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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
March 1, 1995
Sheraton Anchorage Hotel
Anchorage, Alaska

VOLUME II

COUNCIL MEMBERS PRESENT:

Roy S. Ewan, Chairman
Lee C. Basnar, Vice Chairman
Ralph Lohse, Secretary
Gary V. Oskolkoff
Fred John, Jr.
Benjamin E. Romig
Robert Henrichs

Helga Eakon, Coordinator

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PROCEEDINGS

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2

3 MR. EWAN: I'll call the meeting to order. This is the
4 second day of the Southcentral Alaska Subsistence Advisory
5 Council meeting. Yesterday, we were discussing the Kenai
6 Peninsula customary and traditional use eligibility
7 determination. We're going to finish off today on that
8 particular issue by -- to other issues. I don't know who's
9 going to bring up the other issues. Mr. Brelsford.

10

11 MR. BRELSFORD: Thank you, Mr. Chairman. I believe
12 what we'll be doing is the item titled Any Other Action on the
13 Kenai Peninsula, and we'll see if we can't put that to rest
14 fairly quickly and then move onto some reports.

15

16 At the end of the day, I had reminded us all that since
17 there are no standing subsistence seasons on the Kenai
18 Peninsula, the effect of your recommendations to the Board,
19 your advice to the Board here, could not really take effect in
20 the fall. We could -- they could follow through on the
21 eligibility suggestions that you've made. But unless we put
22 some proposals alongside a complete package that would include
23 some seasons and bag limits, then there would not otherwise be
24 subsistence seasons on the Kenai Peninsula. There are no
25 standing subsistence seasons as the kind of background.

26

27 So where we left yesterday afternoon for you to give
28 some thought to over the evening was the possibility of
29 limiting your action at the present time to the eligibility
30 questions, what we concluded with yesterday, just leave that in
31 place. And I think Ralph actually had a fairly helpful
32 suggestion that what we -- the approach might be to solicit
33 some proposals from the communities about seasons and bag
34 limits and take those up in the fall next year in the cycle
35 before the Board; that would be in April a year from now, April
36 of 1996; and the actual subsistence seasons would go into
37 effect following that. That would require no further action at
38 the present time.

39

40 Another option that we touched on was the possibility
41 of revisiting some of these high priority subsistence seasons
42 and bags questions that have come before the Council already.
43 And you know, taking into account the fact that we have a short
44 period of time for your work today and tomorrow. And in some
45 instances, the biological circumstances are going to be fairly
46 complicated, and we would want, perhaps, fuller biological
47 analysis and so on. The second option would be to really just
48 identify the highest priorities for action at the present time
49 and not try and talk about all the species in all the units on

50

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the Kenai Peninsula.

2

3 And then the third option, the wild card, would be to
 4 really sit down and try and do a comprehensive review of
 5 subsistence seasons and bags for all six species throughout the
 6 two units. As I mentioned, our Staff has had a very limited
 7 time to consolidate the biological information, and I think
 8 that final option, the comprehensive approach, would be
 9 somewhat unreasonable at the present time.

10

11 So that was the question before you last night, and I
 12 think it would be helpful if the Council Members shared and
 13 reached a common approach on that topic.

14

15 MR. EWAN: Thank you, Taylor. What is the wish of the
 16 Board? Taylor outlined the options that we could follow. We
 17 could consider the whole seasons and bag limits for the Kenai
 18 Peninsula or we could do -- what are the other options? Only
 19 those that are really -- we wanted to deal with?

20

21 MR. BRELSFORD: High priority,

22

23 MR. EWAN: High priority.

24

25 MR. BRELSFORD: so to speak.

26

27 MR. EWAN: Or to postpone till this coming fall. I
 28 guess those are the options.

29

30 MR. OSKOLKOFF: Mr. Chairman, I have a very definite
 31 opinion on that. I thought about it, in fact, I couldn't get
 32 sleep thinking about it last night. But my opinion hasn't
 33 changed since the end of the meeting yesterday. And that is
 34 what we should and can move forward with a limited or -- a
 35 limited number of hunts. I suggest that we would want to do
 36 something. That is, I think Option A is not in our best
 37 interests. I don't think it resolves - helps to resolve the
 38 problem. I think it very possibly can push us one year further
 39 down the road. We may end up redoing what we just did with a
 40 lot of outside input again, for whatever reason there may be,
 41 and there always seems to be a reason. We've now done -- gone
 42 through the process twice.

43

44 I believe the two major hurdles we had to cross are
 45 resolved now, the C&T determinations and the rural
 46 determinations, which had been before our meetings by the
 47 Board. And that we might want to -- instead of picking up just
 48 specific proposals which have been forwarded to date, we might
 49 want to take the initiative and pick out -- I would suggest a

50

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particular species and I would suggest moose. One that has had a lot of study, a lot of information available, one that is generally considered an open season for sport hunting and proceed to develop regulations for a subsistence moose hunt that would be available this fall.

6

7 MR. EWAN: You're proposing that we just deal with moose and no other species?

9

10 MR. OSKOLKOFF: I would think that probably moose is the most desired by the -- out of all of them. I notice it's always first on the list. It's probably the largest amount of resource taken by most of the subsistence hunters. And I think that if we concentrated on one species, it might be a little easier to do that. And I would even suggest, if need be, that we have a special meeting just for that purpose in which we would have time to align -- a very short time but time to align biological information if that's necessary and proceed along those lines.

20

21 I really would feel that the job would be incomplete if we were to leave it as it stands without actually changing the way the people are allowed to do business right now as far as subsistence hunting goes on the ground, that there is some actual, definite change that people can feel and deal with in their own communities.

27

28 Adding to that, there'd be one added benefit in the fact that I believe this would get the attention of all interested parties. We would get a lot of information from all directions. And I think it really would be beneficial to the Advisory Board, the Subsistence Board and to the people dependent upon subsistence.

34

35 MR. EWAN: Okay. Thank you, Gary. Is there any objection to Gary's suggestion that we deal with just moose today? Let me see if I heard correctly. There -- did you say, Taylor, that there would be no hunt or there would be a hunt under the old regulation, is that correct,

40

41 MR. BRELSFORD: Let me be real specific here cause

43

44 MR. EWAN: if we didn't act on this today?

45

46 MR. BRELSFORD: the Kenai Peninsula is unusual. There were no existing State subsistence seasons brought into the Federal Program. So in the Federal regulations, if you look under Unit 7 and Unit 15, there are no seasons and bag

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limits for the species for subsistence hunters -- for subsistence regulations. However, there are State hunting opportunities, and the Federal lands are not closed. So the status quo right now with no action on anybody's part would be these State seasons and bag limits, they would continue to be valid and available on the Federal public lands as well as the State lands. The -- so basically, their hunting opportunities are in place.

9

10 MR. EWAN: Is there any objection to Gary's suggestion that we deal with moose today? If not, we'll proceed. How do we (indiscernible - background coughing) -- we need some

13

14 MR. BRELSFORD: Well, we had made an effort, and several of the agencies have brought along some of their best experts to work with us on this in the event that you guys wanted to proceed with it. So

18

19 MR. EWAN: Yes, we want to proceed

20

21 MR. BRELSFORD: in part, we've got to be sure and --

23

24 MR. EWAN: with the moose, I believe. Yes.

25

26 MR. BRELSFORD: and want to bring

27

28 MR. EWAN: What are we going to be considering here, the season and the bag limits? Is that what

30

31 MR. BRELSFORD: That's correct. And we have some background materials for you that show what the existing State seasons are so that you may want to modify or adjust or, you know, sort of not start from ground zero but work in comparison to what's in place.

36

37 Now, as I say, Ted had come with the intention of being able to add some thoughts on the management implications and so on. And the Refuge Staff from the National Wildlife Refuge were also planning to be here as soon as the plane got in this morning. So Ted, since you're here, maybe we should have you come -- why don't -- let's pass out the existing State seasons and then maybe give something -- an overview of what the management regime looks like for moose on the Kenai Peninsula at the present time.

46

47 MR. EWAN: Okay.

48

49 MR. BRELSFORD: Does that sound like a reasonable

50

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course of action?

2

3 MR. SPRAKER: Sure.

4

5 MR. EWAN: We're going to stand at ease for -- until we
6 get copies of the State regulations.

7

8 (Off record comments)

9

10 MR. EWAN: We're ready to start now the briefing on the
11 State regulations for moose in the -- on the Kenai Peninsula.
12 I guess, Ted, if you're ready to kind of brief us. Are you
13 prepared to brief us on the State regulation -- present
14 regulations on Kenai Peninsula?

15

16 MR. SPRAKER: Yes, for moose. Good morning,
17 Mr. Chairman. To give you just a brief history on the moose
18 regulations for the Kenai Peninsula. And with the Kenai
19 Peninsula, of course, we'll be talking about Game Management 7
20 and 15.

21

22 To take a historical perspective, moose hunting has
23 been virtually unchanged on the Kenai as far as moose seasons
24 and bag limits and so forth for 15, 20 years prior to 1987. In
25 1987, the Department -- or actually, 1986, the Department went
26 to the Advisory Committees and laid out a long-term plan
27 because the hunting effort on the Kenai had increased
28 dramatically over the years. The effort was getting higher but
29 the number of bulls being killed was kind of getting lower
30 because we had a tremendous amount of hunting pressure. The
31 bull to cow ratio was getting to a unhealthy state. And we
32 could clearly see that if we continued hunting at the same rate
33 and we had two or three real bad winters in a row and lost most
34 of our recruitment, that we would probably be looking at real
35 short seasons and, you know, reduced opportunities for all the
36 hunters.

37

38 So the Department went to the Advisory Committees with
39 a new system. And this new system involved selective harvest,
40 and that's where the spike fork or 50 inch or a three brow tine
41 regulation came into place. It started in 1987, it was
42 supported by all five Advisory Committees, and it was passed
43 unanimously by the Board in 19-- the spring of 1987 and has
44 been in place since that time.

45

46 The only change to the spike fork 50 inch regulation
47 and 20 day season occurred two years ago. We felt that the
48 program was working real well, the bull/cow ratio was back to a
49 healthy state, so the Board increased the season length;

50

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instead of the 20 day season that we had on the Kenai for, you know, 20 years or so, the Board extended that to a 32 day season. Now, we have a season that starts the 20th of August and runs through the 20th of September for all of 7 and 15. But we have the spike fork 50 inch or this antler regulation to go with it.

7

8 MR. EWAN: Let me ask about how does it look for the future?

10

11 MR. SPRAKER: This year, we have finally kind of built the harvest up to match the harvest before the spike fork 50 inch regulation, in that this year we have a harvest in the general season of 632 bulls on the Kenai. In the five years before this program started, which was 1982 to 1985, we averaged 636 bulls taken per year and about 3,600 hunters on the Kenai. And we're right back up to those numbers; we're 632 this year and we're 3,500 hunters reporting.

19

20 As far as the future, if this program stayed in place, I think we could probably maintain a 32 day season. Our harvest is going to depend on the previous winters, and I can already predict that next year's harvest is going to drop below the 630 or so marked, because the Kenai, like Anchorage, is having a pretty tough winter and we're losing a lot of calves. And of course, under this spiked fork 50 inch regulation, this year's calves will be next year's yearlings that'll be available for harvest. So it'll probably go down.

29

30 But as far as the likelihood of this program being successful in the future, it's been very successful for the last eight years. It's put us in a much healthier situation with the bull/cow ratio. And I think it'll be a program that will stay around for a while. It may get fine tuned a little bit, but I think it's done a pretty good job of proving itself over the last eight years to be a workable program.

37

38 MR. EWAN: Any comments or questions? Did you mention the present number of moose?

40

41 MR. SPRAKER: No, sir, I didn't. The present number of moose on the Kenai is estimated at about 8,000 moose in 7 and 43 together.

44

45 MR. EWAN: Richard.

46

47 MR. HENRICHS: That's what I wanted to know.

48

49 MR. EWAN: Okay. Ralph.

50

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1
2 MR. LOHSE: Do you envision or do you currently have
any surplus for cows, for the possibility of taking cows, and
still maintaining the herd?

5
6 MR. SPRAKER: Yes, sir, we do. We have three cow hunts
either ongoing or proposed for the Kenai. We have one in the
Homer area, the Department wrote a proposal that'll be
addressed at the Board's spring meeting here in March for 30
tags in the Homer area. We also have an ongoing hunt that's
been in place since 1989 in the Skilak Loop area, that has 30
cow tags. And this year we're proposing 20 bull tags for spike
fork bulls. And then we've had a hunt in the Placer and
Portage area, up in the upper part of 14, near -- or 7, near
14(C), and that has 60 cow tags and 40 bull tags, and that's
been ongoing for quite a few years.

17
18 MR. LOHSE: Now, those numbers aren't included in the
198,

20
21 MR. SPRAKER: No.

22
23 MR. LOHSE: that's in the standard season?
That's non-permit take?

25
26 MR. SPRAKER: Yes, sir, it is. Six hundred and thirty-
two recorded is just the general hunt.

28
29 MR. EWAN: Do you have any idea of whether the moose
take has been in the first half of the season or the second
half or any idea?

32
33 MR. SPRAKER: I do. About 40 percent of the take
occurs in the first four or five days of the season, which is
pretty common; you know, there's always that first part of the
season rush to get out there. And then it tapers off
throughout the middle part of the season, and then there's a
little bit of a build up towards the end of the season.

39
40 One of the things a 32 day season has clearly done on
the Kenai, it's reduced the crowdedness of hunting because it's
spread that hunting pressure out over 32 days rather than 10 or
20 days.

44
45 MR. EWAN: I don't want to take all the -- be asking
all the questions, but I do have -- this is a different season
than what I'm accustomed to. Why are the seasons so long in
the Unit 7 Placer River Drainage, October 10?

49
50

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1 MR. SPRAKER: Because it's under permit there, and they
felt like they could give the hunters a long time to hunt since
it's -- the numbers of hunters are controlled by permit.

4
5 MR. LOHSE: Is that a drawing permit or a registration
permit?

7
8 MR. SPRAKER: It's a drawing permit.

9
10 MR. LOHSE: It's a drawing.

11
12 MR. EWAN: Gary.

13
14 MR. OSKOLKOFF: Do you have information that would give
us some idea of what area the people came from who hunted in
that area on the Kenai Peninsula?

17
18 MR. SPRAKER: That information is certainly all
available. The only thing that I have is for the general hunt
of where people were successful -- or where they were from.

21
22 MR. OSKOLKOFF: I think that'd be the most important
one.

24
25 MR. SPRAKER: As far as Unit 7, I have a harvest of --
would it be better for me just to read this list on where the
successful hunters lived? For instance, Unit 7, there were 10
successful hunters that were from Anchorage, there were 3 from
Copper landing, 1 from Fort Richardson, 1 from the Hope
Community, 1 from Indian, 1 from Juneau, 4 from Kenai, 4 from
Moose Pass, 1 from Nikiski, 14 from Seward, 4 from Soldotna, 2
from Wasilla and 1 from Willow for a total of 46 moose taken in
Unit 7 last year.

34
35 For Unit 15, Anchor Point residents reported a harvest
of 36 moose; Anchorage was 38; Clam Gulch, 5; Eagle River, 3;
Eldorado Air Force Base, 1; Fritz Creek area, 2; Homer, 97
moose; Kasilof, 29 moose; Kenai, 101; the Kenny Lake area, 1
moose harvested; Ketchikan, 1; Kodiak, 1; Nikiski, 34 moose
taken by residents of that area; Ninilchik, 29 moose were taken
by residents of Ninilchik; North Pole, 1; Seldovia, 7; Seward,
2 Soldotna, 99; Sterling, 33; Valdez, 1 and Wasilla, 1.
That's a total of 528 moose taken in 15.

44
45 Sometimes, these figures do not add up to the 632
because some of the hunters don't report where they lived. But
for the ones that did report, this is what we have.

48
49 MR. EWAN: Any other comments or questions?

50

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1
2 MR. OSKOLKOFF: One more question. Out of the 632, I
3 believe you said, that were taken, do you have an idea what the
4 distribution was in which subunit of 15?

5
6 MR. SPRAKER: Yes. I think I can do that from memory.
7 In 15(A) last year, there were 200- -- this is 1994, this last
8 fall, there were 225 bulls taken in 15(A); in 15(B) I think it
9 was 56 taken; in 15(C) -- I do know that figure for sure.
10 15(A) and 15(B) I'm positive of there, there were 297 because
11 it's the highest harvest that we've had since 1973 in 15(C).
12 And then in Unit 7, there were approximately 46 or so taken in
13 Unit 7. I do have those figures and I could look them up, but
14 those are awful close. And it's certainly

15
16 MR. OSKOLKOFF: That's fine.

17
18 MR. SPRAKER: good ballpark estima- -- or
19 figures.

20
21 MR. EWAN: Ralph.

22
23 MR. LOHSE: And that is strictly the open hunt figures,
24 that doesn't

25
26 MR. SPRAKER: Yes, sir.

27
28 MR. LOHSE: include the 120 others that were
29 taken by permit or

30
31 MR. SPRAKER: Well, actually, there were only 46 others
32 taken in permit hunts. There were 20 taken in 15(B) in the
33 15(B) East drawing hunt for bulls only. There's a hundred
34 permits issued. There were 13 taken in Skilak Loop with those
35 cow tags. There was one taken in the Tier II hunt down in
36 Port Graham, English Bay -- or Nanwalek, Seldovia area. And
37 then there were 12 moose taken in the Placer/Portage hunt. And
38 I think that should add up to about 46 for the permit hunts on
39 the Kenai.

40
41 MR. LOHSE: So what was your success ratio on the
42 permit hunts overall, about?

43
44 MR. SPRAKER: It usually runs in the 15(B) East area
45 about 20 to 30 percent success. In the Skilak Loop cow hunt,
46 it runs about 35 percent success. In the Placer/Portage/Twenty
47 Mile area, that one's probably a little lower, it's probably
48 about 20 percent success. And in the Tier II hunt, it runs
49 about 20 to 30 percent success. So all of them jointly are
50

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somewhere between 20 and 35 or so percent success. The general hunt -- and we've looked at this over time, for the general moose hunting on the Kenai, and it fluctuates only slightly around that 20 percent line; it's just up and down, 22, 18; but it's right around 20 percent for the general hunt, success rate.

7

8 MR. OSKOLKOFF: On the --

9

10 MR. EWAN: Gary.

11

12 MR. OSKOLKOFF: on the permit hunts, what is the likelihood of getting -- what is the ratio there of people that apply and people that actually receive a permit or

15

16 MR. SPRAKER: The odds on some of the hunts are fairly high. I would say that an average is about 1 in 15 odds to draw a permit on the Kenai for a moose.

19

20 MR. OSKOLKOFF: So then you essentially have the two hurdles, you -- you're 1 in 15 of even getting a permit, and out of that you're maybe 1 in 5 of being a success out of those 15s?

24

25 MR. SPRAKER: That's right.

26

27 MR. OSKOLKOFF: Okay. Thank you.

28

29 MR. EWAN: These permits that you're talking about say in Unit 15(A), those are Tier II hunts, is that what they are? No?

32

33 MR. SPRAKER: No, sir, not in 15(A), just in five -- the southern part of 15(C), those are Tier II hunts. 15(A) is open to anyone, including non-residents.

36

37 MR. EWAN: Could I ask then on that one there, the 15(A), how do you go about that permitting? You know, I'm not familiar with that.

40

41 MR. SPRAKER: It's

42

43 MR. EWAN: I know -- is it done here in Anchorage, Kenai, where do you get the permit and how do you go about doing that?

46

47 MR. SPRAKER: Well, the applications are made available shortly after the Board finishes up their spring meeting, usually about mid-April. And the application period is open

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for about six weeks, so the end of May you have to turn in your application. And then the drawing's done through a computer program here in Anchorage.

4
5 MR. EWAN: Okay. Anybody in the State can apply for those, correct?

7
8 MR. SPRAKER: Yes, sir, anybody in the State plus non-residents.

10
11 MR. EWAN: Through their local -- where do I apply so I can get a permit? I mean

13
14 MR. SPRAKER: The applications

15
16 MR. EWAN: an application or

17
18 MR. SPRAKER: Yeah. They're made available to all the license vendors throughout the State, all Fish & Game offices, Fish & Wildlife Protection offices, send them to some post offices if there's no one available that sells licenses. And we can -- we mail out quite a few if people request them.

23
24 MR. EWAN: Okay. Yeah. I don't think that was quite acceptable service (ph). Any other questions?

26
27 MR. OSKOLKOFF: Did you mention -- you probably did and I didn't remember -- but the number of out-of-state moose hunters on -- particularly in Unit 15?

30
31 MR. SPRAKER: None.

32
33 MR. OSKOLKOFF: There were

34
35 MR. SPRAKER: There were no successful non-residents in 1994 that reported that I have in our computer run.

37
38 MR. OSKOLKOFF: Okay.

39
40 MR. SPRAKER: Which was kind of interesting 'cause usually there's a couple. There's never very many but there's usually a couple and there were none this year.

43
44 MR. EWAN: If there are no other questions, thank you very much.

46
47 MR. SPRAKER: Okay. Thank you, sir.

48
49 MR. EWAN: Do we have anybody else that wants to make a
50

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1 presentation on this issue? Taylor?

2

3 MR. BRELSFORD: Just

4

5 MR. EWAN: Any comments from the biologist or anybody
6 that wants to comment on this hunt?

7

8 MR. ZEMKE: Steve Zemke with the Chugach National
9 Forest. One thing to look at in at least Unit 7, much of the
10 moose habitat is on either conveyed land or State/private. And
11 \$b there's probably going to be -- if you look at seasons,
12 you'll probably want to try to mend those together if possible,
13 just so there wouldn't be a lot of inconsistencies, maybe
14 enforcement problems that could be associated. So -- but that
15 whole area, Ben's probably familiar with the Cooper Landing
16 area and that whole valley system. it's pretty much under
17 private land ownership.

18

19 MR. EWAN: Does everybody understand what Steve was
20 talking about? I don't quite understand. For conveyed or
21 selected, did you say?

22

23 MR. ZEMKE: And State and private land or previously
24 conveyed lands.

25

26 MR. EWAN: Aren't they combined for State regulations?

27

28 MR. ZEMKE: Um-hum.

29

30 MR. EWAN: Yeah. But we don't have anything to do with
31 those, though.

32

33 MR. ZEMKE: No. I was just

34

35 MR. EWAN: We're dealing with Federal lands.

36

37 MR. ZEMKE: Yeah.

38

39 MR. EWAN: Um-hum.

40

41 MR. LOHSE: What he's saying is there's very little
42 moose habitat in 7 on Federal land.

43

44 MR. EWAN: I see, okay. Thank you. Ted.

45

46 MR. SPRAKER: Mr. Chairman. One additional comment
47 that kind of came to mind yesterday, and I offer this just as a
48 helpful tip maybe to the Council here. I'm not sure it's going
49 to make a big difference. But the Hope community is a rural

50

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area where you have designated subsistence for moose is authorized. The Hope area is closed to moose hunting. It is closed on the Resurrection Creek downstream from Highland Creek and Rimrock Creek, including the entire Palmer Creek Drainage. It was closed by two residents of Homer (sic) back in the early '80s, Cunningham and Miller. Billy Miller's still there, he's been a resident there for years, he's a guide. Mr. Cunningham died in a logging accident a few years ago. They wanted the area closed because they felt that the hunting was getting too severe, and they felt like wolf predation was also taking a high number of moose. And they felt like if they were going to have moose around the Homer (sic) area, they were going to have to close it. And they went to the Board in the early '80s and got it passed.

15

16 In 1987, when the Department changed the hunting strategy on the Kenai to the spike fork 50 inch regulation, we made a proposal to open the Homer (ph) area under the spike fork 50 inch regulation like the rest of Unit 7. The residents of Homer --

21

22 UNIDENTIFIED VOICE: Hope.

23

24 MR. SPRAKER: Hope, I'm sorry. Of Hope drew up a resolution or a petition and testified at the Board that they did not want that area opened to hunting because there were economic benefits from the tourist trade for viewing, and that they wanted it to stay closed. And they testified at the Board very convincingly, and the Board denied the Department's proposal to open it, and now it is still closed to hunting around Hope.

32

33 And like I said, I just offer that as something that's a bit of information in case the Council wants to discuss that. And I know Ben's very familiar with this issue and probably could add a lot to it.

37

38 MR. EWAN: Thank you. Any other comments or questions at this time?

40

41 MR. OSKOLKOFF: I just have one.

42

43 MR. EWAN: Gary.

44

45 MR. OSKOLKOFF: Maybe Mr. Spraker could enlighten us, I don't know, maybe someone else here would have that fact. Do we have any type of numbers that would give us an idea of where whether they were on Federal land or State land when these animals were taken on the Kenai?

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1
2 MR. SPRAKER: Mr. Chairman. I have to apologize, I do
3 have that information but I do not have it all summarized for
4 this morning. I can tell you, though. But probably half of
5 the moose taken in 15(C) are taken on Federal lands; they're
6 taken on the Kenai National Wildlife Refuge, maybe up to half
7 of them. In 15(A), it's much higher 'cause most of 15(A) is
8 the Refuge. The cow hunt in Skilak Loop is all on Refuge
9 lands. The Tustumena 15(B) East moose hunt, that's all Refuge.
10 Probably two-thirds of the moose taken in 15(B) are on Refuge.
11 In Unit 7, just a rough guess, it's probably about half and
12 half. If you want the exact figures, I do have those; it would
13 take some time to come up with them but we do have them.

14
15 MR. OSKOLKOFF: I think it would be helpful to have
16 something in a written form so we have something to refer to
17 when our minds get a little fuzzy on the details.

18
19 MR. SPRAKER: Okay. When do you need the information?

20
21 MR. OSKOLKOFF: As early as you can provide it, I
22 guess.

23
24 MR. SPRAKER: Okay. Thank you.

25
26 MR. EWAN: Could I ask one more question? And maybe
27 you don't have the answer but in Unit 7 I know that -- I notice
28 here that there's a lot of Federal land there. How are the
29 moose over in that area, is there quite a few moose on the
30 State lands there as there are on the Federal lands?

31
32 MR. SPRAKER: They're mostly on Federal land.

33
34 MR. EWAN: Mostly on Federal land.

35
36 MR. SPRAKER: Yeah. Unit 7 moose population is fairly
37 low, there's about a thousand moose or so in Unit 7.

38
39 MR. EWAN: I've never hunted or I never been there.

40
41 MR. SPRAKER: Yeah, it's different from 13.

42
43 MR. EWAN: So I notice there's a lot of Federal land in
44 okay. Thanks.

45
46 MR. DOSHIER: Ted, can I ask a -- you said in Unit 7
47 that half and half -- is that half on Forest Service, half on
48 Refuge or half on non-Federal and half on Federal?

49
50

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1 MR. SPRAKER: Half on Federal. Half on Federal. It
 2 may be a little bit more,

3
 4 MR. EWAN: Did you want his name?
 5

6 MR. SPRAKER: a little heavier on the Federal
 7 than the Forest Service.

8
 9 MR. EWAN: Would you state your name for the record,
 10 please?

