider whether limits need to be put on it, Kenai
6 Peninsula or elsewhere. Was there any reporting on
7 current customary trade. We'll look at the Southeast
8 customary and traditional use determination methodology
9 and hopefully the Chair or a representative could be
10 here. And wanted a position on the DOI's climate change
11 strategy.

12
13 That's it unless people have other items
14 they remember.

15
16 CHAIRMAN LOHSE: I think you did a pretty
17 good job of keeping track of what was going on.

18
19 MS. CAMINER: Thank you.

20
21 CHAIRMAN LOHSE: Anybody else have
22 anything else that they would like to add to that?

23
24 (No comments)

25
26 CHAIRMAN LOHSE: Any closing comments
27 from the meeting?

28
29 (No comments)

30
31 CHAIRMAN LOHSE: Any directions to the
32 Chair for operating future meetings like -- Gloria.

33
34 MS. STICKWAN: At the last Federal Board
35 meeting there wasn't any representation at the meeting
36 from this RAC. I think if you can't make it then you
37 should assign somebody to be there.

38
39 CHAIRMAN LOHSE: Yeah. That was my
40 fault. I didn't get hold of Donald in time and things
41 came up.

42
43 MR. McLAUGHLIN: I wouldn't mind getting a list of
44 email addresses for RAC members so I can be able to
45 contact people or is that possible or -- I know some
46 people don't have email, but it would be nice to have
47 contact information.

48
49 CHAIRMAN LOHSE: Donald, do -- don't we
50 -- do we have that?

1 MR. MIKE: Yeah, we have email -- I have
2 all the email addresses for all the Council members.
3 Just need concurrence that we share them among other
4 Council members so.....

5
6 CHAIRMAN LOHSE: Or phone numbers.

7
8 MR. MIKE: Or phone numbers.

9
10 CHAIRMAN LOHSE: Yeah. Anything else?

11
12 MR. CARPENTER: Move we adjourn.

13
14 CHAIRMAN LOHSE: The motion's been made
15 that we adjourn.

16
17 MS. MILLS: Second.

18
19 CHAIRMAN LOHSE: It's been moved and
20 seconded. We don't need a vote on it. Meeting's
21 adjourned.

22
23 (Off record)

24
25 (END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter of Computer Matrix, do hereby certify:

THAT the foregoing transcript contain a full, true and correct Transcript of the SOUTHCENTRAL FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME II, Pages 182 through 287 taken electronically by our firm on the 21st day of February 2013, in Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed 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 8th day of March 2013.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires:9/16/2014