11
 12 MR. DOSHIER: Daniel Doshier.
 13

14 MR. EWAN: Okay. Ralph. What's that?
 15

16 MR. LOHSE: Eight thousand moose, was that in Unit 15
 17 or was that in Unit 15 and 7 combined?

18
 19 MR. SPRAKER: 15 and 7 combined.
 20

21 MR. LOHSE: So we got about 7,000 moose then in 15?
 22

23 MR. SPRAKER: In 15, yes, sir.
 24

25 MR. EWAN: All right. We'll proceed if we don't have
 26 any more questions on the State regulation. I just want maybe
 27 help our process here of how -- to begin to talk about --
 28 does anybody want to suggest how we could proceed here?

29 Pospahala.
 30

31 MR. POSPAHALA: Thank you, Mr. Chairman. This is not
 32 something that we've come here prepared to address exactly
 33 today. But as I view it, I guess the way that I see this
 34 taking shape over the next period of time is that now what our
 35 needs are going to be and I think what your needs are going to
 36 be is to develop some assessment of your view of what the
 37 subsistence allocation or use level should be in each of these
 38 each of the areas that you've identified a community of
 39 subsistence users.
 40

41 We have -- the information that Ted presented you which
 42 generally available relates only to those people that have
 43 taken advantage of the opportunity to hunt on the Kenai Refuge
 44 the Forest Service -- well, in Unit 7 and 15 over the past
 45 several years. I think one of the points that has been made
 46, for example, the request for reconsideration that came from
 47 Cary's village last year was that there have been occasions on
 48 which people that desired to partake in that harvest have been
 49 deprived that opportunity. So we don't have a quantitative way
 50

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ourselves to assess what the likely subsistence demand, if you will, might be from these stocks. At this point, we'd have to rely on the judgment of the Council to provide that information for us.

5

6 It was a bit less problematic for us. And I'll speak just as a Fish & Wildlife Service agency representative. As you know, the way that the Fish & Wildlife Service had developed a proposed application of this program on the Kenai Peninsula was a bit more restrictive in its domain than what we're presently looking at from the Council. So it was much less problematic for us to deal with what we might envision as a reasonable level of subsistence harvests that might be required under the proposals that we developed say last November or whatever. That was a very different situation than the one that you face now.

17

18 MR. EWAN: Okay. I guess, we're going to go ahead and start discussing just generally how we should go about this endeavor.

21

22 MR. POSPAHALA: Okay.

23

24 MR. OSKOLKOFF: If I can ask one question of Mr. Pospahala. What is your assessment of the -- in the enforcement capabilities given that the hunt may not specifically coincide with the State operation in that area?

28

29 MR. POSPAHALA: Do you mean the enforcement capabilities as the Federal Government?

31

32 MR. OSKOLKOFF: Yes.

33

34 MR. POSPAHALA: We have the capability but within the Subsistence Program as a general rule, since we've been involved in the program in 1990, enforcement has not been a major focus for us simply because for the greatest part what you would be pursuing would be those people that are non-qualified subsistence users who were, perhaps, hunting in the subsistence seasons. There was very little reason to focus on the subsistence users in terms of an enforcement program.

42

43 The State would have, perhaps, more interest in that in terms of the subsistence users hunting off Federal public lands. Quite honestly, I think they've been very discreet in their approach to that and haven't really pursued it actively. There have been some instances in which they have issued citations but it hasn't been a wholesale effort to do so. It's going to be much more of a problem in an area like the Kenai

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Peninsula where access is considerably better than it might in other places.

3

4 MR. OSKOLKOFF: What about a possibility of a permit hunt for cow moose under Federal regulations?

6

7 MR. POSPAHALA: Well, I think the possibility is there. 8 Generally, we've taken the approach in other areas that the 9 State regulation that requires a spiked fork or 50 inch bull is 10 inconsistent with the customary and traditional subsistence 11 activities. If you were to do something like that on the 12 Kenai, then we would and would intend in terms of giving advice 13 to this Council work very closely with the State to try to 14 assess what the impact of changing those regulations would have 15 on the overall management of those -- of moose populations, for 16 example, on the Kenai Peninsula. My guess is that it could be 17 substantial.

18

19 MR. EWAN: All right. Yes. Fred.

20

21 MR. JOHN: I didn't get what you said about the 50 inch 22 spike. But for a subsistent hunter, it seems to me that 50 23 inch spike does cater to big game or a sport hunter, not 24 subsistent hunter. And if we as -- on the Subsistent Advisory 25 Committee, I think we should cater to the subsistent hunter 26 instead of the big game hunter on how big the moose is and 27 everything.

28

29 MR. POSPAHALA: Yes. That's coincident exactly with my 30 earlier statement.

31

32 MR. JOHN: Okay. Thank you.

33

34 MR. EWAN: Ralph.

35

36 MR. LOHSE: Maybe I'm understanding something wrong. I 37 would like the spike fork 50 explained to me, because I was 38 under the impression that underneath the current regulations 39 you're allowed to take a spike moose, a forked horn and then 40 the middle gap, the breeding stock was protected, and then you 41 could take an over-mature moose which is over 50 inches. Is 42 that -- am I right and am I kind of looking at it the way -- 43 what -- what's consistent of a fork? I mean what moose are 44 actually available for being taken? A spike, is that a 45 Mulligan?

46

47 MR. SPRAKER: Right.

48

49 MR. LOHSE: Yeah. Give me a description of what spike

50

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fork 50 means, having never gone under it.

2

3 MR. SPRAKER: Okay. Under the design of the spike fork
40 inch regulation, the legal bulls are bulls that are spikes
5hat have either one --

6

7 MR. LOHSE: That'd be yearlings.

8

9 MR. SPRAKER: one on each side or forks, and
those are yearlings. And they make up about half of the
yearling recruitment, so half the yearlings are open for
hunting, half are protected. On the large end, mature bulls
can be either 50 inches or larger for antler spread or they can
have three brow tines on at least one side. So in other words,
they could be 45 inches with three brow tines and they would
still be legal.

17

18 MR. LOHSE: So basically what you're trying to target
19 you're trying to target the young of the year -- or the
yearling which is your most vulnerable for predation and for
death in the wintertime, and then you're trying to target your
ones that are at the peak or past the breeding age or are you
saving -- I mean, what is the -- what's the rationale behind
that?

25

26 MR. SPRAKER: Okay.

27

28 MR. LOHSE: I guess is what I'm trying to ask.

29

30 MR. SPRAKER: The rationale is that if there are
genetic benefits of being a large yearling that may have three
or four points, we're trying to protect those animals. So
we're selectively harvesting yearlings where we allow hunters
to take the smaller yearlings which we call inferior yearlings,
the spikes or the forks. And we're protecting what we call
superior yearlings which are three to seven points to a side.
And some of those yearlings can be as large as 40 inches on
antler spread.

39

40 MR. LOHSE: On a yearling?

41

42 MR. SPRAKER: On a yearling. We have examples of
those. We commonly see yearlings on the Kenai that are 32 to
34 inches antler spread and have five or six points to the side
that are one year and four months old, those are being
protected. On the large side, bulls that fit in the 50 inch
category are generally four or five years old and older. And
actually, they're actually prime age bulls but hunters are not
able to take all of them each year. And because of this

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program, there's a clear change in the number of big bulls available for breeding.

3

4 Another thing that this program does is it protects virtually all of the two year old bulls, most of the three year olds and then once they're four, they're generally available for harvest. It works real well on the Kenai. And I don't want to belabor this too long and bore you to tears. But when you get into the interior, this program for the spike fork 50, three brow tines doesn't work as well. And the reason it doesn't work as well is moose in the interior areas, for instance, your area, generally grow more brow tines at a earlier age. And in those places, we have a spike fork 50, four brow tine regulation, and that seems to work better in those areas.

16

17 MR. LOHSE: But the aim of it is to protect those middle -- those two, three and four year old bulls?

19

20 MR. SPRAKER: Yes, it is.

21

22 MR. LOHSE: For breeding stock and so that you have mature bulls?

24

25 MR. SPRAKER: And it -- in our terms, it basically inflation proofs the bull segment of that population against a bad winter. If you have a real bad winter like we're having this year, the bulls that you're going to lose -- you're going to lose calves, and you're going to lose small calves that would probably be spikes and forks next year and real old bulls. So we're protecting those prime age or those younger -- you know, mature, younger bulls that survive the winters much better. And because of that, after these bad winters we've had on the Kenai, our bull/cow ratios have not dropped substantially because we're protecting the bulls that are more likely to survive in bad winters.

37

38 MR. OSKOLKOFF: Mr. Spraker, while you're here, could you elaborate on the use of motorized vehicles during the season?

41

42 MR. SPRAKER: Motorized vehicles are used on all State land, in 15(A) that only amounts to a very narrow strip on the very western edge of 15(A). In 15(B), hunters are allowed to use ATVs and in 15(B) west, which again amounts to maybe a third of the area on the western side along the river system and so forth. In 15(C), ATVs are the most commonly used, you know, method of transportation. The Caribou Hills, of course, is a prime example of an area that ATVs are used in. And when

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I say ATVs, I'm talking about four-wheelers and track rigs and things like that.

3

4 There's also a restriction in 15(C) where ATVs are not allowed during the last 10 days of the hunting season. The ATVs are allowed the first four day- -- are not allowed the first four days of the last 10 days. It would be the 11th, 12th, 13th, 14th they're prohibited. And then they're allowed the 15th and 16th, and then they're prohibited again the 17th through the 20th. And the reason for that was to kind of split up some of that hunting where guys that use horses or walked in or whatever would have a little better time to hunt during the tail end of that season and kind of separate the users.

14

15 MR. EWAN: Do you see a lot of violations? It's kind of hard to regulate isn't it, out in the woods?

17

18 MR. SPRAKER: There were quite a few violations before we split that last 10 days and allowed ATVs in there for two days during the middle part of it. And the reason for it -- you know, and I can kind of understand some of the frustration of the hunters -- is they would get in there on the 10th, for instance, and going to stay the whole 10 days, and they would get lucky and kill a moose or a couple of moose the first day or two. Well, they're -- then they're trapped, you know, they're 10, 15 miles back in, the weather's still pretty warm, that care is a little difficult. And after a few days, they had a choice of either, you know, getting horses to take the moose out or pack the moose out on their back or take a run in the middle of the night and try to get it out. And I'll tell you, there was some of that, you know, being done.

32

33 With this two day gap in the middle, we talked to the Advisory Committees and asked them, and this proposal came out of the Ninilchik Advisory Committee; they said give us two days during the middle to get our moose out and it's going to take care of a lot of the problems with, you know, people sneaking these out during the last 10 days, and it's worked.

39

40 MR. OSKOLKOFF: Could you tell me what's the logic of having the ATVs available for the first part of the season and not during the second part as opposed to switching those two around?

44

45 MR. SPRAKER: I'm not sure I can explain the logic.

46

47 MR. OSKOLKOFF: Okay.

48

49 MR. SPRAKER: I can tell you what happened.

50

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1
2 MR. OSKOLKOFF: Okay.

3
4 MR. SPRAKER: Actually, this goes back to 1985, that's when the regulation was put in place because the harvest was building rapidly in 15(C). The Department took a careful look at it, we realized that ATV hunters were responsible for about half of the harvest. So we didn't make any bones about it, we said we're going to cut the ATV traffic because they're responsible for killing most of the moose, we want to reduce the harvest.

12
13 The first year it worked; in '86, it did, it reduced the harvest dramatically. The next year we had another real high harvest. So in '87, along came this spike fork 50 inch regulation and the Department said this restriction on ATVs in 15(C) is no longer necessary because we have the selective harvest program in place, it's more than adequate to achieve the desires for bull/cow ratios and so forth and hunting opportunity, we don't need it. Went to the Board and testified to that effect. But there were a lot of people that liked this regulation because it didn't have an ATV. They liked half the season real quiet, so to speak. And they testified against this proposal, and the Board left it as it was. And then it went through three or four different proposals at the Board, and it wasn't until Ninilchik made its proposal a couple years ago that they changed it.

28
29 I'm sorry. To get back to your original question of why it was the first half rather than the second half. The Department's proposal originally, in 1985, was to allow ATVs in the second half and allow walk-in hunters the first crack at it in the first half. The -- a couple members on the Board made statements that they felt if we wanted to drastically reduce the harvest that it would be better to have the ATVs the first half when they're less efficient, the bulls are a little harder to find, you're not into the rut, you know, when moose are starting to move in later September, and that they would be less efficient if they were allowed to hunt in the first half of the season. So that's the way it came out of the Board, which was the opposite of the way it was proposed by the Department originally.

43
44 Does that sort of answer your --

45
46 MR. OSKOLKOFF: Yeah.

47
48 MR. SPRAKER: or explain what happened anyway?

49
50

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1 MR. OSKOLKOFF: Yes. Thank you.

2

3 MR. EWAN: Just one other question. And that is is
4 there any difference on vehicle use on Federal from State land,
5 any difference?

6

7 MR. SPRAKER: Yes, sir, there is. There is no use on
8 Federal land for four-wheelers, you can use aircraft and boats.
9 And

10

11 MR. LOHSE: So all Federal land in the Kenai Refuge is
12 closed to ATVs?

13

14 MR. SPRAKER: Yes, sir.

15

16 MR. LOHSE: So none of the moose that are taken on
17 Federal land are taken -- there's not even ATVs for
18 transporting the moose out?

19

20 MR. SPRAKER: No ATV use on the Refuge, four-wheeler
21 use on the Refuge.

22

23 MR. EWAN: All right. Thank you.

24

25 MR. ROMIG: Is that except on dedicated

26

27 MR. EWAN: Another question?

28

29 MR. ROMIG: access areas like Mr. Creek Road?

30

31 MR. SPRAKER: You cannot use a four-wheeler on the
32 Creek Road either.

33

34 MR. ROMIG: Okay.

35

36 MR. SPRAKER: Just highway vehicles.

37

38 MR. ROMIG: Licensed vehicles?

39

40 MR. SPRAKER: Yeah, licensed highway vehicles.

41

42 MR. OSKOLKOFF: Can I ask just one more question? How
43 many enforcement officials are actively on duty during the
44 hunting season, let's take 15(C) or all of 15, perhaps?

45

46 MR. SPRAKER: There's nine in 15 total and one in
47 Unit 7.

48

49 MR. OSKOLKOFF: Ten.

50

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1
2 MR. SPRAKER: Ten officers on the Kenai Peninsula.
3
4 MR. OSKOLKOFF: There are 10 available?
5
6 MR. SPRAKER: Ten available, yes, sir.
7
8 MR. OSKOLKOFF: Okay.
9
10 MR. EWAN: Is this year round or is this
11
12 MR. SPRAKER: Year round.
13
14 MR. EWAN: Is there more during the season?
15
16 MR. SPRAKER: They will put on a couple seasonals
during the summer, but they're primarily looking at commercial
fishing. There's been a couple years, I think, when those
seasonal stayed on during the hunting season, but I think they
generally have just the 10 full-time employees starting about
September 1.
22
23 MR. EWAN: Does anybody else have anything?
24
25 MR. OSKOLKOFF: Just to follow up on that. Where are
they stationed at?
27
28 MR. SPRAKER: There's one in Ninilchik, there's one in
 Homer, one in Seward and then there's seven in Soldotna.
30
31 MR. OSKOLKOFF: Okay. Thank you.
32
33 MR. EWAN: Okay. Any other suggestions before we get
started here? We're going to talk -- I think what I'd like to
do is get going on this. We're taking up a lot of time here.
Go ahead, if you have any more guidance here.
37
38 MR. POSPAHALA: Well, perhaps, just one more statement
I guess. And that's, you know, I guess my assumption has been
that part of the purpose in all this is to identify some unmet
subsistence demands or needs that exist in these areas. If
that's not the case and the har- -- you could go back and use
the harvest patterns that Ted discussed with you earlier and
that are available for the magnitude of harvest that has
occurred by people living in these communities that you've now
identified as having customary and traditional use
terminations and rely on those. Otherwise, I don't know that
we have a separate, independent source of what these
unfulfilled needs are. I think that's the major problem that
50

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faces us at this point on.

2

3 Additionally, I'd like to make the point that sometime
4 after we get beyond this part of the discussion, I think we
5 need to, perhaps, dwell on the overall process that we're going
6 to follow with regard to the Kenai Peninsula over the next
7 period of time to get this entire matter resolved and into
8 regulation. So -- thank you.

9

10 MR. EWAN: All right. Let me state -- are you going to
11 make some general comments and then maybe we can talk about the
12 process real quick like? Actually, we're going to try to
13 benefit the communities of Hope, Cooper Landing and Whittier in
14 Unit 7, and in Unit 15 we're talking about Ninilchik, Nanwalek,
15 Port Graham and Seldovia. Is that correct? Are those the
16 communities we're talking about right now?

17

18 MR. ROMIG: Yes. Mr. Chairman.

19

20 MR. EWAN: Yes.

21

22 MR. ROMIG: I'm a little reluctant to take a position
23 on any type of a thing that's not in proposal form so that, you
24 know, it's subject to review. However, if Gary has a
25 particular issue, I'd be more than willing to listen and, you
26 know, support him on that. But it's kind of hard for me to
27 imagine, you know, backing a particular season when there's
28 really no definition of resident, there's no -- and without
29 looking at something in proposal form and looking at the
30 biological analysis, you know, I wouldn't want to make a
31 decision on something.

32

33 MR. EWAN: All right. I was going to finish by saying,
34 what I started to say, was that the way I see it, I believe
35 there is a need that we need to fulfill. Knowing from
36 experience in the Copper River area, the average subsistence
37 hunter really does not have the resources to compete with the
38 sport hunter in the area, and they need any advantage they can
39 get to get their meat during the year. I believe we -- we're
40 trying to do that in the Copper River area, and the Federal
41 Government has been helping us by extending the seasons and
42 giving us whatever advantage we can get to get our moose.

43

44 The other thing I want to mention is that I don't think
45 we're talking about impact -- much of an impact. I really
46 don't think that you're going to get that many more moose
47 because you're opening it for subsistence hunters on Federal
48 land, in my opinion. I don't know, maybe I'm wrong on the
49 Kenai Peninsula. But in my area, my particular area, there

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really isn't that much of an impact. The moose are so hard to get over there, it's so far to go out after them, it's -- even though you do give them an advantage, they still -- there is not that much of an impact.

5

6 And according to what I've seen, there really isn't that much difference, whether you have a Federal hunt -- a Federal subsistence hunt in conjunction with a State hunt. It really doesn't really make that much of a difference. We're talking about the same people, they're from the same area. They'll just have a Federal hunt. And maybe the thing that might make a little difference and put meat on the table, in my opinion, is that taking away the spike fork and the 50 inch requirement.

15

16 MR. OSKOLKOFF: Mr. Chairman, I agree on both points. I think that there is -- there's a definite need, as evidenced by previous proposals, particularly from my tribe, not only to the Federal Government but also to the State of Alaska.

20

21 I agree on the second point that it appears from the numbers that we were given by Mr. Spraker that a good number of 23 well, the majority I should say of the moose taken in my area -- and I should qualify that I guess by saying 15 -- are generally taken from people who live in areas that are now considered non-rural areas, therefore wouldn't be part of this consideration. Given that those who live a subsistence lifestyle in the rural areas are probably fairly successful from what my personal experience has been on a yearly basis, I would think that that would lead me to believe that there is going to be a minimal impact on the resource or on the way the State hunt is conducted right now. I believe that if we took these measures in providing a hunt, it would simply allow those people who have been subsisting in some form or another, through the State hunts, to provide meat for their table, as you said, in a more convenient manner and, perhaps, a little more in line with what their customs and traditions had been for many years.

39

40 MR. EWAN: Any more comments? Then we'll get ready to get down to business and maybe get specific on what we're proposing here. Ralph. Thank you.

43

44 MR. LOHSE: I have difficulty approaching this if I don't have something in front of me that somebody has suggested that they would like. That's where I -- I guess I'm kind of with Ben there. If Gary has got a specific proposal that addresses a -- you know, a problem, I can deal with that. Because there are only -- there are a limited number of options

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that we have to work with. One is extending seasons, and one's changing antler size, and one's dealing with cow moose. But when we get into how do you distribute this out. Do you do it through a permit system. Do you do it through a registration system. Do you do it through a village council. Do you do it through a community.

7

8 I mean unless we have something specific in front of us to address a specific issue, we've got such a broad range of options that we don't know where to go.

11

12 MR. EWAN: All right. Any other comments?

13

14 MR. OSKOLKOFF: Mr. Chairman.

15

16 MR. EWAN: Did you have a proposal or

17

18 MR. OSKOLKOFF: I would also interject that we have yet to -- as was mentioned previously, we have yet to define what the term "community" means.

21

22 MR. EWAN: Right.

23

24 MR. OSKOLKOFF: We would have to outline some type of boundaries, particularly in some of the areas -- which there's a definition between an area and a community and no prominent border between them. But I think that given the wide open nature of what we have to do as described by Ralph, that we have a number of ways of approaching it. And I think that the easiest way to approach it would be to be consistent -- be consistent from -- in the manner of how we dealt with the people in general on the Kenai Peninsula.

33

34 And with that, I would like to ask from the Federal officials present if they could outline the specifics of what would -- what exact information we would have to have. What are the components, I guess I'm asking, of a regulation that we would have to indeed have? And could I ask, Mr. Brelsford, what you enlighten us as to at what level those would be -- it would be usual for those to be made; in other words, at the staff level, at the Advisory Council level, at the Board level, what usually comes in in a proposal.

43

44 MR. BRELSFORD: Well, I think you need to work from your basic knowledge about resource management regulations under the Federal program. You guys have reviewed proposals from other areas many times, and you recognize the components that Ralph has just mentioned. I don't think there's a recipe. I mean not every single proposal includes an elaborate set of

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methods and means restrictions, for example. So I'm hesitant to suggest that there's an absolute set that you have to propose. Season, regulatory approaches including things like the spike fork/50 regime, special considerations about methods and means or access restrictions; all of those are possible.

6

7 As far as who initiates, I think what we've come to you with is that the guidance we had from the Staff Committee and the Board was to share this responsibility pretty directly with the Regional Councils. And I think the hesitance that you've seen from all of the Federal parties for two days now is that we're not out front on this. We're really relying on the specific judgment of knowledgeable, local representatives selected by the Secretary to explain to us what the appropriate regulatory approach -- what the goals and the purposes of new regulations would look like.

17

18 Once you lay that on the table, we're prepared, I think, to try and identify consequences, implications, biological implications, all of the things that we've done for years now with the Subpart D proposals. Every time there's a proposal, you get a report from us about the biological context, the historic context of traditional harvest practices and so on.

25

26 So we're happy to bring that to you, but I think the starting point has to be a specific proposal that arises from the Council.

29

30 MR. OSKOLKOFF: Thank you.

31

32 MR. EWAN: All right. Thank you. I think it's about time to take a break. I think we ought to maybe

34

35 MR. OSKOLKOFF: Take a few minutes.

36

37 MR. EWAN: During the break, maybe you can come up with some kind of

39

40 MR. OSKOLKOFF: Yeah.

41

42 (Side comments)

43

44 (Off record)

45

46 (Mr. Basnar joins the proceedings)

47

48 (On record)

49

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1 MR. EWAN: Call the meeting back to order. We have a
 2 full schedule today. We have a lot of agenda items to consider
 3 yet. So I would like to continue. If there is no objection, I
 4 would like to divert from the agenda and allow Hollis Twitchell
 5 to speak on -- I don't know your subject here -- on the Denali
 6 National Park, whatever it is that you're going to bring up.

7
 8 (Off record comments)

9
 10 MR. EWAN: Okay. Yes, Mr. Twitchell.

11
 12 MR. TWITCHELL: I'm Hollis Twitchell, I'm with Denali
 13 National Park & Preserve, subsistence coordinator for the Park.
 14 I want to thank the Council for allowing me to get on earlier
 15 in the meeting than what the agenda called for. I'll be
 16 heading to travel to the Eastern Interior Regional Advisory
 17 Council meeting today, so this allows me much more real --
 18 reasonable time to get there. I wanted to address the Council
 19 on several issues related to Denali National Park.

20
 21 Last August 17th, the Federal Subsistence Board heard a
 22 petition or a special action requesting that an alternative
 23 moose hunt be provided for Denali National Park in Unit 20(C).
 24 This was a proposal that originated from the Denali
 25 Subsistence Resource Commission as a hunting plan request.
 26 That proposal was taken to the Board, and it was affirmed by
 27 the Board that that hunt should be allowed.

28
 29 One of the things that wasn't clarified at that meeting
 30 was that the SRC's position and that of the Park was that this
 31 was to be a reoccurring hunt. It was not to be just a one time
 32 annual one year hunt. So there will be a letter being sent to
 33 the Federal Subsistence Board for their upcoming meeting from
 34 the Director of the National Park Service documenting that that
 35 was indeed the intent of the Subsistence Resource Commission
 36 and the Park, requesting that that be incorporated into the
 37 annual regulations for Federal hunts. And we expect that to be
 38 confirmed by the Board. So that hunt will again be reoccurring
 39 in future years; again, subject to any modifications that
 40 Councils or the Board or Denali Subsistence Resource Commission
 41 may wish to make.

42
 43 Probably the most significant issue that I would like
 44 the Board to consider is a proposal that has been made by
 45 Denali National Park regarding hunting in the Kantishna Hills
 46 in the developed area where there are a number of lodges and
 47 facilities that provide visitor services. It would be, I
 48 think, useful if I showed you the geographic area and -- before
 49 begin the discussions.

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1
2 (Off record comments)

3
4 I'll try to stand out of your way. There's a lot of
5 lines on this map and I'll try to explain them fairly quickly
6 to help you. The Southcentral Regional area is the area from
7 the Alaska Range south, which would incorporate Wildlife
8 Management Unit 16(B), 16(A) and 13(E). So everything from
9 this center line here was within your region to the south for
10 Denali. Everything north of the Alaska Range is in Unit 20(C)
11 which incorporates almost all of the north side of Denali
12 National Park & Preserve with a couple small portions of 19(D)
13 and 19(C) being in Western Interior Regional Council area. So
14 this would be western interior, this would be eastern interior
15 and this is southcentral.

16
17 The area in question is going to involve the Kantishna
18 Hills which is located just north of Wonder Lake on the end of
19 the Park road system that comes through the Park, which is
20 basically in the heart of 20(C). Within this area there is a
21 customary and traditional use determination that allows a
22 number of communities to utilize moose within this region.
23 That would represent villages of Nikolai and Telida which are
24 off of the map in this direction; the village of Minchumina and
25 the community of Cantwell. All of those communities have an
26 established -- a determination has been made identifying them
27 as having C&T for moose in this particular unit, including the
28 Kantishna Hills. That determination was made in 1987 -- 19- --
29 correction, 1988, at that time by the State Board of Game.

30
31 Prior to that determination, there was 12 people that
32 were authorized by Denali National Park who lived outside of
33 those four communities I just mentioned who had been issued
34 subsistence use permits by Denali National Park, primarily for
35 hunting moose in the Kantishna Hills. That C&T determination
36 that was made in 1988 excluded those individuals from having
37 C&T use of moose in Unit 20(C) as well as caribou. So those 12
38 individuals who had been hunting in the Kantishna Hills from
39 1980 up until about 1987 lost their eligibility to harvest
40 moose in the Kantishna Hills. So since 1988 until this last
41 summer there has been no subsistence moose hunting going on in
42 the Kantishna Hills by any subsistence users.

43
44 During that same time period, there has been a rapid
45 and significant growth of recreational use in that particular
46 area. There are four commercial lodges that provide services
47 to guests in that particular area, and there's also one private
48 campground facility that's provided by inholders in that area.
49 Those lodges, they have an average of around 350 people on a
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daily basis that are staying in those facilities in the Kantishna District.

3

4 There was a lot of concern expressed this last year when we got a request from the residence zone community of Cantwell, which I pointed out to you was on the road corridor side on the east side of Denali. A number of individuals in Cantwell wanted to travel to the Kantishna and commence subsistence hunting moose in the Kantishna Hills. That caused quite a bit of concern to the lodge owners who provide services such as hikes, horseback trips, recreational gold panning, photography, nature walks, et cetera. These are all provided by the private facilities, they're not Park Service sponsored activities.

15

16 That quickly became an issue as the media was notified, and there was a lot of concern being expressed on what was going to happen in the Kantishna Hills regarding subsistence hunting for moose and recreational use in this particular corridor. As it turns out, there was about five individuals and one child who came through the Park and went to the Kantishna Hills and hunted moose this summer. And we've been informed that there was one moose harvested.

24

25 About the same time that this was going on, there was a group -- an advisory group known as the Denali Task Force, this was an advisory group or commission that was gathered by the Secretary of the Interior, Bruce Babbitt, and was formed with a group of 16 individuals. They have taken a very strong stance regarding subsistence activities in the Kantishna Hills, and I think it would be useful for me to let you know the makeup of this particular task force. And I say that because it's not a puppet task force on behalf of the Park Service, it's made up of a quite wide ranging group of people. And the only reason that I feel it's important to identify them is because of the strong position that they've taken regarding this situation in Kantishna.

38

39 The members were Dennis Brandon, he's the vice president of the Westmark Hotels; Ernest Brandon who's the Mayor of the Matanuska-Susitna Borough; Margie Brown, senior vice president of Cook Inlet Regional Corporation; David Cline, he's the regional vice president of the National Automobile Society; Wallace Cole, president of Denali National Park Wilderness Center which basically is one of the other lodges, Camp Denali and North Face Lodge in Kantishna; Chip Dennerlein who's the regional director of the National Park & Conservation Association; Henry Friedman who is the president of Denali Citizens Council; Sally Gilbert who is the State conservation

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system coordinator for the State of Alaska, Division of Governmental Coordination; Neil Johannsen, Director of the State Parks of Alaska; Ruby John, businesswoman and member of Ahtna, Incorporated; Bob Kaufman, president of -- and vice chair of the Denali Foundation; Bill Perhach who is with the Denali Bureau Land Use Planning Committee; Mary Pignalberi -- I'm sorry if I've mispronounced her name -- she's with the State of Alaska, Division of Tourism; Stephen Sisk, regional Director State of Alaska, Department of Transportation & Public Facilities; and Lowell Thomas, Jr., former Lieutenant Governor and air taxi owner and pilot.

12

13 They were tasked with the effort of advising the Secretary of the Interior on how to deal with transportation within Denali National Park, the Kantishna Region; primarily focused on mining, land acquisition and commercial use. And then the south side which is the s- -- when they refer to that, they mean the south side of Denali, in looking at regional planning for development and tourism and recreation on the south side of Denali.

21

22 To try to move this along quickly, I will just read what this particular task force said. Continuance of customary and traditional subsistence uses by qualified local rural residents is guaranteed in the 1980 ANILCA additions to the National Park System, including Kantishna. There is a deep concern that current management of subsistence in the Kantishna area is creating unnecessary and inappropriate conflicts with other Park purposes. To address this concern, determinations of qualified subsistence hunters and customary and traditional use should be rigorously made.

32

33 In addition, appropriate areas around commercial lodges and trails should be closed for public safety. The NPS should work closely with the Denali Subsistence Resource Commission and the Federal Subsistence Board in carrying out these recommendations. The NPS should begin immediately, convening a meeting of the Denali Subsistence Resource Commission. In addition, the NPS should increase public awareness and understanding of the limited nature of this authorized used of park systems in Alaska.

42

43 If the above administrative actions are taken, the Task Force believes this issue will be effectively resolved. If implementation of the above measures are not effected, the majority of the Task Force felt that as a last resort ANILCA should be changed to eliminate subsistence use in the Kantishna area.

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1 Minority Statement. The minority opinion held that
 2 ANILCA should not be modified because it would open a volatile
 3 debate and would jeopardize statewide subsistence rights.

4

5 As a result and not because of the directive of this
 6 advisory panel to the Secretary, the Park Service has listened
 7 to concerns expressed by community members, some from Cantwell
 8 area as well as the lodge owners. And we certainly have gotten
 9 a full mail bag of responses from other individuals around the
 10 State regarding subsistence hunting in the Kantishna Hills
 11 area.

12

13 As a result to that, it was the Park Service's belief
 14 that we should make some action in the Kantishna Hills along
 15 the area of the Park/Kantishna Road where these facilities are
 16 established and where people are on a 24 hour basis residing.
 17 It's also the center focus of where the majority of these
 18 lodges provide their daily activities which as I mentioned
 19 consumed a whole range of primarily recreational uses.

20

21 I'll move over to this map on the wall which would
 22 depict -- this depicts the boundaries of what Denali National
 23 Park Proposal Number 53 is. It's asking for a closure to
 24 subsistence along the Kantishna Road from the boundary of the
 25 Mt. McKinley Park to the Kantishna Airport located right
 26 here. We're asking for a closure of one mile on either side of
 27 that road, which represents a closure of 10 square miles. This
 28 is the area where the lodges are located, two of them are
 29 located here, a couple more located here and another one
 30 located up at this location right here. There are mining roads
 31 that radiate out from this center core area; they come up Moose
 32 Creek, also follow along this ridge line called Skyline Drive
 33 and eventually drop down in Caribou and Glacier Creeks. And
 34 there's also a road that continues out a short ways down Moose
 35 Creek to this location.

36

37 There was an awful lot of comments of people asking for
 38 much larger expansion of this closure area. It's the Park
 39 Service belief that for visitor safety that that is
 40 appropriate. And our focus is only on this corridor where we
 41 have the lodges, people residing 24 hours a day and frequent
 42 and random foot traffic by gold panners, photographers, hikers
 43 and others in this corridor. In the proposal, we're asking
 44 that this area be closed only during the time that the lodges
 45 are operational. The proposal as written asks for a closure
 46 from June 1st until September 30th.

47

48 The proposal was presented to the Denali Subsistence
 49 Resource Commission, and they took action on it. After a

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lengthy discussion, the vote was 7 to 1 that the boundaries of the proposals were appropriate, and the Commission upheld that those boundaries would be acceptable to them. They amended the closure date on information provided from the lodges in Kantishna which indicated that they closed their businesses to guests on September 11th of the year. And the Denali Subsistence Resource Commission recommended that this closure to subsistence also end on September 12th. So they've made a modification to the proposal as written, and they've addressed that in a letter to the Federal Subsistence Board. I've provided Council Member Basnar, Lee Basnar, with a copy of that letter as well as other actions that the SRC took.

13

14 MR. EWAN: Not knowing the regulations for that particular area, how much hunting time does that allow subsistence hunters

17

18 MR. TWITCHELL: The fall hunt -- keep in mind that

20

21 MR. EWAN: in that particular area.

22

23 MR. TWITCHELL: Yeah. Keep in mind, we have two hunts; we have the fall hunt and the winter hunts which was just recently authorized. The fall hunt runs from September 1st to September 30th, and the winter hunt runs from November 15th to December 15th. This closure would in essence reduce subsistence hunting for moose in that 10 mile corridor -- well, from the 12th of September to the 30 of September. So it will essentially shorten the fall hunt season in half.

31

32 MR. EWAN: Okay. For the fall season now, if I understand it correctly, from the 12th to when, it'll be open?

34

35 MR. TWITCHELL: It would be open from the 12th of September through the 30th of September

37

38 MR. EWAN: Okay.

39

40 MR. TWITCHELL: provided

41

42 MR. EWAN: Under the proposal that the SRC

43

44 MR. TWITCHELL: That's correct.

45

46 MR. EWAN: made?

47

48 MR. TWITCHELL: That's correct. Provided that the road is open to access at that time of year. We've had snowfalls as

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early as the second week in December (sic) that's totally closed the Park road. So that it's always going to be weather driven from that aspect.

4
5 MR. EWAN: Okay. Is that pretty much it on this proposal?

7
8 MR. TWITCHELL: Yes, I would

9
10 MR. EWAN: Any comments or questions of the Advisory Council?

12
13 MR. LOHSE: Are we looking at action from us on this or is this basically informational?

15
16 MR. EWAN: It's up to the Council, if we want to support the two groups' efforts. I understand there's two groups that we -- you mentioned, right, the Denali Task Force and the SRC for the Park recommended that this be closed.

20
21 MR. TWITCHELL: The situation is that the whole action's taking place in Eastern Interior's Region 20(C) but you have a community within your region, Cantwell, which has authorization to utilize moose in that area. So you do have a vested interest in terms of you do have some users that could be effected by this action.

27
28 MR. LOHSE: Lee, you're from that area, do you got any comments?

30
31 MR. EWAN: Pardon?

32
33 MR. LOHSE: I was wondering if Lee had any comments since he's here.

35
36 MR. EWAN: Yes. Mr. Basnar.

37
38 MR. BASNAR: Mr. Chairman. Yes. I'm the vice chairman of the SRC and was instrumental in a lot of the discussion that took place. We viewed this as a compromise, and we feel this is -- a compromise is warranted in this situation. We seriously questioned reducing the opportunity of a subsistence hunter to take moose in that particular area. On the other hand, we also realized that the people in Cantwell, although they are authorized to hunt in that area, we didn't have a lot of history that indicated that they had done so. And there were some people that have moved into Cantwell recently who are, by virtue of where they live, eligible to hunt in Kantishna, although they've never done so.

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1
 2 I'll use myself as an example, I don't live in
 Cantwell, so I live outside the resident zone but I have a
 special permit that allows me to hunt in Denali Park in the
 addition. By virtue of holding that permit, I can go into
 Kantishna and hunt. I've never hunted in Kantishna. I'm not
 going to hunt in Kantishna either because I don't feel that's a
 fair application of the subsistence intent.

9
 10 So we had a lot of discussion on this, and one of the
 questions I asked was where do the moose live. We're only
 closing off this one mile corridor along the roadway. I don't
 know the Kantishna area. And the answer was well, of course,
 they live down next to the road, that's where all the nice, big
 bulls are, where the tourists like to come along and take a
 picture. Some of the people that own lodges in there have
 lived there for years and years, so we're talking about some
 old-timers that go way back. And they concurred that it's
 probably a trade off between the economics of tourism, as many
 as 800 people at any given time might be along that little road
 corridor, the safety involved. Also the possible adverse
 impact of national media coming along and photographing the
 killing of a 60 inch bull moose or a gut pile right in the
 middle of the highway when a tour bus comes along, probably
 that wouldn't help out our subsistence cause.

26
 27 So as a result of all of these factors and the fact
 that there are roads off this closure corridor that allow
 access for subsistence hunters to get back into other areas
 where moose live and where they can be easily taken and
 transported out of there, we decided to go along with this
 program and felt that it was not an undue hardship on
 subsistence users. The very few that would use that area
 probably would use it as a last resort anyway, having taken
 their moose closer to home earlier in the season if they could.

36
 37 And weather is also a factor. You can say yes, you can
 hunt out there till 30 September, but as Hollis indicated many
 years, the 10th of September that road's closed because of
 snow. And as the Park Service pointed out, which made us
 smile, the fact that a subsistence hunter goes out there and
 takes a moose and gets snowed in out there, even though there's
 an airstrip at Kantishna, he can't have his friend or hire an
 air taxi come in and fly out the moose meat because that's in a
 National Park and you can't use aircraft for subsistence
 activities in a National Park. So he's going to have to set up
 his tent and eat the moose in place, I guess.

48
 49 So these are some of the things that we discussed on
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the -- at the SRC. So what I would like to see is this Council, if you agree with me and agree with the SRC, to move to support the Proposal Number 53 as amended. Now, the Amendment that we made reduced the closure from 1 September to 30 September so that the closure ended on the 12th of September, essentially opening up that area to hunting from the 12th of September till the end of the season, weather permitting. And this would allow Cantwell people who are in our region to go into that area if they were not able to take a Moose in their backyard.

11

12 MR. EWAN: So are you making a motion?

13

14 MR. BASNAR: I so move.

15

16 MR. EWAN: There's a motion, do we have a second?
Hearing no second,

18

19 UNIDENTIFIED VOICE: I'll second

20

21 MR. EWAN: Are you trying to second?

22

23 UNIDENTIFIED VOICE: I'll second it.

24

25 MR. EWAN: Okay. There's a motion second. On discussion let me say this. I'm wondering what kind of precedent this is setting, whether this will happen in my particular area. A community starts -- or the public starting to say these people shouldn't subsistence hunt in this area because it doesn't look right. And to me, if they're subsistence, regardless of whether it looks good or bad to somebody, you know, it just doesn't make sense to me. It's inconsistent anyway when you're talking about how it looks to the public and overlooking the need from the user's standpoint. Yes.

36

37 MR. TWITCHELL: That same view was expressed by the Denali Subsistence Resource Commission. And they say the Commission also wants to state that the situation in Kantishna is unique, and this action should not be interpreted as a precedent for possible similar actions elsewhere. Any future proposals should be considered individually on their own merits. So they are also sensitive into that it's creating a precedent that it doesn't -- it should not create a precedence in how it's applied elsewhere.

46

47 MR. EWAN: Lee.

48

49 MR. BASNAR: Yes, Mr. Chairman. I was instrumental in

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that statement because we did not want to dictate what other people have to do in other areas. We're only dealing with Kantishna. And specifically, there may be some development south of Cantwell and the Broad Pass area at some point in the future. We wanted to make certain that this doesn't establish a precedent wherein a hotel could be constructed anywhere around the periphery of the Park. And the same criteria applied. We don't want that to happen, and that's why we have that language specifically in there.

10

11 MR. EWAN: Any comments? Yes.

12

13 MR. HENRICHS: Yeah. You know, it seems like tourism is going to build in Alaska all over, and I'd have to think about this real close myself. Because in our area, if it starts taking off, are we going to have to stop doing some of our normal activities because, you know, people are -- there's tourists there? I don't know. I'd have to think this one over real carefully for myself as a precedent.

20

21 MR. EWAN: Any other comments? Yes, Ralph.

22

23 MR. LOHSE: The only thing that I can see this issue as
24 I can't see it as a publicity issue or anything like that. But what we're dealing with is the fact we have a narrow
26 corridor with 3 to 800 people in it every day. And 3 to 800 people walking around on trails and standing on hillsides is not where I like to see firearms discharged. It's a safety factor is what I can see is a problem right here.

30

31 MR. EWAN: Along the coastlines, you know, there is a place up there called Eureka Lodge that's had the lodge there for years. But I don't hear anybody saying anything about the safety in that area. Maybe they have, I don't know. But I'm just kind of concerned about the precedent that you're going to
36 you're setting here. And then I know they'll use that argument, hey, elsewhere. Gary.

38

39 MR. OSKOLKOFF: I too am concerned with the safety aspects of it, with the possibility of precedence. But what I'm primarily concerned with is the way -- a general attitude that seems to pervade in dealing with the Federal authorities that things are based on the number of people who have moved
44 to an area. And that -- and it's not only true in this particular case, and I agree that that is a problem, it's a safety problem.

47

48 I also have a little bit of heartache with regards to people not being able to subsistence hunt and fish who have

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done it for thousands of years because the population has grown up around them. And these are similar themes; if they're not similar problems, they're similar themes, those based upon the fact that people move into an area and then over time expand that area in the ways of population. And at some point or another, someone's got to give and it always seems to be the subsistence hunter or fisherman. It's happened on the Kenai Peninsula, where other people are concerned that it may happen on their area, it may be used as a precedence, it's happened already down there. We don't have it. And it's true of the -- of nearly every aspect of the entire Kenai Peninsula.

12

13 I'm very much concerned that this is the policy. This is the way things are done. The thought pattern that is used. And although, I'm concerned for these people's safety and concerned for aesthetics and everything else that goes along with it, I have a very hard problem getting over the notion that this is a symptom of a greater problem, and the greater problem being how we look at subsistence hunting and fishing. In views of right now we use a rural and non-rural and those type of designations which really are talking about population densities. And therefore, I do have a problem with this. I -- like I say, I want to go along with it because it seems perfectly logical, but it seems to be one more block in a great wall that's been built against the subsistence hunters and fishermen over the years.

27

28 MR. EWAN: Let's see now, Hollis, do you want to respond or comment?

30

31 MR. TWITCHELL: Well, I just wanted to say that there was a significant amount of pressure put on Park management to do an emergency closure in this situation. It was the Park's management decision not to immediately try to evoke that superintendent's authority which would have temporarily closed that area. Park management did not want to instigate that authority until they saw whether it was really even going to be an issue or not, whether there was going to be 5, 50 or 100 people show up.

40

41 We issue 50 permits for moose hunting into Cantwell every year in our registration permit. So we know that there's at least 50 households who every year go out and hunt or apply for a permit. But we didn't know to what scale or extent the situation was going to occur by the Cantwell community. As it turns out, only five people showed up, but the potential there is certainly much greater. So we opted not to do an emergency closure but rather just monitor what happened in terms of the activity at Kantishna, and then go through, indeed, the

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Subsistence Resource Commission and the Regional Councils and the Federal Subsistence Board. So it was not the Park Service's intent to immediately close down the subsistence use.

4

5 I think this is a reasonable compromise.

6

7 MR. EWAN: All right. Could I -- just trying to see if we can move along. I'd like to hear this guy's comments over here. Would you come up to the mike here? Pat, come on up. He's from the public. State your name.

11

12 MR. BARNES: My name is Pat Barnes.

13

14 MR. EWAN: State your name and please speak into the mike there.

16

17 MR. BARNES: I'd like to talk about a lot of subsistence users and tourism, and I find that you're talking about a little piece of road out here that the moose are solving in and the tourists are coming out to look at this -- the animals on this little piece of road. Instead of putting laws on the subsistence users, I think you ought to just close that road off to the public use as far as tourism is concerned, it's for safety purposes. And I read a lot in the papers about people from the Lower 48 making decisions for Alaska, and that comes from tourism, and people making comments about wolves at overkill here and all kinds of business about our wildlife up here. And it's not the Alaskans that make the decision, it seems. You people might make suggestions but it seems like the Congressmen and the people down there listen more to what the people of the Lower 48 are saying what's good for Alaska and their subsistence.

33

34 I'm not in favor of you people shutting off any subsistent use to any group, be it Native, Caucasian, whoever. If they need the meat, let them go get it.

37

38 MR. EWAN: Thank you.

39

40 MR. BARNES: Shut the tourist out.

41

42 MR. EWAN: Lee.

43

44 MR. BASNAR: Yeah. I'd like to point out that this is a very small piece of terrain for a very -- it's a large portion of the year but not a large portion of the hunting season. We're only talking about a one mile corridor, five miles long for 12 days out of the hunting season. And when I say we, I'm talking about me, you know, that's my backyard.

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We, the Subsistence Resource Commission, have wrestled with this issue at great length at our last meeting a couple of weeks ago. And we are the ones making the decision, nobody from the Lower 48. We had no pressure whatsoever from the Park Service, they presented their case to us. And pressure wouldn't have worked anyway, we're an independent group of thinkers.

8

9 And we feel, you know, like it or not, the population of Alaska is going to grow. Evolution changes uses, patterns. Roads get built, mines get built, cities get built. And we have to accept those things whether we like it or not. And I really think that if everybody in Alaska thinks we're going to put a lock on our present subsistence use forever and ever and lock up all the lands that we've ever subsisted on henceforth, that we're in a dream world.

17

18 So we chose to work with the entities at issue here. And this included one member of our Commission who lives in Kantishna and runs one of the lodges, and he's been out there for years. He's in his -- well into his sixties I guess. And you know, he was of two minds. He didn't really want to see an additional restriction put on subsistence use, but he also agreed that it really wouldn't be that big a deal. You've got had access into the areas off this corridor. And he was concerned about his business because he has to make a living as well as he has to eat moose meat.

28

29 And so we approached this from this let's work together aspect, and that's what I'm asking this Council to do.

31

32 MR. EWAN: All right.

33

34 MR. HENRICHS: Yeah, I hear what you're saying, Lee. But you say you got no pressure from the National Park Service, this guy just sat here and said they have the power to close it down by emergency order. Is that pressure or is that pressure?

38

39 MR. TWITCHELL: And the Park chose not to do that.

40

41 MR. HENRICHS: But you chose not to do it but will you choose not to do it in the future? You said you were going to wait to see how many people did it, hunted.

44

45 MR. EWAN: Mr. Borbridge.

46

47 MR. BORBRIDGE: Thank you, Mr. Chairman. I appreciate the thought that all of you have been putting into this process. There's no question, as the gentleman indicated, that

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change is occurring and that it needs to be recognized that by, perhaps, some flexibility that you can control the impact of that change on the subsistence lifestyle. It is also true it has been suggested that no matter how we go about this, we are creating a certain precedent in how we deal with subsistence and how we go about adjusting so that subsistence, perhaps, is restricted, however little it is restricted, as to area and season.

9

10 I know we've had discussions in the Federal Subsistence Staff Committee about whether or not there should be subsistence activities in areas where the Federal Government or individual agencies have very small pieces of land over which they have jurisdiction. A number of us have resisted the effort to close off administration of those lands and their use for subsistence purposes on the basis that to do so would create a harmful, unduly restrictive approach to the administration of subsistence hunting under Title VIII of ANILCA.

20

21 I would like to respectfully suggest to the Board that you might consider what might be called a savings clause or something that would be deliberately crafted by this Board and adopted to go along with the action that you take so that when you do indicate your support for the proposal, which I must say was very reasonably advanced, that your concerns will be a part of the record and will be intended formally by the Board to express its concerns. I think the gentleman -- one of the gentlemen here had stated we don't want to imply that this is a precedent or that we are automatically going to pull back on subsistence when more people come in. And someone has suggested that well, maybe it's tourists ought to be restricted rather than subsistence.

34

35 Well, I think that if you were to craft out a carefully thought out statement expressing these concerns and expressing, I suggest, Mr. Chairman and Members of the Board, your concerns that this also not operate as a precedent in other areas; although, in fact, other areas are going to have to face something similar; that, at least, might restrict the impact of this action. It would tend to ensure to the degree possible that the action you take is seen by this Board as application solely to this situation in this area. And I think you've presented some very sound arguments.

45

46 These may seem like obvious things, but I could not help, as I sat back there and appreciated the desire of this Board to be fair and sensitive to all concerns, that maybe this might be helpful. I thought that the statements you were all

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making ought to be incorporate- -- ought to be available for others to see and to appreciate what the intent of the Board is. Though, in effect, Mr. Chairman, I'm hoping such a statement will very much restrict the application of this action and will make it very clear it's not intended as a

6

7 MR. EWAN: But you're speaking in favor of the proposed action?

9

10 MR. BORBRIDGE: Okay.

11

12 MR. EWAN: Is that what you're doing?

13

14 MR. BORBRIDGE: Well, I -- no, I'm not even taking a position yea or nay because I realize

16

17 MR. EWAN: You're just suggesting? Okay, thank you.

18

19 MR. BORBRIDGE: Yeah. This is not my right to do so.

20

21 MR. EWAN: Okay.

22

23 MR. BORBRIDGE: But if you should go ahead and do so and vote yes, and I was just sensing where the Board seemed to be heading, then I was suggesting that these cautionary things be done as well to restrict the impact. In other words, Mr. Chairman, it appears that the Board wants to accommodate the various concerns that have been advanced. I'm hoping that the action taken, if it is so taken, you know, is in support of a positive way. It'll be restricted as much as words can restrict its application. And make sure

32

33 MR. EWAN: Okay.

34

35 MR. BORBRIDGE:, you're saying you're dealing only with this situation, and I hope that comes through very clear.

37

38 MR. EWAN: Okay. Thank you very much. My own thinking is that whether we vote this down -- up or down, it doesn't really impact what's going to happen at the end. It sounds to me like if there's a public outcry down the road, the superintendent'll probably close it down and do what is being suggested here today. Then there's the Eastern -- what's the name of the resource council up there? They'll consider and so on, right? We're just one of the groups in the process. And

47

48 MR. TWITCHELL: The proposal will be presented to the Eastern Interior Regional Advisory Council since it

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1
2 MR. EWAN: Yeah. I can't speak for this whole Council,
3 But I think there's -- we have a split here, a little split,
4 And I want them to talk it out and decide what we're going to
5 do here.

6
7 MR. OSKOLKOFF: Mr. Chairman. Maybe I missed it in
8 your presentation. Is there a particular season that you're
9 concerned with that happens to coincide with the tourist
10 season, is that what you're saying?

11
12 MR. TWITCHELL: Well, there's a whole range of
13 subsistence species that are involved during this time period;
14 black bear, for instance, are open year round, there's the
15 grizzly bear season, there's wolf seasons, fox, ptarmigan, et
16 cetera, that is involved. The focus is really the presence of
17 large numbers of visitors as well as Staff people in this
18 corridor for the period when they're operational, from June 1st
19 through September 11th. So that's the focus.

20
21 MR. OSKOLKOFF: When are the -- when is the largest
22 density of hunters? What time would that be, during what
23 season?

24
25 MR. TWITCHELL: Primarily in the falltime for the moose
26 that's the primary species of interest.

27
28 MR. OSKOLKOFF: What is the fall season for moose in
29 that area?

30
31 MR. TWITCHELL: September 1st through September 30th.

32
33 MR. OSKOLKOFF: So we're really only talking about 11
34 days that there's a direct conflict between these -- between
35 the high density of hunters and the density of -- relative
36 density of tourists at the same time. The remainder of the
37 time, would there -- is there still a concern for the lodge
38 owners and citizens in the areas that what I understand are in
39 the other part of the

40
41 MR. TWITCHELL: Yes, they are expressing a concern that
42 any discharging of firearms in that period of time is a concern
43 for them.

44
45 MR. OSKOLKOFF: What I was working on here in my mind
46 and asking the questions for is I was wondering if, first of
47 all, there was a direct conflict between the tourism cycles and
48 the hunter cycles. And there seems to be only a matter of the
49 days where there is a real primary concern, a real problem;
50

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I mean the most serious part of the problem occurs in those 11 days. I'm wondering if compromising on, perhaps, time and season might be more appropriate than

4

5 MR. JOHN: Closing it down.

6

7 MR. OSKOLKOFF: yeah, actually closing it off. Has that been considered by the other entities which have -- and I might ask Mr. Basnar if that was considered?

10

11 MR. BASNAR: I'm not quite sure I understand the question, Gary.

13

14 MR. OSKOLKOFF: Well, I had asked whether the -- what was the highest use of the area as far as hunters go. And it was stated that really the density of hunting is for -- the densest population of hunters is during the moose hunting season, and there are only 11 days in which the moose hunting season conflicts with the allowable tourist season in that area.

21

22 MR. BASNAR: I understand that, but what was your question?

24

25 MR. OSKOLKOFF: The question then is has the Council considered a compromise on time rather than on area and closing area in that shifting the season or shifting the tourist season or compromising on both?

29

30 MR. BASNAR: Okay. Thank you. Yes, to some degree. But weather is what was driving our train. We would gladly slip the moose season. I mean we could easily do that, slip the moose season from the 12th of September till the 12th of October, no problem. And everybody would say oh, wonderful, now we've got 30 days to hunt moose in Kantishna.

36

37 The problem is we got to look at it from a realistic point of view and that is it snows up in that country and can snow in September. We would not object -- I don't know what the Park Service's position would be. But from an SRC point of view, I don't think we would object at all to extending the season to give us 30 full days in there. The problem being you can't get there. You're not permitted to fly in, and so the only road is the Park road, and if it's closed past Savage River there in the fall, you just can't get there. So we wouldn't bother to extend the moose season for that reason.

47

48 MR. OSKOLKOFF: Thank you.

49

50

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1 MR. EWAN: Can we -- we have a motion, a second, okay.

2

3 MR. BASNAR: May I, Mr. Chairman?

4

5 MR. EWAN: I think we've talked this one a long time,
6 we've got a lot of other items to talk about. Yes.

7

8 MR. BASNAR: In conclusion, I want to step to the map,
9 if I may. We're only talking about

10

11 COURT REPORTER: Would you grab that mike right there,
12 please?

13

14 MR. BASNAR: I'm sorry. We're only talking about one
15 small area. Hunting around this red circle is -- there is no
16 problem. I mean there's a lot of terrain here. This is
17 Unit 20(C). We're only talking about this one little piece of
18 terrain right here. And yes, there is moose that live in this
19 river valley, no question. If they step over the line, they're
20 meat in the pot. If they stay inside the line, they cannot be
21 taken during those 12 days. But on the 13th day, once again
22 they're meat in the pot. So we just really didn't feel that by
23 restricting us subsistence hunters to this small degree that it
24 was worthy of a major conflict, and that's how we went about
25. And that's all I'll say. Thank you.

26

27 MR. EWAN: Any more comments?

28

29 MR. LOHSE: I'd like to make a comment.

30

31 MR. EWAN: Yes.

32

33 MR. LOHSE: Roy, I'd like to make the comment that we
34 were just told that we could restrict things with language, and
35 kind of disagree with that. It's kind of like trying to have
36 somebody sign away their liability on your boat before they get
37 on your boat. You can't do that. We can try to define things
38 with language as well as we'd like and we can try to limit it
39 as well as we'd like, but what we do does set precedence. You
40 know, it doesn't matter whether we say this only applies to
41 this one incident or not, it still sets precedence.

42

43 MR. EWAN: All right. Any other comments?

44

45 MR. OSKOLKOFF: Question.

46

47 MR. EWAN: Pardon?

48

49 MR. OSKOLKOFF: Call for the question.

50

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2 MR. EWAN: Call for the question. Okay. All in favor
of the motion say aye.
4
5 MR. BASNAR: Aye.
6
7 MR. EWAN: Opposed by the same sign?
8
9 IN UNISON: Aye.
10
11 MR. EWAN: Could we have a show of hands here, please?
12 All in favor of the motion raise your right hand. Opposed
13 same sign?
14
15
16 UNIDENTIFIED VOICE: I abstain.
17
18 UNIDENTIFIED VOICE: Motion failed.
19
20 MR. EWAN: The motion failed. Did somebody count it?
21 I didn't see all the hands here. Motion failed.
22
23 UNIDENTIFIED VOICE: Yes.
24
25 MR. EWAN: All right.
26
27 MR. TWITCHELL: The Commission also met and discussed
28 several of the proposals in Southcentral Region. And I'll
29 leave that in the interest of time for having Lee to present
30 that when the Subpart D portion of the regs come up.
31
32 There was another action that the SRC took regarding
33 selected lands within the Park area. And that was in response
34 to the petition for comments from the Northwest Regional Arctic
35 Advisory Council asking for comments on whether federal
36 jurisdiction should be extended onto selected lands or outside
37 the boundaries of conservation units. And the position of
38 the Denali Subsistence Resource Commission was that they agreed
39 that a limited expansion of federal jurisdiction in order to
40 facilitate subsistence use of lands that had been selected but
41 not yet conveyed could be beneficial.
42
43 And I'd like to show you a map that represents the
44 lands that are selected in the community of the Cantwell area.
45 This is the -- it represents the community of Cantwell.
46
47 MR. EWAN: He should get a mike.
48
49 COURT REPORTER: Grab a mike, would you, please? Thank
50

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you.

2

3 MR. TWITCHELL: This represents the community of
Cantwell. This would be the Park boundary coming down like
this. And this would be -- the colored areas was -- inside is
lands that are selected by Ahtna and the State of Alaska.

7

8 MR. EWAN: Which ones are the selected lands?

9

10 MR. TWITCHELL: This would be selected by Ahtna,
selected by the State of Alaska, selected by Ahtna, and this
had dual selection by both the State and Ahtna. These are
lands within the ANILCA petitions to Denali National Park. The
Denali Subsistence Resource Commission, in submitting a comment
to the Federal Subsistence Board regarding the Northwest Arctic
Regional Advisory Council's call for comments, supported an
expansion of Title VIII subsistence use activities onto
selected lands within the boundaries of the conservation unit.
They thought that would be beneficial to particularly the
users of Cantwell which are excluded from utilizing those lands
for Federal subsistence harvest, because they're selected
status.

23

24 Since these lands are within the National Park area,
there's no alternative such as refuges or preserve lands or BLM
lands where you would have a general hunt or a sport season
alternative to the Federal hunt. So in essence, these lands
are not open for subsistence uses under the current definition
of Federal public lands. The Commission strongly opposed an
expansion of federal jurisdiction beyond the boundaries of a
conservation unit boundary.

32

33 MR. EWAN: Is that it

34

35 MR. TWITCHELL: Yes.

36

37 MR. EWAN: on that particular one? What's the
desire of the Council on this particular matter? Yes, Lee.

39

40 MR. BASNAR: Mr. Chairman. Again, I was involved in
this discussion at the SRC meeting. I want to point out
specifically that at the current time the people in Cantwell
are prohibited from moving into that addition to hunt by the
use of a vehicle. We can walk in and pack out a moose three or
four miles on our back, but of course nobody does that. So the
Park Service's hands are tied now under current regulations in
that although they administer to the land, they cannot allow us
to go in and even do anything on those preselected lands. So
the lands that we can hunt in, we can't use an ATV to get in

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there to get the moose meat back out. The other lands that we might be able to walk to we can't hunt in.

3

4 So when this petition came out of Northwest Arctic, we thought it was an excellent idea in that it would allow the federal jurisdiction to go onto those State selected lands that have not yet been conveyed; the same with the Ahtna selected lands that have not yet been conveyed; and allow subsistence users to continue to use the resource until such time as the land was conveyed. At that point, it becomes either State land or it becomes private land and the rules change. We understand that, but we're in limbo now and that's what caused a lot of this problem about going into Kantishna. We can't hunt in our backyard, so we've got to drive 80 miles through a park, along the Park road to go back to hunt in Kantishna where we don't want to hunt.

17

18 The Chair- -- the Secretary of the Denali Advisory Committee called me and told me -- and asked me to represent them. He said we don't really want to hunt in Kantishna, we want to hunt right here. We're going out to Kantishna more in protest than we are anything else. We haven't hunted there and we don't want to. So here we are, back to an area that we can't hunt.

25

26 So we think it is an excellent idea if the Government can take -- the Federal Government takes control and allows us to get back into this area. However, we objected to the petition because it went one step further. We supported the first part, the part I just described, but the second part said oh -- also off Government conservation units; i.e., over onto State land not selected within one of these units but out onto the State land and onto private land. We objected to that. And we objected because we feel there's enough interference in our private lives now from the Government, and they're going to move in anyway, why in hell invite them in. So

37

38 MR. EWAN: So do you want to make a motion, then we'll

40

41 MR. BASNAR: We have a letter that we drafted to the Federal Subsistence Board from the SRC outlining essentially in much more brief form what I have just said. I would ask this Council to either take a look at this letter and endorse it or, perhaps, write one of our own so that, from my perspective, we want to confine the jurisdiction of the Federal Government. I only have this one copy, if we could get copies made for the other Members, could we, Helga?

49

50

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1 MS. EAKON: Um-hum.

2

3 MR. BASNAR: And we might want to table this until we
4 get copies and you have a chance to look at the letter. And
5 then we could endorse the letter or write our own letter. I
6 would move to table at this time.

7

8 MR. EWAN: Is there objections to tabling it till
9 later? Hearing none, we'll table it for -- till we get copies
10 made and then we'll take it up. How much longer will you take
11 here?

12

13 MR. TWITCHELL: Just one

14

15 MR. EWAN: I've got a request for someone to speak
16 before noon here.

17

18 MR. TWITCHELL: Okay. There's only one other issue
19 that I was going to bring to the Council, and that is regarding
20 the south side. And the Denali Task Force, in deliberating on
21 the south side, addressed a number of issues. One of them was
22 the suggestion that recreational use in the Dunkle Hills which
23 I just immediately -- thank you.

24

25 MR. EWAN: Okay.

26

27 MR. TWITCHELL: The Dunkle Hills is located right here,
28 it's inside of the Park just south of Cantwell. And the Denali
29 Task Force recommended that that would be a good site for
30 further development of recreational opportunities, short tours,
31 access via a mining road easement into that area. That was
32 just a recommendation for consideration. The Denali
33 Subsistence Resource Commission, on the other hand, opposed any
34 future increase in development or recreational use in that area
35 because of concerns for wildlife habitat. The area is known as
36 part of the Denali calving grounds that were historically used
37 just a few years back. And also, there is some issues of
38 easement access on the existing road since it crosses some
39 private property.

40

41 So the SRC wanted to go on record to clarify the access
42 issue and also to go on record opposing any future development
43 in that area, the south side.

44

45 MR. EWAN: Any comments?

46

47 MR. HENRICHS: Mr. Chairman,

48

49 MR. EWAN: Yes.

50

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2 MR. HENRICHS: as I mentioned earlier, I have to
Be excused, I have something I have to take care of here.
4
5 MR. EWAN: All right, Ralph.
6
7 MR. HENRICHS: I'll probably be back at 1:00.
8
9 MR. EWAN: You're excused.
10
11 (Mr. Henrichs departs proceedings)
12
13 MR. EWAN: Any comments on this last -- is this a
14 proposal or what?
15
16 MR. TWITCHELL: That was just informative
17
18 MR. EWAN: Okay.
19
20 MR. TWITCHELL: information for the Council.
21
22 MR. EWAN: Okay. Lee.
23
24 MR. BASNAR: Briefly, Mr. Chairman, I know we're
25 pressed for time. But what we're looking at here is the only
26 area that there's actually a road into that Park addition right
27 now. And there is a potential for development, and if that
28 happens, the subsistence hunter has no place left to go once
29 these other lands are conveyed. So this was very important to
30 us at this SRC level. Whether it's important to the Council, I
31 don't know. But it's very important that we retain this area
32 for subsistence hunting purposes.
33
34 MR. EWAN: Well, do you recommend that we support your
35 action or do you
36
37 MR. BASNAR: It's up to the rest of the Council. Let
38 somebody move it if they want to.
39
40 MR. EWAN: I don't know. Okay. We'll move on then if
41 there's no action from the Council on these particular items.
42 We'll get back to the selected lands proposal after we get some
43 information, right? The letter. Yes, Ralph.
44
45 MR. LOHSE: Roy, I kind of feel like this proposal goes
46 along with the action that we took on the other one where we
47 didn't support the closure of an area to -- which would limit
48 subsistence hunting. This proposal basically says that we want
49 to keep this area open for subsistence hunting, and as
50

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1
2 MR. EWAN: So to be consistent, we should support it.
3
4 MR. LOHSE: I -- to be consistent, I would like to make
5 a motion we support the SRC in opposing development in the
6 Kunkle Hills area and maintaining it open for subsistence
7 purposes.
8
9 MR. EWAN: Are you making a motion?
10
11 MR. LOHSE: I so move.
12
13 MR. JOHN: I second that.
14
15 MR. EWAN: Second. Further discussion on the motion?
16
17 UNIDENTIFIED VOICE: Question.
18
19 MR. EWAN: The question's been called.
20
21 MR. BASNAR: Yeah. In what way are we going to support
22, what vehicle; are we going to write a letter, are we going
23 -- you know, how are we going to support it before we vote
24 here? What are we going to do?
25
26 UNIDENTIFIED VOICE: What is needed?
27
28 MR. EWAN: I guess the form usually takes a letter
29 form, right? We

30
31 MR. BRELSFORD: I think generally that's been done,
32 and

33
34 MR. EWAN: Um-hum.
35
36 MR. BRELSFORD: specifically what it would do is
37 take the language of the motion and the court record -- the
38 specific deliberation in the Council, and I think Helga would
39 typically draft something for your signature.
40
41 MR. BASNAR: And this would be addressed to the
42 Secretary of the Interior?
43
44 MR. BRELSFORD: Right.
45
46 MR. BASNAR: That's the addressee that we addressed
47 ours.
48
49 MR. LOHSE: Yeah, supporting the SRC.
50

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1
2 MR. BASNAR: Okay.
3
4 MR. BRELSFORD: Correct.
5
6 MR. BASNAR: Thank you.
7
8 UNIDENTIFIED VOICE: Question.
9
10 MR. EWAN: The question's been called for, all in favor
11 ~~say~~ aye.
12
13 IN UNISON: Aye.
14
15 MR. EWAN: Opposed by the same sign?
16
17 (No opposing responses)
18
19 MR. EWAN: Motion's carried. Is there any objection to
20 ~~hearing~~ from Ken Johns of CRNA at this time? He will I guess
21 ~~leave~~ town at noon and would like to speak on the NARF I guess
22 ~~is~~ or is it NARC? I guess it's NARC, huh. NARC propo- --
23 ~~petition~~ that is on our agenda later on.
24
25 UNIDENTIFIED VOICE: For later on.
26
27 MR. EWAN: Hearing no objection, Ken Johns. Welcome to
28 ~~the~~ meeting, Ken.
29
30 MR. JOHNS: And like my good friend, Mr. Borbridge, I
31 ~~have~~ a firm position. There are several issues that really
32 ~~have~~ a drastic potential to be very harmful to our region. And
33 ~~one~~ of the things is that the petition that's before you, if
34 ~~not~~ implemented or put into regulations, we may have a loss of
35 ~~our~~ culture and traditional activities back in our region. I'm
36 ~~talk~~ing about the petition before you, before the Federal
37 ~~Subsistence~~ Board, to extend the Federal subsistence
38 ~~jurisdiction~~ on Native corporation lands, State selected lands.
39 ~~Also~~, the petition requests that a restriction be placed on
40 ~~activities~~ off Federal lands. That would mean closure of State
41 ~~lands~~ that effect subsistence activities on Federal lands.
42
43 A little background. My name is Ken Johns, I'm the
44 ~~Executive~~ director of the Copper River Native Association. We
45 ~~have~~ eight Native villages in our region; Mentasta, Cantwell,
46 ~~Christochina~~, Gakona, Gulkana, Tazlina, Copper Center and
47 ~~Kitina~~. We provide health and human services contracts
48 ~~through~~ the Federal Government and the State of Alaska for our
49 ~~people~~ back home.
50

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1
 2 Hunting -- the history of hunting in our region goes
 Back for centuries and we really don't need to go into that.
 We've been subjected to a lot of court proceedings. Pre-
 McDowell we kind of felt that things were going pretty well,
 and we were allowed on a restrictive hunt but we had seasons
 that were open before the sport hunters came out. We had five
 day extended seasons. We didn't have any restrictions on
 antler size. And we kind of felt that it was a compromise on
 our part to allow sport hunting in our area. And we kind of
 accepted that. And it worked fairly well for us.

12
 13 Right now, lands in our region are being selected by
 the State of Alaska. I think there's probably 75 to 80 percent
 of our lands are being selected either by a Native corporation
 or our Native corporation or the State of Alaska. And however
 most of these lands have not been conveyed to the State of
 Alaska. A lot of the lands have not been conveyed to the
 regional corporation. We have approximately 600,000 acres in
 the National Park System. And we firmly believe that federal
 jurisdiction over this selected State land, selected Native
 corporation lands, the conveyed lands should be clearly under
 the federal jurisdiction.

24
 25 We have in the past -- after McDowell, we had areas
 down in the Tiekel area along the Valdez Road that was a
 hunting area of our people around in that area; Chitina and
 Copper Center and Tazlina, Gulkana. A prime hunting area that
 was closed to subsistence because the State selected it last
 year. And we've lost our subsistence hunting in that area,
 prime hunting area. We feel that federal jurisdiction will be
 better for us because there are (ph) protection and written
 laws under ANILCA.

34
 35 Currently, we have court cases against the State.
 We've been fighting for years now. We've -- we have a court
 case to allow some type of restrictive hunt for rural residents
 back there. And we've been met with getting favorable
 decisions in the Superior Court but when we get to the Supreme
 Court, we're usually outvoted three to two on a split decision.
 All of our court cases has been on a split decision, and it's
 been kind of very biased against subsistence. We feel we have
 strong arguments for -- on the State side but we don't have the
 resources on continued resources of funding or we don't have
 the lawyers that the State have, and our continued battles with
 them are -- is going to get worse. And we don't feel like we
 have our upper hand on that side.

48
 49 Federal jurisdiction over our Native corporation lands
 50

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and the selected lands means protection to us. It's the only protection that we will have in the future. So I'm really urging you to send a strong message from this Advisory Council to accept this petition as a regulation and law, as part of ANILCA.

6

7 That I think that there's no other place in the State
8 of Alaska that's impacted as we are back home. Right now, it
9 kind of looks like there -- there's going to be a limited hunt
10 back home. Last year, I flew for four hours, went up there and
11 hunted moose in certain areas, and I only saw one large bull
12 moose. So hunting is going to be very restrictive this coming
13 season. And it will only hurt the villages. We had
14 approximately -- I think the coun- -- I don't know how much the
15 count was of moose take this year, but the years before that
16 there was something like 1,200 moose taken out of our region
17 and only seven -- there was seven accounted for in the villages
18 out of the eight Native villages, seven moose taken out.

19

20 So you can kind of see the urgency of the protection
21 we're asking for through this petition. So I just -- I'll
22 answer any questions you may have.

23

24 MR. EWAN: Lee.

25

26 MR. BASNAR: Yes, Mr. Chairman. First, I've got a
27 couple. First, where do you live exactly?

28

29 MR. JOHNS: I live in Copper Center.

30

31 MR. BASNAR: Copper Center, okay. I'm a little unclear
32 on the petition, and I apologize for not having had time yet to
33 read it through word by word, I will do that, but I haven't had
34 time yet. As I understood you, and correct me if I'm wrong
35 because I'm unclear on this, after the land is conveyed to the
36 Antna Corporation, in your case I guess, you want federal
37 jurisdiction over subsistence activities after you privately
38 own it as a corporation,

39

40 MR. JOHNS: No.

41

42 MR. BASNAR: is that correct?

43

44 MR. JOHNS: This petition requests that selected
45 lands,

46

47 MR. BASNAR: Okay.

48

49 MR. JOHNS: not conveyed.

50

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1
2 MR. BASNAR: That's what I'm trying to get

3
4 MR. JOHNS: Yeah.

5
6 MR. BASNAR: firmly in my mind. All -- the same
with the State?

8
9 MR. JOHNS: Right.

10
11 MR. BASNAR: So I think you and I are on the same sheet
of music here, but I just want to make sure.

13
14 MR. JOHNS: Um-hum.

15
16 MR. BASNAR: After the land is conveyed to you as a
private corporation, and after it's conveyed to the State of
Alaska, what is your position then on subsistence activities on
this land?

20
21 MR. JOHNS: There is no petition on -- I mean, argument
on the State side because once the land's been conveyed to the
State, then it's State management.

24
25 MR. BASNAR: Okay.

26
27 MR. JOHNS: The law clearly states that.

28
29 MR. BASNAR: Okay.

30
31 MR. JOHNS: The past administration in the Reagan era
came out with a position that all lands -- Native corporation
lands were public lands. So we fall in the category of State
management on our public lands. So we will be -- even if we're
35 our lands, two million acres, has been conveyed to it, we'd
36 still be under State management.

37
38 MR. EWAN: Okay. Thank you. Final question. What
about federal jurisdiction on lands off conservation units or
40 selected units that would impact -- and I'll use an example, I
41 hate to get into fish, so let's try caribou, it's a little
42 easier.

43
44 MR. JOHNS: Um-hum.

45
46 MR. BASNAR: Caribou wander from State land onto
private land onto Federal land and back and forth. Sport
48 hunters, to use an example, can take a lot of caribou on State
49 land that you would use as a subsistence user on Ahtna selected
50

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lands, for example. What is your position -- is there any position within this petition that would say federal jurisdiction extends onto State land in this particular case?

4
5 MR. JOHNS: This is part of the petition, the second part of it, which states that the petitioners also request that restrictions be placed on activities off Federal public lands when it's necessary to protect the subsistence use on Federal public lands. So this petition also asks specifically that.

10
11 MR. BASNAR: So then that -- and that goes on in perpetuity, that doesn't end upon conveyance of the land? That does

14
15 MR. JOHNS: Yeah.

16
17 MR. BASNAR: on forever?

18
19 MR. JOHNS: Yeah. That'll extend to -- yeah.

20
21 MR. BASNAR: Forever and ever, onto State land, Federal Government maintaining control on State land on selected species?

24
25 MR. JOHNS: Okay. Here's a prime example. Nelchina Caribou Herd which goes back and forth to different lands, State,

28
29 MR. BASNAR: Right.

30
31 MR. JOHNS: Native corporation lands and private lands which, you know, homeowners' lands. For instance, if they see a large decline on the herd because of over-harvests from the State side that affects the subsistence hunters on Federal lands, and this petition is asking that they do restrict or at least have some control on that.

37
38 MR. BASNAR: That's the way I understood it.

39
40 MR. JOHNS: Yeah.

41
42 MR. BASNAR: I just -- thank you for clarifying.

43
44 MR. EWAN: Any comments or any questions? Ralph.

45 MR. LOHSE: I've got a question. The one thing that -- and you brought up just before. In the petition, the word "public" and "non-public" land is used. Now, is -- from this list -- is public land State land then and non-public land is Federal land? No. That's where I kept getting mixed up when I

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was reading that 'cause I couldn't figure out for sure which --
You know, they use the public and non-public

3

4 MR. JOHNS: I guess it's just who you ask.

5

6 MR. LOHSE: Right.

7

8 MR. JOHNS: But

9

10 MR. EWAN: For purposes of

11

12 MR. JOHNS: for the purpose of

13

14 MR. LOHSE: In the petition.

15

16 MR. JOHNS: Yeah. That public lands are public lands

on --

18

19 MR. LOHSE: Public

20

21 UNIDENTIFIED VOICE: Federal.

22

23 MR. JOHNS: Yeah.

24

25 MR. LOHSE: Public lands are Federal lands.

26

27 MR. JOHNS: Federal lands.

28

29 MR. LOHSE: Non-public lands

30

31 MR. JOHNS: Right.

32

33 MR. LOHSE: are State lands,

34

35 MR. JOHNS: I made a

36

37 MR. LOHSE: Ahtna lands.

38

39 MR. JOHNS: a statement that --

40

41 MR. LOHSE: Okay.

42

43 MR. JOHNS: that was misleading there. Yeah.

44

45 MR. LOHSE: Okay.

46

47 MR. BASNAR: I'm still confused.

48

49 MR. EWAN: Fred, did you have a question?

50

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1
2 MR. JOHN: Is State land non-public land?
3
4 MR. JOHNS: State land is non-public lands.
5
6 MR. OSKOLKOFF: State land is non-public land.
7
8 MR. JOHNS: Yeah.
9
10 MR. EWAN: Um-hum.
11
12 MR. BASNAR: Is Ahtna selected land public land?
13
14 MR. EWAN: Private.
15
16 MR. JOHNS: Private lands.
17
18 MR. OSKOLKOFF: So it's non-public.
19
20 MR. EWAN: Um-hum.
21
22 MR. OSKOLKOFF: It's treated as
23
24 MR. JOHNS: Well, it's treated as public lands for
25 ~~the~~
26
27 UNIDENTIFIED VOICE: No, it's treated as
28
29 MR. EWAN: Private land.
30
31 UNIDENTIFIED VOICE: private land.
32
33 MR. OSKOLKOFF: Excuse me. In the way this is
34 ~~worded~~
35
36 MR. JOHNS: Yeah, yeah. It's treated as
37
38 MR. OSKOLKOFF: it's treated as non-public?
39
40 MR. JOHNS: No.
41
42 MR. BASNAR: It's treated as non-public.
43
44 MR. JOHNS: Like I say, the answer to that is depending
45 ~~on~~ who you ask.
46
47 MR. EWAN: Did you have -- do you have a comment?
48
49 MR. JOHN: I've got another question.
50

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1
2 MR. EWAN: Go ahead.
3
4 MR. BASNAR: Are we just taking this -- excuse me.
5
6 MR. EWAN: Well, this is on the agenda. It's the last
7 item on our agenda but Ken wanted to talk before then.
8
9 MR. BASNAR: So we're not taking up the issue, we're
10 just getting his input?
11
12 MR. EWAN: Right.
13
14 MR. BASNAR: Thank you.
15
16 MR. JOHN: Well, I'd like to say -- I'd like to ask
17 probably the same question. You'd like federal jurisdiction
18 over selected land, State and Ahtna, on top of that, if these
19 lands are conveyed, would you still like -- with this petition,
20 but that the Federal would still have jurisdiction over Ahtna
21 land?
22
23 MR. JOHNS: Yes.
24
25 MR. JOHN: Okay. That was my question.
26
27 MR. LOHSE: That's the clarification I needed too. In
28 other words, basically federal jurisdiction remains over what
29 then becomes non-public land in the future. In other words,
30 once it's conveyed to Ahtna, it becomes private land

31
32 UNIDENTIFIED VOICE: Uh-huh.
33
34 MR. LOHSE: and yet, federal jurisdiction remains
35 over private land?
36
37 MR. JOHNS: Right. It's

38
39 MR. LOHSE: But doesn't remain over non-public land
40 meaning State land?
41
42 MR. JOHNS: It's really specific in here. It asks that
43 Native corporation and private lands. So it's not extended to
44 just private lands, it says Native corporation

45
46 MR. LOHSE: Native corporation private lands.
47
48 MR. JOHNS: Right.
49
50

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1 MR. EWAN: All right. Any other question or comment?
 2 do want to -- you know, since we're on this particular
 3 subject right now, I just want to inform the Advisory Council
 4 since I'm familiar with selected lands, Native corporation
 5 selected lands, a lot of the selected lands will remain
 6 selected for a time, I believe. There's no time limit on when
 7 you have to get your land finally patented or conveyed. I
 8 believe the Federal Government wants to -- BLM wants to process
 9 the land selection but we're not having the cooperation we want
 10 from all the Federal agencies, like the National Park Service,
 11 they won't allow us to drill to see what we're giving up and so
 12 on. So it is going to be a slow process. So I think this
 13 issue of selected lands has got to be dealt with somewhere.

14

15 I think with that, I guess we'll just get back to where
 16 we were earlier. Do we have the letters to deal with now?

17

18 MS. EAKON: Mr. Chair.

19

20 MR. EWAN: Yes.

21

22 MS. EAKON: You had on hold some kind of action on the
 23 NARC petition as it relates to Denali National Park. You can
 24 either do that or wait until you come to that agenda item to
 25 deal with that particular one so you get an

26

27 MR. EWAN: Do we have

28

29 MS. EAKON: overall -- you have overall comments
 30 on the petition itself. The NARC petition is in your book, in
 31 the -- way in the back, behind the pink sheets on the Eastern
 32 Interior Factory Trawler Resolution.

33

34 MR. EWAN: All right. What is the wish of the Council
 35 then, to hold off till we -- all right. Hearing no objection
 36 hold off, we'll hold off until we get to that item on the
 37 agenda. All right. This would then be considered at that
 38 time. Now, we get back to the moose regulation for Kenai. Do
 39 you we have time yet to continue before noon?

40

41 MR. OSKOLKOFF: Let's beat the rush and go ahead and
 42 access for lunch and then we can come back, so we can get

43

44 MR. BASNAR: There's such a rush down in the
 45 restaurant, if we get there now, we might get ahead of the
 46 crowd.

47

48 MR. OSKOLKOFF: There you go.

49

50

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1 MR. EWAN: One hour.

2
3 MR. OSKOLKOFF: Till 1:00.

4
5 MR. BASNAR: 1:00 o'clock.

6
7 MR. OSKOLKOFF: Till when?

8
9 MR. EWAN: All right. We'll recess for lunch until
10 1:00 o'clock.

11
12 (Off record)

13
14 (On record)

15
16 MR. EWAN: Call the meeting back to order. It was
17 suggested that we get to the report section of our agenda. If
18 we can hold off on the Kenai moose season and bag limits till
19 later on and get some of these reports out of the way. Is
20 there any objection to that from the Council? Yes.

21
22 MS. EAKON: Are you going to come back to Kenai today?

23
24 MR. EWAN: Yes, we will. I think we'll just put it --
25 get some of these other things out of the way.

26
27 UNIDENTIFIED VOICE: Okay. Today?

28
29 UNIDENTIFIED VOICE: Today?

30
31 MR. EWAN: Is there any -- yes, is there a problem with
32 is there somebody here -- Steve Zemke from Chugach National
33 Forest is ready to give your report. Thank you, Steve.

34
35 MR. ZEMKE: Well, in the interest of brevity, I realize
36 that we have a very busy schedule here. So actually, I just
37 basically came here to listen to what you guys had to say.
38 It's good to see that the Council's really taken such an active
39 voice in the subsistence matter and really seen what the
40 bottom/up approach could really mean.

41
42 I guess I had two items that were basically just kind
43 of an update of what I said at the last meeting, the one in
44 Seldotna. One was on the Moose Pass project, basically it was
45 cooperative program in along kind of the Cooper Landing area
46 and then down towards Seward. It's gone through several
47 different iterations and what I have here is basically a
48 summary sheet of the alternatives that you can take a look at.
49 The actual document, the Environmental Analysis, was scheduled
50

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to be out last month, well, you know how things go. And actually, I was hoping to have it here so you guys could all take your 100 pages of paperwork home apiece, and the Forest Service really isn't doing their part. There you go. We're looking probably at a May 1st decision date, after we get the Environmental Assessment and make sure that each one of you folks are mailed a copy. You can take a look at it and I guess you could have either individual or group voice, if you will.

9

10 The other thing that we have is the Forest Plan Revision. I gave Helga kind of a little synopsis sheet. I don't know, she said was going to mail that out to you. I don't have any other copies. But basically it talks about the public involvement process for the upcoming Forest Plan Revision which is essentially a vision document about what the Chugach National Forest would have in mind for the land management program for probably the next decade. We're looking at a target date of having it revised in 1998. I don't know with the current budget and issues on the Tongass, I guess that's somewhat of a wild card. It's kind of on simmer right now. We were planning to have kind of the first round of public meetings which would maybe include going out to various subsistence communities out in Prince William Sound and on the Kenai. That doesn't look like it's going to happen in the near future.

26

27 I guess what I would envision is when those -- the Forest Plan scoping process which is kind of taking a look at trying to develop issues and topics for analysis in the plan, when that is done, that we would have a full presentation before your Council. I would envision that probably being next fall or possibly next spring depending on what's going on.

33

34 One of the things about the plan, currently our subsistence database is primarily composed of the State Community Profile Database studies, part of which is what you see in kind of the Kenai Peninsula C&T analysis at least for the communities of Hope, Cooper Landing and Whittier. We've got older data from Chenega Bay, and Tatitlek and Cordova. And some newer stuff that was done from the Exxon Valdez study. But any other information that you have information about maybe such as the Ninilchik study that we currently don't have access to would be very helpful to include in our subsistence database. And so if you know of folks that have information -- I know earlier there was discussions about oral histories and the lack of those getting into formal processes. This would probably be a good opportunity to understand where those sources of information are and make sure they get into our database so that it would be included in the analysis.

50

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1
2 But I guess that's about it I had for now. If you have
any questions?

4
5 MR. EWAN: Yeah. Any questions or comments on
the

7
8 MR. LOHSE: Just one question. This -- I'm looking at
this, Alternatives B, C, D and E. We're not talking of a real
large area of land here are we?

11
12 MR. ZEMKE: It's actually pretty much from the extent
of just north of Seward up through the Turn Lake/Trails Lake
country. And so the amount of acres there -- I think the total
acreage is somewhere around 30 to 40,000 acres. So you're
looking at relatively moderate treatment of those areas. Most
of those acres are already heavily impacted with the spruce
bark beetle. And so where you're seeing cuts probably the
biggest potential impact to subsistence users would be maybe
the road access, that's one way to take a look at the analysis.
The more roads would possibly bring better access for more
hunters; you know, that could be both positive and negative
depending on the road management program.

24
25 Other things you can look at, some prescribed fire --
obviously, some of those prescribed fire acres would probably
have a net benefit, particularly on moose. A lot of the moose
habitat within the area is probab- -- it's trending downward
from the big burns back in the '50s and '60s are going out of
the picture. And we've had a very active fire management role
in the area for the last 80 years, and this would probably help
reverse some of that habitat trend.

33
34 MR. EWAN: I notice that you have Alternative B, C, and
but what is A?

36
37 MR. ZEMKE: A is no action.

38
39 MR. EWAN: I see.

40
41 MR. ZEMKE: Essentially not doing -- which doesn't mean
that there's no -- nothing going on, but probably would be a
series of small salvage sales, if that, or -- and then other
current activities such as recreation, subsistence, other
activities would occur in the area.

46
47 MR. EWAN: Okay. Any other question or comment? If
not, thank you.

49
50

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1 MR. ZEMKE: Okay.

2

3 MR. EWAN: We'll go on down to Kenai Peninsula National
Wildlife Refuge. Before we get to your testimony, I believe
Ted Spraker had some additional information on the harvest of
moose on the Kenai Peninsula. And if we could make that part
of the record, we'd appreciate that. Yeah. Yeah.

8

9 MR. SPRAKER: Thank you, Mr. Chairman. I'll make this
very quick. This morning you requested that we come up with
the information pertaining to the 1994 moose harvest in Units 7
and 15, and in particular the percentage of animals taken on
State land compared to Federal lands. The information was made
available this morning. I tried to estimate the numbers, some
of these were fairly close, others I want to correct at this
time.

17

18 If you'll grab your pencils, I'll just read these
quickly and you'll have them. As far as Game Management 15(A),
there were 39 percent of the moose taken were taken on State
land and 61 percent were taken on Federal lands for a total of
225 moose. In Subunit 15(B), there were 36 percent taken on
State lands compared to 64 percent taken on Federal lands for a
total harvest of 56 moose. In 15(C), there were -- this is the
one I was incorrect on, I said about 50/50. Actually, there
was 84 percent of the harvest in 15(C) was on State lands and
the remaining 16 percent was taken on Federal lands for a total
of 297 moose taken in 15(C). For Game Management Unit 7, there
was a total of 33 percent taken on State lands compared to 67
percent taken on Federal lands and a total harvest of 54 moose.
And if you sum up all of those, that should come up to about
622 moose in the general hunt.

33

34 MR. EWAN: Okay. Thank you very much, Ted. Yes,
Ralph.

36

37 MR. LOHSE: And all of those other permit hunts were on
Federal land, right?

39

40 MR. SPRAKER: The one in Placer/Portage/Twenty
Mile

42

43 COURT REPORTER: Ted, I can't hear you. Sorry.

44

45 MR. SPRAKER: The Skilak hunt is all within the Refuge,
Federal lands. 15(B) East is all Federal lands. And the
Placer/Portage/Twenty Mile, that's -- I think that's all
Federal lands on the Forest but perhaps we could

49

50

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1 UNIDENTIFIED VOICE: Ask Steve.

2

3 MR. SPRAKER: Yeah. That'd be mostly Federal. So
basically all the permit hunts were on Federal lands.

4

5 MR. EWAN: Okay. Now, if there is no other question,
6 we'll get to the Kenai Peninsula National Forest Wildlife
7 Refuge being presented by

8

9 MR. CHASE: Mark Chase

10

11 MR. EWAN:

12

13 MR. CHASE:

14 from the Kenai Wildlife Refuge, and
Daniel Doshier the Refuge manager is also here. Primarily
we're here to observe you all's action. I think Ted Spraker's
given you a real good indication of population levels and
things that are going on with the populations down there. He
did mention we are having a relatively severe winter on the
moose down there, and that's a concern. But for the most part,
things on the Refuge haven't changed a lot, and we serve here
kind of in an information role for you all if we can help you
out with any questions or anything you have.

23

24 MR. EWAN: That's it?

25

26 MR. CHASE: That's it.

27

28 MR. EWAN: No comments, questions? If not, thank you
29 very much. The next item on the agenda is Bureau of Land
30 Management, Glennallen District, Mike Coffeen.

31

32 MR. DENTON: My name is Jeff Denton, I am with the
33 Anchorage District BLM, Mike is absent today. I can't speak
34 100 percent for the Glennallen District. I'm here mostly today
35 to observe and also I guess introduce myself 'cause I haven't
36 been able to attend these for some time. The Anchorage
37 District has a fairly insignificant land mass in your region.

38

39 However, I'm here today to let you folks know that the
40 State relinquishments of some of the selections are beginning
41 to occur. The State has prioritized their selections in the
42 State of Alaska into seven groups. The seventh -- the lowest
43 group is the seventh, many of those lands will be relinquished
44 this year. We've already within your region picked back up
45 into Federal public lands probably 150,000 acres. We don't
46 expect a lot more within the Anchorage District; however, the
47 Glennallen District may be picking some up of real interest to
48 the folks in the Copper River Basin. Most of those lands,

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However, are high priority State selection lands. So those will probably in the long run become State lands.

3

4 If there is any questions, I'd be glad to answer them.

5

6 MR. EWAN: Are there any questions or comments? Thank you very much, Jeff. The next one will be Wrangell/St. Elias National Park & Preserve, I guess Russ Galipeau is representing the National Park Service for Wrangell/St. Elias.

10

11 MR. GALIPEAU: Thank you, Mr. Chair. I need about two seconds to set up an overhead.

13

14 (Off record comments while setting up)

15

16 MR. GALIPEAU: Mr. Chair and Regional Council, thank you for inviting me. My name is Russell Galipeau. I'm the Chief of Natural Resources & Cultural Properties for Wrangell/St. Elias National Park & Preserve. And the first thing I just would like you to know is we do have a new superintendent on board now, and his name is John Jarvis. He's sorry he can't make it here today, but he's in the Northway meeting, so he's splitting himself as much as he can. He'll probably attend the next one so he can introduce -- and meet everybody.

26

27 Why I'm here today is to introduce to you, which was brought up at your last meeting, the Mentasta Caribou Herd Cooperative Management Plan. It was introduced at your last meeting, and since that time we have refined this plan which is a cooperative management plan between, right now, the National Park Service, the Fish & Game, Alaska Fish & Game and also the Fish & Wildlife Service, Tetlin National Wildlife Refuge. At this point, these three agencies have all agreed on this plan. We have not signed a formal memorandum of understanding at this time, that's the next process. But the plan you have in front of you has been approved, until signature, as is.

38

39 The other thing that's happened recently is we presented this plan to the Copper Basin Local Advisory Council, and they have endorsed this plan and agree that this is the way that we should go forward with caribou management. Now, why did we do a caribou management plan? Well, in 1991 actually, when I presented to the Federal Board a recommendation to close hunting on the Mentasta Caribou Herd because of declining populations. Well, at that time, the Federal Board asked me, Park Service, what is your -- or what are your management objectives. And at that time, we had to fall back on we are managing for natural and healthy. And the question is what is

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that? Well, we had to do some soul searching, and now we've worked on a plan that we feel can meet the National Park Service's mandates and also meet the needs of the sport and subsistence users in our area.

5

6 So that's how this plan came about. And what the Federal Board wanted to know was when will you open the hunt again. So that made sure that we addressed parameters. So we'll start with some overheads.

10

11 If you look at the first graph, you can notice that this is the population trend of the Mentasta Caribou Herd. And you can see from the highs in 1985 that that herd has taken a drastic nosedive. Most of this is under -- well, all of this decline is through natural processes. Hunting has not driven this population to the size it is today. This is through natural processes, and large of that is take of the young through predation; you know, wolves and bears, things of that nature. So as you can see, down to '93. And the next block over that's not identified is 1994, the current population is somewhere around 770. So we closed that season back when there was about 1700 animals.

23

24 MR. EWAN: Could I ask, Russ, on the graph for -- the darker color, the lighter color, what (indiscernible - voice lowers)

27

28 MR. GALIPEAU: It's the fall -- the spring versus the fall count, and you get a little different numbers. You need them both though so you can estimate population size.

31

32 So some of the management concerns were like under what conditions would you then reopen a fall harvest. And that's of much concern to the local populus because it's very hard, with all management objectives in place, to be able to say when you're going to open it. So we had to address that question, how should seasons and bag limits be set and then how should the harvest be allocated among the users. Fall harvest versus winter and, of course, there's some incidental take that may occur during the winter; Federal subsistence versus State hunts. So this plan tries to identify these aspects.

42

43 These are the objectives that are laid out in the plan. The first one is to the extent possible allow for human harvest that will have minimum effects on pop- -- on production, composition and abundance in the Mentasta Caribou Herd. Now, the first thing that would come to mind is how do you come up with that objective? You know, the National Park Service, we are mandated to basically manage our resources

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unimpaired for future generations. Well, Congress then injects that you have got to allow for other opportunities, how do you start to measure that?

4

5 So we have come to agreement that you try and manage hunting as humans being the prudent predator so they can be part of that system as much as possible, but not having people drive the system. So that's how we came up with that first objective. And then second one is to provide harvest priority for federally eligible subsistence users. Now, I think that that's a place where you folks are really going to come in line quickly is when that Mentasta Caribou Herd opens back up, how are we going to allocate that limited resource.

14

15 From these objectives, what we're asking you to do today is to hopefully either endorse this plan, endorse with conditions or not endorse it. We want to know either way which way you want to go on this. We are preparing to present this plan to the Federal Board in their April meeting. This plan is also being presented at the Eastern Interior meeting tomorrow and also it will be presented to all the local advisory councils and the Subsistence Resource Council for Wrangell/St. Elias.

24

25 Now, the management guidelines to meet these objectives would be as follow. Allow a fall harvest of between 15 and 20 percent of the previous two year mean fall calf recruitment. Okay. What that means is we're trying to look at the recruitment of calves every year. And what -- and instead of looking at it every year which causes you to do a lot of knee jerk open and closing is to try and smooth out that productivity so in years when you have a lot of high productivity, you try and keep it fairly constant. But when you're in years of you have a high then a low, you don't want to automatically start closing hunts just because you had one year of poor productivity. So a two year mean will help smooth that out. And we're looking for a minimum production of 80 calves, not 80 calves per 100 cows but 80 calves a year in that two year average. Then the bag limit would be either sex if the population was to be estimated at 2,000 animals or greater, and then the bag limit would be bulls only if that population is below 2,000 caribou.

43

44 Now, the other driver in this, and this is not -- this one that really is to protect the bull/cow ratio, is that if the bull/cow ratio goes below 35 bulls per 100 cows, that could also be a trigger that can influence hunting in that given year.

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1 Okay. Let's make this look a lot easier. That's all
2 the words. This is all you would have to do, we would have to
3 do, the local advisory councils could sit down and say, in the
4 decision flow chart, Step 1, is the two year mean greater than
5 80 calves? No, then it's no hunt. Yes, then you ask the next
6 question; if the most recent spring population estimate is
7 greater than 2,000. Yes, then it's an either sex hunt. No,
8 then you go down to the next box, is the two year mean bull/cow
9 ratio greater than 35 per 100 bulls? Yes, then it's a bulls
10 only hunt. No, no hunt.

11

12 Yes, Lee.

13

14 MR. BASNAR: Yeah. I have a question, it's not a
15 challenge but just a question, on why an either sex hunt if
16 there are over 2,000 animals? It appears to me that the health
17 of the herd is endangered, it's never going to be a large herd
18 anyway, why are we going either sex?

19

20 MR. GALIPEAU: That's a good question. Fish & Game
21 actually brought that question to us and suggested we go this
22 route. Because we felt that -- or Fish & Game felt, and they
23 have a very good point here, since that herd has never been
24 very big, as it got up larger in numbers, that if you kept it
25 bulls only hunting, then you're starting to drive that bull/cow
26 ratio. So you still could have a large number of animals but
27 you could go below that 35 per 100 and then you would close the
28 hunt when you have a large number of animals. So we didn't
29 want to have humans driving the bull/cow ratio and force the
30 hunt to close and you could balance it.

31

32 The other thing is the history of hunting in that area
33 shows that no more than 25 percent during a either sex hunt
34 resulted in the taking of cows. So only 25 percent of the
35 hunters who were successful actually take a cow when it's an
36 either sex hunt. So we felt pretty safe on that.

37

38 Yes.

39

40 MR. LOHSE: How come do they have such a bull/cow --
41 such a high bull/cow ratio?

42

43 MR. GALIPEAU: Okay. That's

44

45 MR. LOHSE: I mean that seems to me -- like from what I
46 know of caribou and moose, that seems like an awful high ratio
47 for what's needed.

48

49 MR. GALIPEAU: Well, that's a little harder one to

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answer, and that gets back to trying to manage for some naturalness. You can drive that bull/cow ratio as low -- some people as low as you want, but others would say at what point when are you always mining your bulls and you're no longer trying to keep some sort of a natural balance. Now, we're making a stab at it right now as being 35 bulls per 100 cows. The -- when you look at some of the old management objectives for this herd, at one time they said 40 was the management objective, then it got changed to 35 as the population started to decrease, then it got changed again. And that's happened with other herds. We're trying to fix on one number and be as consistent as possible.

13

14 The other thing you need to keep in mind is this plan needs to come up for review whenever people find it necessary. 15 Because we're -- this is an experiment here, it's not like 16 let's shoot for a target population and then harvest. We're 17 basing it on productivity. So we want this plan to be very 18 dynamic and take local input and see hey, is this thing working 19 or is it not working. But the thing is what it's doing is it's 20 finally tying the Park Service down to some management 21 objectives to manage that herd by -- for harvest purposes.

23

24 MR. EWAN: Are there any more -- are you going to show 25 some more stuff?

26

27 MR. GALIPEAU: Yeah, I have

28

29 MR. EWAN: (Indiscernible) back there because I want to 30 talk about (indiscernible)

31

32 MR. GALIPEAU: Yes. Yeah. I can give you the mike, 33 Roy.

34

35 MR. EWAN: That's okay.

36

37 MR. GALIPEAU: Okay. So what does that look like 38 story-wise? The axis you can't see, the vertical one is 39 number of caribou harvested, is if we were to put this plan in 40 place now, how would it result with past harvest trends. And 41 you can see the solid circles, the ones that are colored in, 42 that's the historic harvest that occurred. Now, what we're 43 shooting for is 15 -- between 15 and 20 percent of the 44 productivity. So if you look during the years in which the 45 population was higher, which is around 85, you would see that 46 we would be -- we would react so that you would probably 47 harvest at a little lower level. But as you come down, as the 48 population starts to decrease, you can see where we could be 49 more liberal in our harvest based on the season.

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1
 2 So in '91, when we proposed to close the hunt, see it's
 closed in '92, zero harvest, if this plan would have been in
 place in '92, we really should have had an open harvest on that
 year. And we would have been premature in closing it. And
 then of course, there we are now in '93 and '94. So we feel
 real comfortable that with 15 -- between 15 and 20 percent of
 our annual calf productivity, we have more than an average of
 90 calves, you apply it and your harvests will be very similar
 to historic times.

11
 12 (Mr. Henrichs rejoins proceedings)

13
 14 MR. GALIPEAU: Okay. Now, let's get into Objective 2
 which is now how do you allocate harvest among the users. The
 plan's not complete (ph) you just say how you're going to
 determine when you open a season or close a season, but now how
 do you allocate it. So we look at the fall hunt, when the
 annual quota is greater than 70. So if we've decided, sitting
 down with our pens and papers and the information that Fish &
 Game and the Park Service collects, that you can take 70 --
 greater than 70 animals, we feel pretty confident that both the
 Federal and State season can occur simultaneously on this herd.
 Now, if the quota is below 70 animals, we feel that that
 should be directed solely toward Federal subsistence hunters.

26
 27 Now, how do you figure out 70? That's sort of a
 strange number. But what we took was during the years of the
 permit hunts, we took an average of how many local hunters
 actually hunted in that area, and then their success rate. And
 it came up with about 70 was the potential number of suc- -- of
 animals that would be taken out to meet subsistence -- local
 subsistence needs. So that's explained in the plan, how we
 came about the 70 number.

35
 36 Now, if you look down at (C), when the quota is less
 than 30, then we feel we have to move into what we call the
 Section 804 process which is how do you allocate the limited
 resource. How do you come up with 30? Well, when we ran the
 Federal subsistence hunts and we handed out the permits, we
 found that with all the permits we handed out, we still could
 not get a harvest of 30 animals. And we handed out about 150
 permits in the two years we ran that hunt. And we still only
 got -- we never reached the 30 bag limit. So we felt that at
 that time, 30 would be the cutoff point; anything lower than
 that, we'd be forced into this 804 process which would be to
 meet those three lower criteria, customary and direct
 dependence, local residency and availability of alternate
 resources.

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2 So you see, you got three steps; 70 and above, anybody
3 hunts; 70/below, Federal subsistence only; 30/below, sort of
4 like the old Tier II but the 804 process. Yeah, Lee.

5
6 MR. BASNAR: Under (A) a State authorized hunter, am I
7 right in assuming that's a Tier II allocation?

8
9 MR. GALIPEAU: That would be up to the State how they
10 do it. It's really going to depend how

11
12 MR. BASNAR: Well, what was it used in your compilation
13 here?

14
15 MR. GALIPEAU: It was -- I'm not sure. Bob -- Jim, did
16 Bob ever do a Tier II or did he just do registration permits at
17 that time?

18
19 JIM: (Indiscernible) Tier II hunting was never
20 (Indiscernible - away from microphone).

21
22 MR. GALIPEAU: That's what I thought. It's never been
23 Tier II. The local area biologists did registration hunts and
24 that's how we were able to collect that data.

25
26 Okay. Now, let's move into the part of the plan that
27 gets a little stickier, and that's the winter. What happens
28 during the winter. As all the local folks would know, the
29 Mentasta Caribou Herd is primarily in the fall and its calving
30 grounds are all within Wrangell/St. Elias National Park &
31 Preserve. In the early '80s, the herd used to winter off the
32 end of the Nebesna Road. Well, since that time, the herd has
33 decided to move much more broadly. And now, in fact, there's
34 quite a bit of the Mentasta Caribou Herd sitting over in
35 Canada. So this hatched area actually shows the -- where the
36 herd now winters, and then this dotted line shows you where we
37 have actually radio collar tracked caribou in the last couple
38 of years, as high as that spread.

39
40 Now, why does this get more complicated during the
41 winter? Well, because where does the Nelchina Caribou Herd
42 winter? That hatched area, that area where that larger circle
43 is. Where does the Forty Mile winter sometimes? The same
44 area. So what -- and sometimes, even the Shusana Caribou Herd
45 will move up into that area. So now we've got all these herds
46 coming together and a great need for people to want to hunt in
47 the winter on that herd, the combined herds I should say, not
48 by one given herd.

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1 So during the winter hunt, what we still feel that
2 whenever we are setting a low bag limit or a zero bag limit
3 like it is now for Mentasta caribou in the fall that our intent
4 is still to have zero caribou taken -- Mentasta caribou taken
5 during the winter hunt. But how realistic is after the
6 National Park Service -- when there could be up to 20,000
7 caribou sitting in Tetlin Refuge and outside of Northway for us
8 to say close the hunt when there's 20,000 animals sitting
9 inside somebody's backyard.

10

11 So we worked with Fish & Game to try and figure out how
12 we allow a winter hunt to occur and minimize all impacts on
13 the Mentasta Caribou Herd. And we've been working with the
14 local area biologist, Craig Gardner, to look at mixing ratios.
15 Like this year, we had as many as 1 to 33 -- one Mentasta
16 caribou for every 33 Nelchina caribou that were present. We
17 feel when you get as high mixing ratio, the chances of taking
18 the Mentasta Caribou Herd are so low that we can still protect
19 that herd and provide for a winter opportunity, and that's both
20 the State hunt and a Federal subsistence hunt within Tetlin
21 National Wildlife Refuge.

22

23 The way we do this is that we -- the managers meet
24 annually to discuss the incidental harvest based on the ratio,
25 what could potentially happen if, for instance, they end up
26 shooting Mentastas, you know, if that happens to be the animal
27 that gets targeted even when you have that mix, what's the
28 potential take that could happen? We're not endorsing that
29 take, we're just trying to get a handle on what could possibly
30 be taken with this mixing. We can adjust the seasons.

31

32 Really, this is where Fish & Game has a much better
33 handle on being able to do things quicker, 'cause they can
34 adjust their season opening dates, they can also adjust the
35 length faster and better than we can, than the Federal system.
36 They can also adjust the bag limits faster than we can, and
37 the hunt area. The local area biologist can -- if he finds the
38 Mentasta's predominantly in one drainage, he can close it. We
39 can't do that, mainly 'cause it's not our land to start with,
40 but the local area biologist can designate and break that area
41 up a lot easier than we can.

42

43 And the real key is adjusting the total harvest that's
44 based on the mixing of the herds. The smaller the State take
45 and the higher the mixing ratio, the less chance that
46 Mentasta would ever be taken.

47

48 And that pretty much sums up our plan. You know, I
49 just want to throw this back up to you one more time the key

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points and how you would figure this out. The criteria you need to open the hunt again; and I think that's what we're all shooting for, including myself 'cause I want to see that hunt open again before I leave, if possible; if the two year mean fall calf recruitment is greater than 80 calves, then you open the hunt. It doesn't matter what the population size is, you open the hunt.

8

9 And what we're asking you today is question this plan, and we'd like you to consider endorsing it, endorsing it with conditions, or not endorsing it, but we'd like to get something on the record to take to the Federal Board. So we can move this plan forward and have some clear objectives in place for how we're going to manage the Mentasta Caribou Herd for harvest opportunities in the future. Thank you very much.

16

17 MR. LOHSE: Question. What was the recruitment this fall?

19

20 MR. GALIPEAU: Calves, total calves?

21

22 MR. LOHSE: Yeah.

23

24 MR. GALIPEAU: Sixty-five.

25

26 MR. LOHSE: Sixty-five calves this fall?

27

28 MR. GALIPEAU: Yes. The year before -- the year before, the calf recruitment was 22, and the year before that I believe it was also -- it was low also, I think it was in the 20s.

32

33 MR. LOHSE: Have you got any explanation for the greater recruitment this year?

35

36 MR. GALIPEAU: I can't speak statewide. No, I can't. We had about the same number of wolves and bears out there. Perhaps, we had a easier winter, which is what we suspect, so the calves came out maybe with better fitness and were able to survive. But we have a research project going on right now trying to understand the total mortality picture. There is somebody else in the audience, Jim Lieb with Fish & Game, who's worked on that herd. And if any time, Jim, you feel you need to add something, feel free to do so.

45

46 MR. LOHSE: So basically, though, you didn't have any major change in predators or anything on that order?

48

49 MR. GALIPEAU: That's true.

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2 MR. LOHSE: Can I ask one other question?

3
4 MR. EWAN: Yes, go ahead.

5
6 MR. LOHSE: With this winter ground mixing, how
7 confident are you that you then don't have mixing on the summer
8 grounds? I mean how confident are you that genetically the
9 Mentasta Herd is a genetically pure herd or does it come back
10 with some of them straying someplace else and other ones
11 straying in the Mentasta Herd?

12
13 MR. GALIPEAU: Okay. I'll take a crack at that first,
14 and then I'll ask Jim if he has anything to add. But
15 genetically I'm not sure much work has been done on them. My
16 understanding is that herds are determined by their calving
17 grounds. We are calving -- collaring primarily cows, and the
18 Park Service has not collared any cows that have gone and
19 calved on somebody else's calving grounds. So we feel pretty
20 confident with that. Now, Jim's looked at that herd earlier in
21 life, and Jim, do you have any other information? Earlier in
22 life meaning maybe six years ago.

23
24 MR. LIEB: Mr. Chairman, my name is Jim Lieb. I'm with
25 the Alaska Department of Fish & Game, Division of Wildlife
26 Conservation, I'm stationed here in Anchorage. And to answer
27 your question about the Mentasta Herd, I've worked on that herd
28 throughout the '80s. I was stationed at that time in
29 Gennallen, and I did an intensive study on reproduction and
30 calf mortality during the period 1986 through 1990. And we had
31 radio collars on the average of about 35 to 40 cows each one of
32 those four years. And we collared different aged animals all
33 the way from adults down to yearling females, just females, and
34 basically radio tracked them throughout the year, intensively
35 during the calving period; and we would have basically radio
36 locations on those animals every day.

37
38 And during that four year period, we had one animal
39 that we collared as a calf that we were reasonably confident
40 this was a Mentasta animal, and it spent its first year of life
41 in the Mentasta summer range, calving in the summer range. And
42 then the second year, it moved off to the Nelchina range. And
43 basically, the bottom line answer here is that there's
44 apparently -- there's substantial evidence that there is a very
45 small percentage of interchange between those two herds. But
46 for all practical management purposes, it's so small that we
47 consider those to be intricately separate herds that have
48 animal interchange.

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1 MR. EWAN: All right. Any other comments or questions?
 2 Myself, I have -- you know, I live in that area, but I'm
 3 pretty familiar with what's going on over there; in fact, I
 4 hunt over there. I have hunted for over 10 years over in that
 5 - in a row here in that particular area. I know what's
 6 happening over there. Your caribou is on the decline, I've
 7 been saying that to the National Park Service, BLM, everybody
 8 else that will listen that I thought the wolf population was
 9 increasing at a alarming rate over there and doing a lot of
 10 damage to the population of the caribou and moose.

11

12 Where I hunt was called the Moose Camp, it's not really
 13 a moose camp any longer, just -- there's just a few moose left
 14 in that area. Years ago, there used to be a lot of moose in
 15 that area. Now, so many packs of wolves moved into the area
 16 and I guess it's wiped -- are wiping them out gradually, in my
 17 opinion.

18

19 I think a very important issue here that wasn't
 20 mentioned very much is that the impact of the predator. And if
 21 you are going to close hunting in that area -- propose to close
 22 the hunting, which I oppose, I think people in that area ought
 23 to be allowed to hunt just as the wolves are allowed to hunt,
 24 you know. I think you're allowing the north end (ph) in winter
 25 and that, to me, I don't know, that's kind of fuzzy statistics.
 26 Jim, it sounds to me like it's not really scientific. Maybe
 27 there's one in so many taken, maybe there are more, I don't
 28 know. I'm just, you know, an outsider looking at your
 29 statistics. I don't know.

30

31 I kind of wonder why we in Gulkana, Copper Center --
 32 and we're talking about a number of communities that are going
 33 to be effected. I know that there's not that many people
 34 hunting in that particular area but those that do hunt over
 35 there want to continue to hunt -- be allowed to hunt because
 36 we're not really addressing the problem really, total overall
 37 management problem of wolf control. We're letting the wolves
 38 go and killing off a whole bunch of caribou calves, why don't
 39 we allow the local subsistence hunter to continue to hunt. It
 40 doesn't seem to me like the caribou will become extinct in the
 41 area. I think once the wolves are out of the way, the caribou
 42 will move back into the area. Now, maybe my logic is not real
 43 good management thinking from the biologists' standpoint, but I
 44 know this is the subsistence users' thinking.

45

46 We had, let's see, three people in my office last week
 47 talking about this that have extensive experience in that
 48 particular area. And they all say we should continue having a
 49 hunt in the future, maybe to a lower number; when we get to a

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certain number, say about 500, maybe then if we cut off. But you still have you say over 700 some animals over there. If you're going to allow wolves to continue killing those, I think you ought to allow 30 -- at least 30 bulls so -- or you know, maybe some number close to that for the people that use Unit 11, my opinion.

7

8 Anybody else? Lee.

9

10 MR. BASNAR: Yes. At what point does the herd crash to the point to where it's beyond recovery possibilities?

12

13 MR. GALIPEAU: Well, my -- just my knowledge on that is that hasn't been shown that that happens. There's some caribou experts who would say that you hear about the so-called predator pits, that caribou cannot be kept in a predator pit, they can get out of it. That's not true for moose, they can be kept at very low numbers with high wolf populations or bear populations. So we don't know where that point is on how long it may go before it actually turns back around. You know, there's some sign that it maybe is turning around now, but this would be a fluke year. They're having another fairly easy winter temperature-wise, but snow-wise it's fairly deep again this year. They may be having another hard winter. So we don't know what our recruitment will end up as this year.

26

27 MR. BASNAR: Would you consider that number that you've 28 I don't have it in front of me. What's the number of the herd -- no, you're talking calf recruitment. You don't care what the numbers are, you're talking strictly calf recruitment. Okay. Do you consider that number to be a conservative or a fairly liberal number?

33

34 MR. GALIPEAU: Well, actually it's still probably within the range of being conservative. We actually started higher in the National Park Service with saying 100. And then working with Fish & Game and their biologists, they had convinced us that lowering it down to 80 was a very viable thing to do. But as you start going lower and lower, you start then taking out more and more of your capital that's there. So, you know, we're not trying to target a population level, we are trying to allow the population to fluctuate naturally. So do that, you can't have a targeted number of caribou you want to manage for. We wanted to go up and down, that's the Park Service's policy and those are the mandates in which we work by. Now, what we want to be able to do is say when humans should come back into that picture so humans aren't driving that population. A little different than the other conservation units, they don't have those mandates.

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1
2 MR. BASNAR: I guess I share Roy's concern on this wolf
3 situation where we're managing the hell out of the people but
4 we're not doing much about the wolves.

5
6 MR. GALIPEAU: That's -- you know, the -- you're right.
7 We're not doing much about the wolves as far as going in and
8 doing predator control. And you're not going to get that in a
9 National Park. But there -- you still have some of the most
10 liberal seasons on the books for wolf take. Now, there are
11 some restrictions. You can't access by aircraft, you can't do
12 aerial hunting, things like that.

13
14 MR. BASNAR: Shit.

15
16 MR. GALIPEAU: Well, see that's the thing is everybody
17 wants to hunt caribou with a plane, too, and everybody wants to
18 hunt caribou using ATVs. They'll use every mechanism to hunt
19 those caribou but when it comes to using all those other
20 mechanisms, you know, for wolves, they're not going -- people
21 don't go out of their ways to trap wolves any more. You know,
22 it costs them too much time and effort to go do that. And I'm
23 not saying that, you know, they can do it any better if they
24 even put more effort into it. Most of the wolf trapping that
25 occurs is on the Nebesna Road or on the Copper River. If
26 trapping was to begin up in the calving grounds, it may show
27 some benefits, but that's a lot more effort that's going to
28 have to be put in place. And the law ties our hands, we cannot
29 allow aircraft access into parks for subsistence reasons to do
30 things.

31
32 MR. BASNAR: Law or regulation?

33
34 MR. GALIPEAU: Well, regulation is founded in law. You
35 cannot develop regs without having law to base it on.

36
37 MR. BASNAR: Well, if you allowed aircraft access to
38 the Park to hunt wolves and turn the McMann brothers loose in
39 there, you might help the Mentasta Caribou Herd.

40
41 MR. GALIPEAU: There's no doubt

42
43 MR. BASNAR: That's the solution.

44
45 MR. GALIPEAU: that it could.

46
47 MR. BASNAR: But

48
49 MR. GALIPEAU: But it's not legal.

50

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1
2 MR. BASNAR: you know, here we are trying to work
around -- we've built a fence for ourselves that we can't jump
over, but these people still have to eat.

5
6 MR. GALIPEAU: Yeah. And that is true.

7
8 MR. BASNAR: I don't know.

9
10 MR. GALIPEAU: But the other thing we'd like to keep in
mind is yes, those people have to eat, and yes, they should be
able to hunt some of their traditional grounds, but that isn't
just the traditional grounds of the people who hunted in that
area. The Nelchina hunting grounds were also the traditional
hunting grounds of the people of the Copper Basin, and that
herd is 40 some thousand animals. And on BLM land, as small as
it may be because of the State selections, you can take two
caribou on those lands. And they are road accessible on some
of those lands. So there are some alternatives there that we
don't always have to keep focusing on every wildlife population
that's out there.

22
23 MR. EWAN: I was just going to say when you mentioned
the Nelchina Herd, that you can join the circus you could say
over there, really.

26
27 MR. GALIPEAU: Well, you can but then you also
got

29
30 MR. EWAN: In the falltime, it's -- the local people
hardly ever go into Eureka area now of areas that they go to
because of the impact from Fairbanks and Anchorage.

33
34 MR. GALIPEAU: Um-hum.

35
36 MR. EWAN: What we're talking about is Unit 11 where we
have -- the local people probably have a better chance of
getting something because Native corporations have land over
there, 600,000 acres inholding, we cannot hunt on our own land.
What makes it very tough for me to swallow. And like I say,
the Nelchina Herd, they're just -- traditionally, we're not
used to having everybody under the sun hunting with us. We
grew up where, you know, we had a lot of room. And that is not
the way I like to hunt, to where 10 four-wheelers are lined up
going down the road to hunt. That, to me, is dangerous and not
likely to get anything. These guys are so competitive from the
urban areas that they're going to beat you out there one way or
another.

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1 I mean, I'd like to see a limited hunt in that area for
2- I don't know how you pick them, that should be something
3 that should be discussed somewhere down the road. But I hate
4 to see it closed and to be closed for a long time. In my
5 opinion, if you let the wolf population continue to increase
6 the way they have, it's just a sanctuary for wolves over there
7 is what it is. They -- even if the Nelchina Herd reinforces
8 the Mentasta Herd, it's just more food for the wolves, nothing
9 for the subsistence users of that particular area. That's it.
10

11 MR. LIEB: Mr. Chairman. I'd just like to point a
12 couple of things out to you is the principal mortality factors
13 on that herd occur during the summertime. We've monitored the
14 mortality very carefully. And the reason the herd is declining
15 and has been declining for seven years now is because of the
16 mortality on the summer range, from calving period through the
17 early fall. The mortality that occurs on that herd in the
18 wintertime doesn't appear to be substantially any different
19 than what occurs on the other herds during the wintertime.
20

21 The -- these animals, the available evidence definitely
22 points to these animals are in a predator pit, and that's just
23 a simple function of the ratio of predators to prey. And there
24 really is no evidence to suggest -- you know, we can't predict
25 with any absolute certainty what may happen over the next year
26 or two. But all the evidence that we do have definitely
27 suggests that that population is in a predator pit. And
28 there's no reason to expect that that's going to change in the
29 near future. You know, it will probably -- those ratios are
30 going to remain, and there's no reason to expect that those
31 animals are going to increase in the near future. I'm
32 basically not specifically familiar with this plan that Russ
33 has described to you today, but just taking a quick look at it,
34 it suggests to me that it's not going to come into play as a
35 mechanism for allowing a substantial harvest off of that herd
36 in the near future.
37

38 MR. EWAN: Ralph.
39

40 MR. LOHSE: When you talk about the majority of the
41 predation or the majority of the mortality takes place between
42 calving and fall, is this -- this is joint predators? Then in
43 other words, what we're saying is we have a number of different
44 predators that are affecting the summer grounds, everything
45 from wolverine to bear to -- what is your inclination or your
46 you know, what's your feeling as to what the nature of
47 predator is on our calves, for lack of a better way of putting
48?

49
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1 MR. LIEB: Okay. There's basically been two series of
2 studies that have been done on these herds. During the period
3 I worked there, we did not collar neonates, new calves.

4

5 MR. LOHSE: Um-hum.

6

7 MR. LIEB: And so we basically -- we had a fair amount
8 of empirical evidence but in terms of exact evidence of what
9 killed which animal, we had very little evidence to that. Just
10 in terms of observations of wolves and bears and movements of
11 wolves and bears from prior to the calving period to the early
12 portion of the calving period till the end of the calving
13 period, the empirical evidence suggested that there was a
14 movement of predators onto the calving ground shortly after the
15 initiation of calving. And you could actually see increase --
16 the observations of these animals increased through the calving
17 period. And so roughly speaking, you know, I would say that
18 the principal species that we're talking about here are wolves
19 and bears.

20

21 After I completed my study, there was another study
22 that the Park Service did in which they went back in there and
23 put collars on neonatal calves. And possibly, Russ might want
24 to address some of the results of what they observed.

25

26 MR. GALIPEAU: Well, Jim is right, you know, that's the
27 two primary predators, and it's running around 60 percent are
28 wolves and then 40 percent are bear. There's some incidental
29 wolverine and some golden eagle but they're a small part of
30 that.

31

32 The other thing that's in the plan, that 80 calves is
33 with the fall. It's looking at calves in the fall.

34

35 MR. LIEB: Survival.

36

37 MR. GALIPEAU: So -- right. So when I said we had 65
38 calves out there this year, that was those who made it through
39 the summer, made it through the primary period. And we have
40 found that those that make it through that primary predation
41 trap in the summer make it through the winter. So you know,
42 that's where there's some conservativeness built in is, you
43 know, we're making sure that we've protected that. And we are
44 starting to see some better productivity.

45

46 I cannot disagree with what Jim said, you know, it
47 could be down there and you may not be harvesting for a number
48 of years. The question is on this plan, though, you know,
49 unless you want to look for areas to loosen up some of the

50

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numbers, is we're not arguing whether a season should be opened or not on this plan, it's the mechanism in which we would then put it in place.

4

5 MR. EWAN: Russ, I know that you probably didn't want
6 to talk about it, but I think Jim wanted to see you answer some
7- or expand on your research on the predators over in that
8 area.

9

10 MR. GALIPEAU: Okay. I thought I had addressed that.
11 Jim was asking more up to date, and we feel it is about 60
12 percent of the newborns are being taken by wolves and 40
13 percent -- based on our collared animals that have been killed,
14 you know, within one to two weeks after being born, and then
15 about 40 percent by bears. And that fluctuates, you know, it's
16 really going to depend where that calf was born. And we get on
17 them within 24 hours after being killed. So we can pretty much
18 determine right then and there. And the signs -- and I think
19 Jim will agree with this, the signs of a dead caribou or a dead
20 young, it's pretty evident what ate it. You know, if it's
21 nothing but little chips, it's a bear; and if you've got some
22 carcass left behind, it's pretty much always a wolf, and a wolf
23 usually is burying the carcass also.

24

25 MR. EWAN: All right. Lee.

26

27 MR. BASNAR: Is the calving ground of this herd
28 primarily in the Park or is it outside the Park?

29

30 MR. GALIPEAU: It's all in the Park.

31

32 MR. BASNAR: All in the Park.

33

34 MR. GALIPEAU: Yeah. Part of it extends into the
35 Reserve, but it's also with the National Park Service lands.

36

37 MR. BASNAR: If you -- I'll throw one from way out in
38 left field at you. Have you ever considered opening up a
39 trapping season? I know the pelt's no good at that time of the
40 year, I know all of those arguments but how about opening a
41 trapping season to some local concerned people on the calving
42 grounds, if the predators move in at that particular time? As
43 said, that's out in left field but

44

45 MR. GALIPEAU: Well, I don't know if it's in left
46 field. I think for trapping, you know, maybe the seasons are
47 pretty well tied. Subsistence users I don't think have a
48 customary and traditional use of trapping in the summer, so
49 that'd be tough to justify that. But you can hunt wolves still

50

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in the summer. And I don't know what the season is on that
offhand. We'd have to look in both State and the Federal.

3

4 MR. LIEB: (Indiscernible - interrupted)

5

6 MR. GALIPEAU: Is it?

7

8 MR. BASNAR: The 1st of September I think.

9

10 MR. LIEB: Through April.

11

12 MR. GALIPEAU: It's through April? September through
April 30th is what Jim says.

14

15 MR. BASNAR: Well, we seem to not have a problem
dealing with the wolf situation; i.e., we leave the wolves
alone, no problem.

18

19 MR. GALIPEAU: Well, remember, they're not left alone.
They're left alone in the means in which most people would
like to take them, which is through either bounties, as some of
the newest stuff has come out on, or aerial hunting or land and
shoot. And those are things that aren't being allowed on
National Park Service Lands. You can still hunt and trap
wolves on National Park Service lands, you just can't use the
means that most people feel are the most effective ways to get
them.

28

29 MR. EWAN: Okay. Jim.

30

31 MR. LIEB: I guess just in case there was possibly some
misunderstanding, I'd like to make one further clarification
about this mortality. When you describe the mortality on this
herd during the summer time, or from calving through fall, and
then you look at the mortality on the herd during the winter
period, there's mortality on the herd during the winter period,
but the difference is that when you come up with a numerical
percent mortality during the wintertime, there's no difference.
It's approximately within one percent point or so of the same
mortality that occurs, for instance, on the Nelchina Herd.
It's -- when you look at the mortality in this other period,
you know, it's substantially higher than all the surrounding --
well, not all the surrounding herds but the Nelchina Herd.

44

45 MR. EWAN: All right. I think I had my say on this. I
would like to see local people able to hunt even if it's on a
limited basis before I would support this plan. It looks to me
like there's a long-term closure here is what it looks to me
like.

50

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1
2 Any other question or comment?

3
4 MR. GALIPEAU: Mr. Chairman.

5
6 MR. EWAN: Lee.

7
8 MR. GALIPEAU: I would agree with what you said, it
could be a few more years, it could be many years before it
opens. But if we can't come to some agreeance on how we would
open that season and when, then we're always going to be in
this bind. You know, the agencies feel that this is a workable
plan. So if -- you know, if you're saying -- suggesting we
should lower all those numbers and allow hunting now -- and
which the agencies, my understanding is the Park Service
definitely, Fish & Game and I believe the Fish & Wildlife
Service's Technical Subsistence group, all agree that hunting
should not occur on that herd right now.

19
20 MR. EWAN: Any other comments? Lee.

21
22 MR. BASNAR: Mr. Chairman. A lot of people that have a
hell of a lot more expertise than I do have worked hard on
this, and that was a good presentation to us. I followed it
right down the line. So I can't sit here and second guess the
professionals and

27
28 MR. EWAN: I could. One -- let me tell you, Lee, the
State will support it sure because they have a shot at it at
the north end, they are the best case scenario. They open it
up in Unit 12 up there, wherever they cross the line, get into
State lands. Well, they don't care if it's closed over there
because they don't have lands over there anyway.

34
35 MR. BASNAR: You know, what I was going to say,
Mr. Chairman, was I don't have the expertise to second guess
these people. However, to finish my statement, I think that
we've looked at the caribou, we've already decided
legislatively that subsistence users do have a priority and do
have a history and a tradition, but you haven't addressed the
problem. The problem is the fact that predation appears, in
your words, to be the real problem. It's not hunting pressure,
apparently.

44
45 If predation is the problem, I like your plan as far as
46 goes, but I think you need to expand upon the plan to
47 include predation. I understand the National Park policy and
48 but. damn it, I understand people policy too. And I would
49 suggest that we -- that you revisit that in some fashion,
50

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Whether it takes a recommendation from us that the regulation be changed to allow some sort of predator control. And I know what this is going to do with friends of the wildlife and all this stuff. But you know, I'm talking about people here.

5

6 MR. GALIPEAU: Yeah. Mr. Basnar, it would take -- it would upset probably more than just friends of wildlife 'cause Congress would have to authorize single species management so that you could always manage for one species to benefit other species especially for some consumptive use. So it's a lot more detailed than that. If it was just the friends of animals, the Park Service has gone to battle with them on many other cases. But it really would involve possibly congressional action on this.

15

16 MR. BASNAR: Well, if -- the Congress took action with ANILCA and they realized customary and traditional uses by tribal people of these resources and here we are managing all around the issue. The issue is wolves and bears. So, you know, I don't know where to go with this, I'm not that smart.

21

22 MR. GALIPEAU: I don't know.

23

24 MR. BASNAR: I like your plan to a point but I don't think it goes far enough.

26

27 MR. GALIPEAU: Well, I wouldn't say that you're not a smart man. There's -- we've come -- we've both come up to a wall, you know, and it's just the Park Service has certain mandates it has to meet and until those mandates could be changed, it's not whether you're smart or our (ph) smart, there's no way to get around it.

33

34 MR. BASNAR: Well, then we're wasting our breath, I guess.

36

37 MR. EWAN: Okay. Any more questions or comments? Have we -- we've talked this subject long enough here.

39

40 MR. GALIPEAU: Well, please feel free at any time to call me or anybody on my staff if you want to discuss any parts of this or how can it be worked out, call us.

43

44 MR. EWAN: Okay. Jim, did you have another comment? I thought you did.

46

47 MR. LIEB: I guess the only other thing I'd like to point out is I'm basically here to basically help you if you have any questions answered, both in terms of this concern or

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Other questions about -- come off of some of the other regulations that you're going to be addressing here this afternoon or tomorrow.

4

5 MR. EWAN: Okay. Thank you. I would like to reserve a later time for any recommendations from the Council, is that all right?

8

9 UNIDENTIFIED VOICE: Yeah.

10

11 MR. EWAN: Yeah. We'll move on, thank you.

12

13 MR. LOHSE: Can I make one comment though,
14 Mr. Chairman?

15

16 MR. EWAN: Pardon?

17

18 MR. LOHSE: Mr. Chairman, can I make one comment?

19

20 MR. EWAN: Yeah. Yes.

21

22 MR. LOHSE: You know, the one thing we have to remember
23 that while ANILCA does address the subsistence and customary
24 and traditional for rural and non-rural -- I mean rural Native
25 and non-Native residents of Alaska, we're still under the
26 mandate that the game has to be managed for sustained yield. I
27 mean we can't make decisions that are biologically unsound.
28 And certain parts of this decision are -- we're incapable of
29 making. The predator control one, we're incapable of making on
30 National Park Service, despite the fact that we want access.
31 And that's basically what this proposal does is it says that on
32 Park Service land, they will manage it to provide a hunt if at
33 all possible.

34

35 MR. EWAN: And on Native land.

36

37 MR. LOHSE: And on Native land. But I mean just the
38 fact that the Park Service in this plan is mandated to do
39 something that they've never been mandated to do before which
40 manage for hunting seasons, which is out of the Park
41 Service's normal realm, but they still can't make hunting
42 seasons if there is not sufficient animals to support it. You
43 know, we have to manage, first, for the animals and then for
44 the people.

45

46 MR. GALIPEAU: Well, Mr. Lohse, I'd take it one step
47 further is in the law it says that on National Park Service --
48 National Park lands you will manage for natural and healthy
49 conditions. Natural. Natural is what we feel this plan

50

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addresses, naturalness. So you still have to have healthy conditions on most other conservation areas, and that allows you a little bit more flexibility. But on parks, naturalness is still a big component. And I think your point is very much true, is the mandates for the Park Service don't say the purpose for the National Park Wrangell/St. Elias is subsistence. The purposes were other reasons, but subsistence may continue and also sport hunting opportunities.

9

10 MR. EWAN: So human hunting is unnatural?

11

12 MR. GALIPEAU: Is human hunting natural?

13

14 MR. EWAN: Yeah.

15

16 MR. GALIPEAU: To a point that it is, and that's what we're saying is when it starts driving the system, though, under our reading of it, is when we have got to put an end to it is when the human is always driving the system.

20

21 MR. EWAN: Lee.

22

23 MR. GALIPEAU: The other balance you're getting into is if you're always putting all the emphasis on the subsistence hunter is then is there ever room for the sport hunter again. Because if you ever allow to where you got the numbers up and then everybody is starting to drive that population, then you're saying that the subsistence people have use of those animals on conservation service areas. And I'm not sure that's what we all want to say.

31

32 MR. BASNAR: Do I understand you want to walk away from this now and come back and revisit it or is this the

34

35 MR. EWAN: I don't think we'll -- we'll just go back and forth here. I don't think -- unless you want to make some recommendations right now.

38

39 MR. BASNAR: Well, I think perhaps I will. We're getting nowhere. The status quo is not getting us there, right?

42

43 MR. EWAN: Do you want to hear Jim's comment here first?

45

46 MR. BASNAR: I'm sorry, I didn't know he was making one.

48

49 MR. EWAN: Yeah.

50

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1
2 MR. LIEB: Yeah. I don't know if this would help you
at all. But I would point out to you that if this was a herd
that was on State land and we were managing it and we had -- we
were the sole administrative authority over that herd, and we
were managing it, the first thing we'd -- we would have a
management plan with management goals for that herd. And this
is what we do throughout the state. And if that -- for
whatever reason, if that population ever went below that
management goal, we would probably -- the hunt would be
stopped, it would be closed, there would be no season.

12
13 And -- but the additional points you have to recognize
14 that part of this process for the State is when it's a State
hunt is that we would, at that point, initiate a management
plan to resolve the problem, to get it back to the point where
we'd once again be able to open the hunting season.

18
19 MR. BASNAR: Thank you. Well, to continue my comment,
20 think the status quo is not good. You're not hunting now.

21
22 MR. EWAN: Haven't for

23
24 MR. BASNAR: So I would propose that we give this plan
25 chance. What the hell, it's better than the current
situation, perhaps, and I doubt if it can get much worse. At
least there will be a plan in place if -- I don't think it's
going to increase the caribou, but if the caribou ever do
increase, at least there's a plan so that you get a crack at
them. We don't know what would happen without this plan in
place if they increased to a point where you feel there's a
harvestable surplus.

33
34 So in -- for lack of something better in place, I would
move that we support this plan.

36
37 MR. EWAN: There's a motion, is there a second?

38
39 MR. LOHSE: I'll second the motion.

40
41 MR. EWAN: There's a motion second. Further discussion
42 the motion?

43
44 MR. BASNAR: I think it should -- Mr. Chairman. I
think we should also express our concern to the Board, if we do
end up -- if the Council ends up supporting this thing, that
we're not real happy with the situation. But that we're
willing to at least go this far in support of something that
may occur down the road if the population recovers. But the
50

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real problem has not been addressed, and I think the Board needs to know that.

3

4 MR. JOHN: I've just got a question that's been nagging at my mind for -- while we're discussing caribou. When it started declining, did you say that you don't think people were involved or human beings, huh?

8

9 MR. GALIPEAU: Mr. John, we have no evidence that would point that hunters drove that population to where it is today.

11

12 MR. JOHN: Well, you know, I grew up here in Alaska, and I seen it over in the Eureka area and different area along the Nebesna Road when there were so many caribous, and I haven't seen it, you know, lately. And to me, I say there's a increase in population and especially after the decline was after that big State open -- when the State opened its swamp area in Slana for homesteading, you know. And all of a sudden everybody down in that area started wearing caribou skin mukluks, you know, around. And to me, that was one of the reasons for the decline. I'm just saying this by observation. And I don't know if it's only the bears and the wolf. It seemed like human population increasing in areas have a lot to do with it, too.

25

26 MR. GALIPEAU: Well, as I said, I don't think we have anything firm that could say that, that humans have really given it. And just to sort of clear the record, there may have been a land disposal that was State, but there was also a big Federal land disposal there, too.

31

32 MR. JOHN: Yeah.

33

34 MR. GALIPEAU: And that might be the one you're talking about.

36

37 MR. JOHN: I was just making an observation.

38

39 MR. LIEB: Yeah. About all I could add to that is to point out that we monitor the harvests. You know, we've been monitoring it for 25 plus years now under a drawing permit system going back to the mid-'70s. And the harvest has ranged between three to five percent, the hunting harvest on that herd during that period right up until when it began to decline in 1986. And since that time, there was a gradual reduction in the number of permits that were issued for that herd. So the actual percent harvest on that herd declined from that average three to five percent down from that point on to two percent and then one percent and then something less than one percent.

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1 And during this time, we were getting recruitment that would
 2 range anywhere from 10 to 20 percent on that herd. So there's
 3 absolutely no evidence to suggest that hunting had any --
 4 played any role at all in the decline of that herd.

5

6 MR. EWAN: I think I just want to comment again for the
 7 record that I oppose this plan if you're not going to allow the
 8 local people to hunt in Unit 11. This is the area that I hunt,
 9 this is the area that Ken Johns the guy that was here hunts.
 10 And we're being penalized while the wolf is allowed to take all
 11 the calves and all the caribou. And they're also allowing some
 12 take up on the north end, that's kind of unfair for me because
 13 I don't hunt in the north end there. Traditionally, you go
 14 where you normally hunt. You don't go somewhere else unless
 15 I'm really starving, I guess I might go up there. But I'm
 16 going to hunt this area that I have hunted for many years.

17

18 Ralph.

19

20 MR. LOHSE: I have one other question. What is your
 21 winter mortality? I was trying to remember what that graph
 22 looked like. And you say that that mortality is in keeping
 23 with mortality of other herds. Is it in keeping with mortality
 24 of other herds with hunting pressure or without hunting
 25 pressure?

26

27 MR. LIEB: I guess I'm not

28

29 MR. LOHSE: Okay. First of all,

30

31 MR. LIEB: clear on what you're asking.

32

33 MR. LOHSE: Okay. First of all, we have a winter
 34 mortality, right? We end up with less recruitment in spring
 35 than we had going into fall, so that difference is our winter
 36 mortality?

37

38 MR. LIEB: That's correct.

39

40 MR. LOHSE: Okay. And the statement that I heard was
 41 basically that winter mortality -- the ratio of that winter
 42 mortality is the same as on other caribou herds, give or take
 43 one percent. In other words, basically that we're having the
 44 same -- that our mortality on this herd is a summer mortality,
 45 that we have a normal mortality in the winter. Is it a normal
 46 mortality of a herd that is un hunted or is it a normal
 47 mortality of a herd that has hunting pressure on it?

48

49 MR. LIEB: Okay. When I'm talking about mortality, we

50

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Break out hunting mortality.

2

3 MR. LOHSE: Right.

4

5 MR. LIEB: And it's often looked at separately. So
 we're looking at mortality from other factors other than
 hunting. And so that winter mortality that I'm referring to is
 the winter non-hunting mortality. And for that herd, it ranges
 somewhere between four and six percent mortality between the
 months of October and end of April.

11

12 MR. LOHSE: And

13

14 MR. LIEB: And that's pretty typical, for instance,
 also of the Nelchina Herd. But that also can result in, for
 instance, your fall calves, 65, they can be down to -- with
 that type of mortality, they can be down to 45

18

19 MR. LOHSE: Yeah.

20

21 MR. LIEB: come the following spring. And that
 really is your real recruitment, the following spring when
 those animals are 11 months old.

24

25 MR. LOHSE: I guess what I was asking was, you know,
 what do you feel is the impact of the winter hunt in the
 Northern Range on the Mentasta Herd?

28

29 MR. LIEB: Yeah. They're using the best system they
 can to minimize it. You know, this process of monitoring the
 radios carefully and determining the ratio from that,
 extrapolating from those radios the ratio of Mentastas to
 Nelchinas. Now, they're making a bunch of assumptions

34

35 MR. LOHSE: Um-hum.

36

37 MR. LIEB: that we have no way of knowing of
 certain whether these -- this assumption is correct. For
 instance, the assumption that the Mentastas are uniformly
 distributed among the Nelchinas. In other words, if you go
 into a little drainage and there's 100 caribou in there and the
 ratio is 1 to 30 that you've only got three or four Mentasta
 caribou in that little basin. And that may not be true.

44

45 MR. GALIPEAU: Jim's right, but keep in mind it's one
 radio collared Mentasta to 30 -- to -- it's not quite 1 to 33
 because every one Mentasta

48

49 MR. LOHSE: Represents

50

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1
2 MR. GALIPEAU: represents a very small number of
Mentastas.
4
5 MR. LOHSE: Um-hum.
6
7 MR. GALIPEAU: But every one radio collared Nelchina
may -- it may represent a thousand animals. So -- but Jim's
right, you know, it's sort of the best guess you have.
Sometimes, the Mentastas are the leader of the pack, and they
get right on over there, 'cause we have a collar right in front
and the Nelchina's right behind them. But sometimes the
Mentastas still lag behind and stay in the Park when the winter
season starts. And so what we're trying to do is balance this
out so it's we're trying to be fair to everybody. 'Cause the
Refuge is in the same predicament, they're trying to offer a
Federal subsistence hunt but they want to protect the Mentastas
too, so we're looking for a good mix that would protect that
herd.
20
21 MR. LOHSE: I guess you still didn't answer the
question, though, as to
23
24 MR. GALIPEAU: Okay. The incidental take, if we did
the math --
26
27 MR. LOHSE: Right. Thank you.
28
29 MR. GALIPEAU: if we did the math, last
year
31
32 MR. LOHSE: Okay.
33
34 MR. GALIPEAU: there was the potential that six
Mentastas were taken.
36
37 MR. LOHSE: Out of
38
39 MR. GALIPEAU: It's only a potential.
40
41 MR. LOHSE: The potential of six Mentastas taken
out
43
44 MR. GALIPEAU: And there was
45
46 MR. LOHSE: of the winter herd?
47
48 MR. GALIPEAU: Out of the winter hunt
49
50

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1 MR. LOHSE: Right.
2
3 MR. GALIPEAU: and which the State hunt was
4
5 MR. LIEB: Three.
6
7 MR. GALIPEAU: 300 animals?
8
9 MR. LIEB: Yeah.
10
11 MR. GALIPEAU: Three hundred animals and the Refuge I
12 think took an additional 50, maybe. Yeah, we're not sure what
13 the Refuge took. But that's what we calculated was there was
14 that potential that you could have lost six. We're not
15 endorsing that six.
16
17 MR. LOHSE: No. But that you feel is a fairly close
18 approximation of how many Mentasta caribou probably were taken?
19 I mean that's
20
21 MR. GALIPEAU: Yeah.
22
23 MR. LOHSE: in a general way, is
24
25 MR. GALIPEAU: Yes, that's
26
27 MR. LOHSE: But you can't say that six were taken, it
28 might have been ten, it might have been four.
29
30 MR. GALIPEAU: And it might have been 300, you know,
31 that's always a potential.
32
33 MR. LOHSE: Yeah.
34
35 MR. EWAN: Okay. There's a motion on the floor here.
36 But more comments or are we ready for the question on that
37 motion? The motion was seconded, right? Yeah, go ahead, Lee.
38
39 MR. BASNAR: Yeah, Mr. Chairman. One other comment
40 that I want to address a comment that you made. You said you
41 do have access to the Nelchina Herd, in other words, there is
42 an alternative resource. You don't like to hunt there, and I
43 certainly understand why you don't want to join the crowd;
44 well, I don't either, it's a zoo; but nevertheless, there is
45 that. It's similar to some degree to the situation in
46 Cantwell. We're not allowed to hunt in the Park using any
47 means of access other than our feet, so we got to turn around
48 and go clear out to Kantishna to take a moose. So it is an
49 alternative source, and I suppose the people in that area have
50

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an alternative source also, even though it's not the preferred alternative.

3

4 And I just wanted to make that point, and I'll call for the question.

6

7 MR. EWAN: Okay. The question's been called for. All in favor say aye.

9

10 IN UNISON: Aye.

11

12 MR. EWAN: Opposed by the same sign?

13

14 (No opposing responses)

15

16 MR. EWAN: The motion's carried. Thank you.

17

18 MR. GALIPEAU: Thank you, Mr. Chairman.

19

20 MR. EWAN: The next item will be Lake Clark.

21

22 MS. EAKON: Yes, Mr. Chairman. I am going to be the mouthpiece for Frank Fiala from the Lake Clark Natural Park & Preserve, Soldotna; he was unable to be here this afternoon. If you'll take one and pass it down. Mr. Fiala asked me to tell you that this is just for your information only. And if you open your Lake Clark map, brochure map, and locate Chisik Island down here, the area of -- under discussion is going to be the Johnson River area down here. Does everybody have a map?

31

32 MR. BASNAR: That's still in our area?

33

34 MS. EAKON: Yeah.

35

36 MR. BASNAR: Okay.

37

38 MS. EAKON: Okay. Briefing Paper, Johnson River Basement Determinations, prepared for the Southcentral Alaska Subsistence Regional Advisory Council by Frank Fiala, Lake Clark National Park & Preserve.

42

43 Public Law 94-204 granted Cook Inlet Region, Incorporation (CIRI) property known as the Johnson Tract within Lake Clark National Park & Preserve in exchange for lands CIRI village corporations had selected under the Alaska Native Claims Settlement Act around Lake Clark. This exchange essentially made the creation of Lake Clark National Park & Preserve possible. Public Law 94-204, passed January 2, 1976,

50

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ratified the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area negotiated by CIRI, Inc., the State of Alaska and the Federal Government.

4

5 At the time of the exchange, the Johnson Tract was a known mineral resource surrounded by but not included in the Park. Under the terms of Public Law 94-204, Congress granted CIRI an easement for a port site facility and an easement for a transportation corridor from the Johnson Tract to the port site. The purpose of the easements are to allow CIRI the opportunity to transport minerals from their private property across Federal land to the Cook Inlet coast. The easements only authorize CIRI use of the land; the land in question remains in the ownership of the United States Government and will be retained and managed under the authority of the National Park Service or NPS. The law requires mutual agreement of both easement locations by CIRI and the Secretary of the Interior before any conveyance can occur.

19

20 CIRI produced, in collaboration with the National Park Service, an Environmental Analysis Document detailing their preliminary recommendations for both the transportation and port site easements. Both CIRI and the Park Service conducted surveys last summer to field verify and gather more information on all proposed routes and port site locations identified in the document. Additional work on the document and subsequent information collected continues.

28

29 The Department of Interior has delegated the responsibility of recommending the location of both easements to the National Park Service. The National Park Service is committed to fulfill its obligation in identifying and recommending easements to the Secretary of Interior that are both reasonable and capable of meeting the mandates of Public Law 94 -204.

36

37 There is no known subsistence use of this area.

38

39 And he asked me to show you on the map attached to this briefing paper that he wanted to explain that the CIRI southern block that is shown on this particular map is both surface and subsurface. The CIRI northern block would be subsurface only. And if you have any questions, you can either route them through me or contact him directly.

45

46 MR. EWAN: All right.

47

48 MS. EAKON: That concludes the report.

49

50

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1 MR. EWAN: Thank you. Any comments or questions? I'm
2 not particularly familiar with this area or this proposal.

3

4 MR. OSKOLKOFF: Mr. Chairman.

5

6 MR. EWAN: Gary.

7

8 MR. OSKOLKOFF: I'm very familiar with this, and for
9 that reason, being a CIRI shareholder and having myself and my
10 family involved in various land trades in this area and
11 discussions with the Federal Government regarding this, I'm
12 going to abstain from voting on this. I'm therefore going to
13 restrict my remark to the last sentence of this statement which
14 says that there is no known subsistence use of this area. I
15 find that a rather inflammatory statement coming from that
16 direction to this august body. And I think that I'll just keep
17 my comment to that, for the time being.

18

19 MR. EWAN: Any other comments or questions?

20

21 MR. LOHSE: I, too, would find that last statement hard
22 to believe when you're talking about an area that's called
23 Silver Salmon Lakes.

24

25 MR. EWAN: Yes.

26

27 MR. BASNAR: Mr. Chairman.

28

29 MR. EWAN: Lee.

30

31 MR. BASNAR: Apparently, it doesn't -- apparently there
32 isn't any adverse impact. I think we're up --

33

34 UNIDENTIFIED VOICE: We don't need to take any action.

35

36 MR. BASNAR: it's up to the point where we don't
37 need to take any action. I move we take no action on this
38 briefing paper.

39

40 MR. EWAN: Do we need a motion? We don't need a
41 motion.

42

43 UNIDENTIFIED VOICE: Don't need one.

44

45 MR. EWAN: If there's no objection, we'll move on. The
46 next item is Denali National Park Preserve, we've done that
47 already, right?

48

49 MS. EAKON: Um-hum.

50

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1
2 MR. EWAN: All right. We'll move onto the next item.
3
4 MR. OSKOLKOFF: Did you want to go back to the
5 discussion on the
6
7 MR. EWAN: I'm just wondering if -- there's Gloria
8 waiting back there.
9
10 MR. OSKOLKOFF: Okay.
11
12 MR. EWAN: I wonder if we should take Gloria up, she's
13 been waiting a long time.
14
15 MS. EAKON: Mr. Chairman, Ms. Gloria Stickwan and
16 Ms. Heather Kendall would like to testify together on
17 Proposal 14; however, they would like to listen to all the
18 discussion surrounding this proposal. And they have been
19 waiting patiently
20
21 MR. EWAN: Do you think we
22
23 MS. EAKON: for quite a while.
24
25 MR. EWAN: Do they want to come up here now or
26
27 MS. EAKON: Well, what I'm saying is they want to
28 listen to everything concerning that; they want to listen to
29 the Staff analysis, they want to hear Council discussion, and
30 they want to offer public comment.
31
32 MR. EWAN: Well, I don't know if you answered my
33 question, Helga. Do they want to come up here or not now or
34 later or what is what my quest- --
35
36 MS. EAKON: In other words, are you saying that you're
37 willing to discuss Proposal 14 now? No?
38
39 MR. EWAN: No.
40
41 MS. EAKON: Okay.
42
43 MR. EWAN: They're going to wait, is that what you're
44 calling me?
45
46 MS. EAKON: Yeah. They want to --
47
48 MR. EWAN: Okay.
49
50

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1 MS. EAKON: they want to sit in.
2
3 MR. EWAN: My question was did they
4
5 MS. EAKON: Okay.
6
7 MR. EWAN: I noticed them back there a long time, I
wondered if they wanted to come up. Any objection to having a
break right now? Take a 10 minute break.
10
11 (Off record)
12
13 (Mr. Basnar departs proceedings)
14
15 (On record)
16
17 MR. EWAN: The meeting will come back to order. At
this time, we will go back to the moose bag and season for the
Kenai Peninsula. And I guess it's up to you, Gary.
20
21 MR. OSKOLKOFF: Okay. I -- Mr. Chairman, during the
lunch break, I spent my time on the phone with our executive
director in Ninilchik for the Tribe and our attorney who's up
here in Anchorage. And I was able to have faxed to me a
variety of paperwork dealing with proposals that we had sent in
as far back as '91. I asked for specific proposals, therefore,
we only went back to '91. And in the proposal it deals with
everything from spruce hen, moose down to fish and crustaceans,
and in a very general way. And I feel reluctant to jump into
anything so ambitious and, you know, it really gets off the
subject of what I think we could deal with here.
32
33 So I would suggest that with the indulgence of the
remainder of the Council and the Staff present that we -- using
this as a basis to work with, which like I say isn't all that
perfect to start with, endeavor to outline a proposal. And I
don't think that should take probably too long. I have some
rough ideas, but on every turn of the way I would like the
advice of the Advisory Council and of Staff on this.
40
41 First of all, the first question I had was whether the
Council felt -- how the Council felt about taking on moose in
all of 15 and -- all of Unit 15 and all of Unit 7 at the same
time, or if we wished to perhaps concentrate on one specific
area or deal with just the Ninilchik proposal which dealt with
just the Ninilchik area and primarily in Unit 15 or all --
actually, all of it is in Unit 15.
48
49 MR. EWAN: Any comments on that particular issue?
50

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1
 2 MR. LOHSE: Mr. Chairman. I feel like it's going to be
 complicated enough the way it is that if we're going to do
 anything, we should do something specific. I think the smaller
 we limit it to, the more we're going to answer the questions
 that are going to come up. If we do something -- if we try to
 cover all of 7 and 15, we're going to do something very
 general. If we try to cover all of 15, we're going to do
 something a little less general but still fairly general. If
 we deal with one specific area and one specific topic, we're
 going to still have to answer the same questions but we'll be
 able to address them directly. But I'll leave it up to Gary as
 to, you know, how ambitious a project he wishes to tackle.

14
 15 MR. OSKOLKOFF: Well, in that light, I'd like to
 suggest that we start with the option of moose only in the -- a
 hunt of moose only in -- and I would suggest Unit 15 primarily
 is all of Unit 15 primarily because Ninilchik has a finding and
 the findings of C&T are very similar in that -- pretty
 consistent throughout that -- all of that Game Management Unit.

21
 22 There is one question I wanted to ask Helga or someone
 who was taking notes when I wasn't, and that is our matrix that
 we had in regards to moose and in regards to 15(A), (B) and
 (C), has that changed from what the Regional Council matrix was
 before? Are there other names or deletions that were in here
 that someone could point out to me so that we could get all on
 board in the same way?

29
 30 MS. EAKON: There have been no deletions with the
 exception of that one that was pointed out, was it black bear
 or

33
 34 MR. OSKOLKOFF: I'm just speaking specifically of
 moose.

36
 37 MS. EAKON: Of moose, no.

38
 39 UNIDENTIFIED VOICE: There were additions.

40
 41 UNIDENTIFIED VOICE: There were additions.

42
 43 MR. BRELSFORD: Were there additions? There were some
 additions, were they on moose?

45
 46 UNIDENTIFIED VOICE: Yes.

47
 48 UNIDENTIFIED VOICE: Yes.

49
 50

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1 UNIDENTIFIED VOICE: You need to

2

3 MS. EAKON: Only on moose.

4

5 UNIDENTIFIED VOICE: Nanwalek and Port Graham I'm
6 pretty sure.

7

8 UNIDENTIFIED VOICE: 15(B).

9

10 UNIDENTIFIED VOICE: 15(C)?

11

12 UNIDENTIFIED VOICE: (B).

13

14 UNIDENTIFIED VOICE: 15(B).

15

16 MR. OSKOLKOFF: We have on the matrix for 15(C) moose,
17 we had Ninilchik, Nanwalek, Port Graham and Seldovia, were
18 there others added to that? No.

19

20 UNIDENTIFIED VOICE: On 15(B).

21

22 MR. OSKOLKOFF: On 15(B), we had Hope, Cooper Landing,
23 Ninilchik and Seldovia, were there others added to that? Is
24 that where Nanwalek and Port Graham came in?

25

26 UNIDENTIFIED VOICE: Yes.

27

28 UNIDENTIFIED VOICE: Yes.

29

30 MR. OSKOLKOFF: And then how about 15(A)?

31

32 UNIDENTIFIED VOICE: Unchanged.

33

34 MR. POSPAHALA: It's unchanged.

35

36 MR. OSKOLKOFF: No change. That brings up the next
37 question, and -- or complicates the next question, I guess.
38 Whether we should deal with all the communities who have a C&T
39 funding for moose in 15(A), (B) and (C). I mean they were
40 already detailed out, it would seem. I could suggest almost a
41 consistent hunt across the board. Is there some comment on
42 that, either from Staff or from the Advisory Council?

43

44 MR. EWAN: I don't hear any.

45

46 MR. OSKOLKOFF: The next suggestion or the next
47 question I have really actually is -- has to do with the
48 definition of community to be consistent with the -- our eight
49 criteria and how we applied VIII(A) of ANILCA. Is there a
50

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definition that would give us some direction to go in that would be consistent or would we be defining each and every community as we went along?

4

5 MR. BRELSFORD: You'd be defining for (inaudible - away from microphone)

7

8 MR. OSKOLKOFF: The next question I had was on the rut on Unit 15, is that pretty consistent; would you can say it -- would you say it peaks consistently throughout the Unit 15? Okay.

12

13 MR. SPRAKER: Yes.

14

15 MR. OSKOLKOFF: And when is the peak and, perhaps, the beginning and the end generally considered for the rut?

17

18 MR. SPRAKER: Now, Mr. Chairman, the rut for moose generally starts as early as about mid-September. And that's the period of about -- there's a period of about two weeks where the bulls will gather the cows. The breeding actually occurs on the Kenai about the first week of October, and then it'll continue on a little bit throughout October, perhaps to the middle of October. So if you had to just pull out a period, you could say from the 15th of September to about the 25th of October would cover that rut period in the fall.

27

28 MR. EWAN: Ted, while I've got you up there, could you 29 I don't know if you can speak for the rest of the State but 30 that pretty general?

31

32 MR. SPRAKER: That's pretty general

33

34 MR. EWAN: Yeah, right.

35

36 MR. SPRAKER: for moose in Alaska.

37

38 MR. EWAN: Ralph.

39

40 MR. LOHSE: Do moose have a secondary rut like deer or 41 they pretty much take care of it all the first time through?

42

43 MR. SPRAKER: If the bull/cow ratio is adequate and in 44 places where you have about two moose per square mile or more, 45 least in the Kenai and most of Southcentral, at least 80 46 percent is cared for during the first estrus. What you 47 see is you see some of the younger females and perhaps some 48 females that for some reason did not get bred during that first 49 estrus coming back in around 25 to 28 days later. And there

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are some calves born later in the summer, we certainly see those.

3

4 MR. EWAN: Okay.

5

6 MR. OSKOLKOFF: So you have a second -- a milder secondary rut the end of October, first of November?

8

9 MR. SPRAKER: You certainly can.

10

11 MR. EWAN: Okay.

12

13 MR. OSKOLKOFF: The -- let's see. The suggestion I would have for the season is that the 30 day season to commence on September 10th through October 10th. And I would welcome comment from everyone on that. My logic behind that is that although it is indeed during a good portion of the rut, I would like to have it somewhat -- at least this initial run-through somewhat close to the existing State season to give us some idea on -- primarily for biological monitoring so that you would almost use the same counting criteria and whatnot. And generally this would fall in the same realm. But I -- like I say, I would welcome any comment on that.

24

25 MR. EWAN: I would like to comment. From my experience over the years of hunting moose, I would say beginning about September 25th is when they start to -- I guess the moose start to get a taste to it. They're not eating regularly and all that, and I've experienced that. I've killed a good size bull on the 28th of September once that I had hanging for almost a year and could still smell the thing. So I don't know, that's my comment.

33

34 MR. ROMIG: Yeah, Mr. Chairman.

35

36 MR. EWAN: Yes.

37

38 MR. ROMIG: My experience with moose on the Kenai, I've seen them, you know, start to smell on the 20th of September and by the 25th, you know, they're pretty well I think, you know, in full rut and they're not really edible.

42

43 MR. EWAN: I saw that, too (ph).

44

45 MR. OSKOLKOFF: It's been my experience that I have seen possibly every variation on the theme over time, including when the season was from the 1st to the 20th of September in that area, right from the beginning of the season and some not having to actually deal with it until well into October. And,

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1 you know, like I say, just kind of every variation, it gets
 2 more and more predominant as you move along into

3

4 MR. EWAN: I believe the size has --

5

6 MR. OSKOLKOFF: October.

7

8 MR. EWAN: has a lot to do with it doesn't it?
 9 The size of the moose.

10

11 MR. OSKOLKOFF: Do you have a comment? Is there
 12 another suggested season?

13

14 MR. JOHN: Could you have a short season ahead and then
 15 after the rutting season? They're so bad, they're not good
 16 tasting moose (ph).

17

18 MR. OSKOLKOFF: Yeah. In fact

19

20 MR. EWAN: Except this would be consistent with one of
 21 the hunts they have

22

23 MR. JOHN: Yeah.

24

25 MR. EWAN: under -- the State has, right?

26

27 MR. OSKOLKOFF: The -- yeah, the State presently has an
 28 open hunt from I believe it's the 20th of August, it begins,
 29 and runs to the

30

31 MR. SPRAKER: 20th of September.

32

33 MR. OSKOLKOFF: 20th of September now. It's been
 34 extended those 10 or so days to allow for that.

35

36 MR. EWAN: Ralph had a comment. Ralph.

37

38 MR. LOHSE: Yeah. Have you given any thought to the
 39 fact that the State season is a spike fork 50 bull and that
 40 then leaves the possibility that there might be room for a
 41 subsistence season on cows that could run concurrently?

42

43 MR. OSKOLKOFF: In fact, that was going to be the next
 44 area that I was going to. But let me throw in my thought on
 45 that, is that I would feel fairly comfortable, at least in the
 46 Menilchik area, I'm not sure about how things would go up
 47 north, with an option of being able to secure a number of those
 48 bulls without the antler restriction. To my experience, it
 49 would -- it made a vast difference in the hunting performance

50

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in the past for most of the local people. And that was a consideration that I wanted to throw in here, too.

3

4 MR. EWAN: Dick.

5

6 MR. POSPAHALA: Excuse me, I think you did invite questions from the audience. And I guess the first one I would ask, Gary, I guess is exactly what's the problem that we're trying to solve with the seasons that you're -- that you want to recommend? I think that would help all of us assist you in trying to flesh something out, if we knew exactly what the problem is outside the current harvest opportunity scenario is that we are trying to assist you in solving.

14

15 MR. OSKOLKOFF: There are two primary

16

17 MR. POSPAHALA: I think our Staff is going to have difficulty dealing with it otherwise.

19

20 MR. OSKOLKOFF: Okay. There are two primary concerns. One is the influx of people in that particular time in those 20 days, and the movement of the animals and the movement of the hunters; the noise. Just the volume of traffic and the movement of the animals makes the traditional tracking methods and whatnot almost obsolete by comparison. Most sport hunting is done in a somewhat different manner. It's dependent on a good deal of luck and a little bit more speed in order to catch up with the animals on most of that season, I should say.

29

30 The other concern is that -- and it's basically in the same category, is that people are not given sufficient advantage so that a person who is dependent upon getting that moose is likely to secure a moose on an annual basis. Right now I believe the statement was that it's around 20 percent success rate, and one moose per five years is deemed by most people not adequate. One moose doesn't stretch five years for the average family, I should say.

38

39 MR. POSPAHALA: Okay. At the risk of offending some of my colleagues, I'm going to take a little liberty with some of the terminology here for a second I guess and maybe try to address this from the standpoint of need or desired use levels. 40 -- you know, I don't want to leave the impression that I forgot about the Bobbie (ph) decision, in other words, and that that's not necessarily a standard for us to operate against. But it seems like we have to assume that there are some -- presently some unfulfilled need, if you will, or some required use level or something that's not currently being met. And that our goal here should be to go back and try to address

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that.

2

3 And, you know, I understand that under these
4 circumstances and without the previous prior planning and all
5 that, it's going to be very difficult to do. But eventually,
6 we're probably going to have to talk about the overall level of
7 expected harvest and the impact on the existing hunt regime
8 that exists in that area and what adjustments might have to be
9 made in other hunting opportunities. And then lastly, what the
10 overall impact of such a recommendation would have on the
11 overall har- -- management regime in that area right now.
12 Those are the kinds of things that I think the Board will be
13 interested in, for example.

14

15 And now I and my Staff and others, I think, in the
16 Federal community -- and I got the impression from the people
17 that represent the Alaska Department of Fish & Game that are
18 here today are interested in trying to be responsive to
19 providing that information to you as best we can. But we've
20 got to get it sort of formulated and framed in a way that we
21 can deal with it.

22

23 MR. OSKOLKOFF: Um-hum.

24

25 MR. EWAN: I -- okay. I believe all this stuff kind of
26 falls on your shoulders, Gary, to

27

28 MR. POSPAHALA: On mine?

29

30 MR. EWAN: Unless there are -- other Advisory Council
31 members feel comfortable enough to make comments about the need
32 that must be met and also the impact. I don't know the impact
33 of the need, myself. Ralph.

34

35 MR. LOHSE: I really think that that's -- to me,
36 there's two things. The one thing that's necessary before we
37 ever get started is what is our goal. In other words, what are
38 we going to try to accomplish. And again, in order to know the
39 goal, you got to know what the problem is in a fairly specific
40 matter. And then from there, we've got to get to -- and that
41 becomes the next question before we can go any farther is who
42 are we addressing. And that goes right down to, you know, are
43 we addressing rural residents, are we addressing communities,
44 are we addressing tribal councils. You know, once we get past
45 what we're trying to accomplish, we have to then address who
46 we're going to accomplish it for. And once we get to what
47 we're going to -- who we're going to address for, then we've
48 got to come down to the limiting factors that put them in one
49 of those categories or another. Is it the place of residence,

50

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15 is it their income, is it the total C&T experience, is it --
16 you know, whatever.

17
18 Those kind of things have got to be taken step by step
19 if we're going to formula- -- if we're going to decide what
20 we're going to do, what we're going to try to formulate. We
21 can't just pick a -- I'll say a season and a bag limit out of
22 the air and say this is what we want to do with the season and
23 bag limit. I mean 'cause each one of those steps has got to be
24 answered. I mean, if this is a community thing and it
25 addresses all the communities, then the first thing we got to
26 do is we got to sit down and define who's a member of those
27 communities, you know. I mean, literally -- it literally has
28 to start there, and it has to start -- before we can get there,
29 we have to know what we want to do.

30
31 See, that's what I was hoping that out of your previous
32 proposals, Gary, you had something that specifically addressed
33 the issue of one community or one group of people or something
34 and had a specific goal to accomplish in that. In other words,
35 how many of what is needed to meet what, you know.

36
37 MR. OSKOLKOFF: I think that probably -- and I
38 appreciate that all this information will have to be developed,
39 but I wouldn't want to hold my proposal up to a more rigid
40 standard of definition than the various proposals that I've
41 seen. And the proposals that I've seen are rather -- the ones
42 we're going to consider after this are very loose.

43
44 UNIDENTIFIED VOICE: Yeah.

45
46 MR. OSKOLKOFF: Very loose. And they have been
47 analyzed by the Staff, they don't have probably 50 percent plus
48 of what we're now discussing. And I agree that we have to
49 define community. There's a variety of things on the list that
50 we haven't gotten to yet and some of these things come out.
51 But in trying to define the need, I think that we would lose
52 ourselves in the specifics and not get anything accomplished
53 here if we were to try and put too many tasks under our
54 objectives under our goals. I think we have an overall goal of
55 trying to deliver a reasonable opportunity for a subsistence
56 harvest for those people who have met those two criteria; one
57 of which being rural and the second of which having their
58 community found to be customary and traditional, and those
59 people wishing to take advantage of that situation and provide
60 their family with sustenance in a manner that is consistent
61 with what they would do or could have done if there were not
62 more restrictive regulations in place right now.

63
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1 MR. LOHSE: Gary, can I give this back to you to see if
2 then -- see, I think you just did. I think you just answered
3 the questions that I asked. If I understand right what you
4 said is you want to have a reasonable level of subsistence
5 harvest for those that have met the criteria of rural resident
6 and customary and traditional use, right?

7

8 MR. OSKOLKOFF: Correct.

9

10 MR. LOHSE: Okay.

11

12 MR. EWAN: Okay.

13

14 MR. OSKOLKOFF: And I should state right now that I am
15 not expecting that it will -- that we will go beyond or be able
16 to go beyond reasonable, and that may have different
17 connotations to different people. We have to -- I feel we're
18 at it's our obligation to provide a direction on how that
19 opportunity should arise.

20

21 MR. POSPAHALA: All right. Let me see, you suggested a
22 season of September 1 to -- September 10 to October 10 to those
23 that are qualified, I guess, under the factors that are set out
24 in the regulation, is that correct?

25

26 MR. OSKOLKOFF: Well, I wouldn't

27

28 MR. POSPAHALA: And the communities that we identified
29 having C&T?

30

31 MR. OSKOLKOFF: Yes. With knowing that we're going to
32 define resident and community and those as we go along. Those,
33 unfortunately, I had listed after this so -- does that help,
34 Mr. Pospahala?

35

36 MR. EWAN: I think his big question is what are you
37 accomplishing by having this season in conjunction with the
38 other season? I mean wouldn't the other season accomplish the
39 same thing? I guess

40

41 MR. OSKOLKOFF: The question of whether it would or not
42, to me, the answer is pretty obvious; it doesn't. At the
43 present time, the way it's designed, it does not allow for, in
44 my opinion, a reasonable opportunity for those people who live
45 choose to live a more traditional subsistence lifestyle. In
46 fact, the situation is is that a well-gearred sport hunter has a
47 superior advantage in that particular case, and it makes it
48 very difficult to keep up.

49

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1 I must admit, though, that the 30 day season oddly
2 enough, as much as I spoke against it, has in some ways
3 alleviated some of the stresses you described -- as Mr. Spraker
4 described earlier in the fact that the density of hunters is
5 not quite what it was. But I think it will build to that point
6 again, and frankly, the density that was even 10 years ago or
7 longer ago than that for most local hunters is such that they
8 feel that they really can't compete in that arena.

9

10 MR. POSPAHALA: I've got to say I couldn't agree more
11 with you about the need for a standard of reasonable
12 opportunity, the old State subsistence law had one;
13 unfortunately, there's not one in this Title.

14

15 UNIDENTIFIED VOICE: Um-hum. That'd be great (ph).

16

17 MR. EWAN: Do you have additional comments?

18

19 MR. POSPAHALA: Not yet. I guess if you want to begin
20 -- I think one of the things we have to do is to flesh out
21 the number of individuals or households in the affected area
22 and that sort of thing, Gary, to begin to establish what sort
23 of a level we're talking about. Is that

24

25 MR. OSKOLKOFF: Yeah. I think that was the next thing
26 on my list was a definition of community which would really
27 entail defining boundaries for those communities, and then you
28 would be able to extract that information.

29

30 MR. POSPAHALA: So the boundaries that you're thinking
31 about using are different than the boundaries of the rural
32 area, is that what you have in mind?

33

34 MR. OSKOLKOFF: The boundaries we presently -- the only
35 boundaries we presently have are boundaries of what is rural
36 and non-rural.

37

38 MR. POSPAHALA: That's correct.

39

40 MR. OSKOLKOFF: And in the case -- I'll point out
41 Minilchik in particular. There is, on the bottom of the
42 Peninsula,

43

44 MR. POSPAHALA: Um-hum.

45

46 MR. OSKOLKOFF: there is a line which denotes
47 what is the Homer rural -- non-rural area, the surrounding area
48 Homer and Anchor Point.

49

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1 MR. POSPAHALA: Um-hum.

2

3 MR. OSKOLKOFF: And then there is a Homer non-
~~rural~~ --

5

6 MR. POSPAHALA: Um-hum.

7

8 MR. OSKOLKOFF: or Homer rural on top of that.
 But there is no line between that and the Ninilchik community
~~area~~. Therefore, since we had a finding of C&T for Ninilchik
 but not one for the Homer rural area, there seems to be a need
 for a line to be developed at some point that people could
 agree that that would be a -- that it would fit reasonably the
~~de~~ definition of community. And as I asked Mr. Brelsford, there
 really doesn't seem to be a static definition of community that
 we can grab onto.

17

18 MR. POSPAHALA: Then I guess once we did that, does
 that mean -- well, how would -- what would be this area that's
 outside -- let's use Ninilchik as an example because I think
 that's where some of the folks is here. There's going to be an
 area that'll be outside the Ninilchik community definition and
 23 but it'll still be rural?

24

25 MR. OSKOLKOFF: That's the part of the law that
 26 --

27

28 MR. POSPAHALA: I tried something like this on
 November 2nd.

30

31 MR. OSKOLKOFF: that is relative

32

33 MR. POSPAHALA: So I'm going to be pretty careful about
 how I do it this time.

35

36 MR. OSKOLKOFF: It is very difficult to work the way
 things have been designed now without actually just drawing an
 arbitrary line at some point. And like I say, that's where the
 definition of community comes in.

40

41 MR. POSPAHALA: Right.

42

43 MR. OSKOLKOFF: And how one defines community, at what
 point can you draw that line without separating the community
 from -- or

46

47 MR. POSPAHALA: Then what's the intended fate of the
 people outside that line, they're not included in the customary
 and traditional use determination that you've already made?

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1
2 MR. OSKOLKOFF: That would be correct.
3
4 MR. POSPAHALA: That you made yesterday. Hum.
5
6 MR. EWAN: Talking about the boundaries, if we're into
that now. Does the State have any procedure for establishing
boundaries, a post office, something like that, anything at
all?
10
11 MR. WILLIS: Community of residents is what is commonly
used, and that's generally a mailing address.
13
14 MR. OSKOLKOFF: I think we would have to combine that
with some definition of resident which would probably be --
what the State uses I believe is primary residence of so -- I
can't remember the months out of the year is required.
18
19 MR. WILLIS: Six -- at least six months of the year,
and you have to have been in the State for at least 12 months
to be considered a resident to begin with.
22
23 MR. OSKOLKOFF: Yeah.
24
25 MR. EWAN: All right. Comments

26
27 MR. OSKOLKOFF: So I think that those two would have to
be combined together. I think Ralph had a comment.
29
30 MR. EWAN: Ralph.
31
32 MR. LOHSE: Yeah. Gary, we just -- I guess we just did
bring up something that we were going to address later on in
the meeting that I never gave a thought to before. Let's say
that we decide that these -- just as a general purpose, say
we

37
38 MR. OSKOLKOFF: Um-hum.
39
40 MR. LOHSE: decide that we're going to make a
subsistence hunt that allows Ninilchik, Nanwalek, Port Graham,
the communities we found a C&T finding for. And I keep
remembering what the point is that you brought up a couple
times before, what happens when somebody lives between
Ninilchik and Anchor Point. They're far enough down to be in
the Homer rural area but they're not right in the community of
Ninilchik. When we looked at the goal that you gave before,
was -- you know, to have met the criteria of rural residents
and C&T use, what happens to those that are in, let's just say,
50

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the Kenai rural areas, which we haven't addressed yet? We addressed the -- we talked a little bit about the Homer rural area

4

5 MR. OSKOLKOFF: Um-hum.

6

7 MR. LOHSE: and decided that it didn't meet C&T.
8 But we didn't deal with the Kenai rural area.

9

10 MR. OSKOLKOFF: Correct.

11

12 MR. LOHSE: And Kenai rural area actually impacts
13 people who you would probably consider as part of your
14 community at Ninilchik but don't live right inside the
15 community inside town.

16

17 MR. OSKOLKOFF: That's correct. In fact, in my
18 opinion, I found it very difficult to palate the idea of doing
19 -- or making a C&T determination when you don't really know
20 what the boundaries are. We made the C&T determinations on
21 essentially words and some were descriptive and some were not
22 descriptive all that well, but they essentially did not have a
23 definition to them. Therefore, it was ver- -- it was -- I felt
24 really reluctant that (indiscernible - background coughing) for
25 over a year now on doing this before those things were
26 outlined. And I think we did get the cart before the horse
27 somewhat on that, and we probably should have went around the
28 other way. At that point, we would have had statistical
29 information to regard to who lives in that specific area, you
30 know.

31

32 MR. LOHSE: How many.

33

34 MR. OSKOLKOFF: How many there are and those kinds of
35 things. That information would have already been produced in
36 the last year or so. We don't have that information presently
37 available. And I feel that if we continue in the same vein
38 that we have over -- for the next year that we have over the
39 last, what is it, four years now, that we probably won't get
40 this resolved at least in the next few years if we don't take
41 some type of step to make some definition. And therefore, in
42 this format, I thought this is the first opportunity and the --
43 the first opportunity to bring this up. And it is at the point
44 at which we really need some serious discussion as to how the
45 Advisory Council feels the definition of community should be
46 applied.

47

48 MR. EWAN: Gary, did you go through all your lists of
49 the points that you want to ask or discuss? I was thinking

50

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maybe go through that and then maybe if we can postpone this till tomorrow unless you feel compelled to do it today. It'll give us time to think about it overnight.

4

5 MR. POSPAHALA: That's fine, Mr. Chairman. There are a couple of sort of halfway critical things that I'd like to be involved with with this Council as you go down this track. And unfortunately, I have another commitment tomorrow morning from about

10

11 MR. EWAN: Okay. We'll postpone till tomorrow (Indiscernible - interrupted)

13

14 MR. POSPAHALA: 9:00 till 12:00. Well, that's fine if you want to do that. I know a couple of people on my staff that wouldn't like to see that happen but it's fine with me. But likely in the afternoon tomorrow would be satisfactory as well.

19

20 MR. EWAN: You know, it seems to me like we're --

22

23 MR. POSPAHALA: Um-hum.

24

25 MR. EWAN: we're slowing down here with a lot of uncertainty, a lot of questions. And if we think about it overnight, maybe we'll have a clearer mind in the morning to deal with this. Would that be all right with you if we go through your points maybe one more time and then

30

31 MR. OSKOLKOFF: I think that what -- there were two things that needed to happen -- well, actually three things. One is the Advisory Council and the Staff needed to bring up points that they saw were necessary to be addressed. I feel that we needed to have some kind of dialogue to get our minds somewhat in order or direction we want to march. And then I think the third step is critical, that we propose something.

38

39 MR. EWAN: Yeah.

40

41 MR. OSKOLKOFF: And that that goes forward. There is a not only a C&T determination and rural and non-rural definition now, there is actually something concrete that will affect the people on the ground. And I believe that that will probably -- we will get to see how this actually plays out. We'll get to see how it works, how the Board deals with it, at least one case if we just send one case up to them, and how they approach the situation and what they do with it. Which I think is important, to send up a test case, essentially, and

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Have them take a look at it.

2

3 Secondly, I think it's evident by the number of people
 who I've heard discuss, for to use a very nice term,
 Subsistence in Alaska, including the Governor, the Legislature
 and nearly every human being breathing, it's important to bring
 these people into the discussion. And they're just, frankly,
 for the large part, they're not here. I commend the people
 that are here. I appreciate their taking the time and being
 involved in this process. But we really need, I believe, more
 involvement from the people themselves.

12

13 MR. EWAN: Ralph.

14

15 MR. LOHSE: Mr. Chairman. I think what Gary is saying
 is right there, if I understand right, is that by putting
 something on the table that actually puts a resource at issue,
 people are going to get involved.

19

20 MR. OSKOLKOFF: Um-hum.

21

22 UNIDENTIFIED VOICE: Yes.

23

24 MR. LOHSE: Because as long as it's theoretical and
 there's nothing at stake, people don't see any reason to be
 here.

27

28 MR. OSKOLKOFF: Um-hum.

29

30 MR. EWAN: All right. Can I go back to your points
 again unless you have something else. Dick, do you want to
 make a comment?

33

34 MR. POSPAHALA: Well, I guess part of this concerns me
 a little bit because I hope we're not going to go through this
 process because of some perceived public response -- a
 anticipated public response and involvement. I guess I view
 myself more as a resource manager and a sometime program
 manager than engaging in the other side of this.

40

41 And I guess the second thing, Gary, which I assume you
 don't find reasonable is that the proposal that was brought
 forward by the Ninilchik Traditional Council last August or so,
 of course, is something that's very well defined and described.
 And we have quite a bit of Staff information -- Staff work and
 material available for that one. That in and of itself is
 something that we could move ahead on rapidly if you wanted to
 get some issue moving forward this year.

49

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1 MR. OSKOLKOFF: Two things. One is that I think
2 there's -- I think the driving force in this is not the
3 involvement of the public but it's the need of the public, and
4 that public being the subsistence user. Secondly, in regard to
5 the Traditional Council's proposal for the five moose to be
6 taken in the learning environment by Elders or for Elders, in
7 referencing the letter that is in our packet regarding that
8 from the Subsistence Board Chair, it further references a
9 proposal that was originally sent in by the Ninilchik
10 Traditional Council in 1991.

11

12 MR. POSPAHALA: Um-hum.

13

14 MR. OSKOLKOFF: This has been a need, a longstanding
15 need, a substantial need, and one that is very well vocalized
16 by the members of the community and has been in the public
17 forum for a very long time. And I just don't see that now that
18 the -- the reason was the C&T determination wasn't there.

19

20 MR. POSPAHALA: Right.

21

22 MR. OSKOLKOFF: And it still is not there, it has to go
23 to the Board. But the Advisory Council at least passed that,
24 and I believe that we need to take some action along with that,
25 whether it be in Ninilchik or another part of the Peninsula or
26 even another part of the State. There needs to be some action
27 taken. People need to see there is movement here and that they
28 can then put in their proposals as many of the Advisory Council
29 members have requested.

30

31 MR. EWAN: So the time frame here is a consideration,
32 right? You should be making progress you say so not wait till
33 next year?

34

35 MR. OSKOLKOFF: That's correct.

36

37 MR. EWAN: Um-hum. Can we go ahead and proceed even if
38 you're not here tomorrow?

39

40 MR. POSPAHALA: Oh, yeah.

41

42 MR. EWAN: You seem concerned about that.

43

44 MR. POSPAHALA: Well, you know, I mentioned early this
45 morning I guess that there are some issues of process that I
46 think are going to be fairly important to us about where we go
47 in the long run here over maybe not the next day but over the
48 next, perhaps, dozen months or so. There was considerable
49 support among the Council Members yesterday for some provision

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for public involvement in the decision-making process, if you will, or at least in relation to this Council developing and forwarding their recommendations that has not yet taken place. And I was of the -- relieved I guess to some degree by the sense I got that there was pretty good support for that among the Council Members, because I think it will help us overcome some of the other problems that will be associated with this process as we move along. And I wanted to be here tomorrow to discuss some of those with you. But I could try to do it now in the middle of this other discussion -- I think would just complicate things unnecessarily. I can likely be here in the afternoon tomorrow.

13

14 MR. EWAN: Is there plans to go on into the afternoon tomorrow?

16

17 MS. EAKON: Well, I told the hotel we're going to close shop at noon.

19

20 MR. POSPAHALA: That's okay, then, I'll just make other arrangements to make sure the information is presented to you tomorrow morning then.

23

24 MR. EWAN: All right.

25

26 MR. POSPAHALA: Probably Taylor.

27

28 MR. EWAN: I'm trying to make progress here. Can we just -- if there's more points that you got to let hear -- that we should hear

31

32 MR. OSKOLKOFF: Just

33

34 MR. EWAN: before we kind of postpone this, if that's what we want to do.

36

37 MR. OSKOLKOFF: Just a couple.

38

39 MR. EWAN: Um-hum.

40

41 MR. OSKOLKOFF: And I agree with the Chairman that it's probably a good idea to think on this and everyone kind of flesh out what the points are and where the failings might be. And in speaking on the process just real quickly, I agree that what we need to do is establish a process, how this actually occurs. And I think that it has been somewhat outlined in our time lines and whatnot we have before us. But I think that we should either run through a dry process with Xs and Os or we should fill in names and put people in it. And I think that

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When push comes to shove, eventually we're going to have to put people in those slots and real resources in those categories. So I think it's just as well we run it through this way, in my opinion.

5

6 But the couple other things I wanted to throw in was access, because we are talking Federal land, it is some distance from current access points and people may want to consider that, and the use of ATVs or 4 x 4s or whatever to at least get to the perimeter of the Park or the public lands, if you will. And then the other thing I wanted to throw out was that some means, including airplane for spotting and those kind of things I think are completely off the -- you know, off the scale here as far as traditional subsistence laws (ph). And anything else, I would appreciate other opinion on.

16

17 MR. EWAN: Are those all the points then?

18

19 MR. OSKOLKOFF: Yes, Mr. Chairman.

20

21 MR. EWAN: Okay. Ralph.

22

23 MR. OSKOLKOFF: Thank you.

24

25 MR. LOHSE: Mr. Chairman. I'd like to ask

26

27 MR. SPRAKER: Ted.

28

29 MR. LOHSE:

30 Ted -- I'd like to ask Ted a question. As we sit here and look at the option of making a reasonable level of subsistence harvest accessible or opportunity for on the Kenai -- and I'm just thinking of, you know, fleshing Gary's out in one direction or the other, either an extended season at the end or an early season at the beginning. There is -- there isn't a surplus of moose above what's being taken now is there?

37

38 So whatever we end up deciding goes into this subsistence hunt has to somehow or another affect the hunting season of the other hunt so that that amount of game comes off of the -- it's not like we have extra animals here that aren't being utilized that we can then add to a subsistence hunt. We've basically got a finite amount of animals, and as we increase the subsistence harvest, we have to take into account the fact that we have got to make provisions to cut down the other harvest, don't we?

47

48 MR. SPRAKER: That's exactly right. The Kenai has such a tremendous demand for moose hunting and has for a long time,

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the Department has looked at every opportunity to maximize available resources. And we are currently -- with a 32 day season and about 3500 hunters and several permit hunts, we are currently maximizing the use of moose on the Kenai at least the way our management objectives are set at this time. And they're set primarily to maintain a healthy population and to sustain this sort of harvest over time.

8

9 MR. LOHSE: Can I ask you a question, Ted? If we would take that same 30 day -- 32 day season that's been working and we would take that 32 day season and we would take part of that season out on Federal land, allocate that to the subsistence user and left the remainder of the season for the regular sport hunter and we separated the two -- in other words, if you say let's say we've got a 32 day season -- and this is not a suggestion, this is just a rhetorical question. If we took the first 10 days and gave the first 10 days to the subsistence hunter and gave the last 20 days to the sport hunter, do you think it would affect -- do you think the take would stay in the same ballpark that it's staying now?

21

22 MR. SPRAKER: Would the selective harvest program, the spike fork 50, be acceptable in this case or is that not appropriate in this case?

25

26 MR. LOHSE: Well, I was thinking that -- now this is just talking off the top, I was thinking that because you'd have less pressure during the subsistence portion of the hunt, that you could probably liberalize the spike fork 50. I mean that would be my feeling because that subsistence portion of the hunt would have less people out hunting, I feel, but I might be wrong on that.

33

34 MR. SPRAKER: I certainly follow your thinking. You know, I would want to give this some careful thought.

36

37 MR. LOHSE: Um-hum.

38

39 MR. SPRAKER: But just as a general comment, yeah, you could probably accommodate that and not, you know, exceed our management objective of about 600 or so moose harvested per year. Because you're correct, the subsistence hunters would be low in number, for one thing. And I'm sure their success rate would be higher if they were allowed to kill any bull, because we now have a high number of mid-sized bulls that are protected. And hunters commonly see -- my own hunting, just to draw from an example I can be very clear about. You know, I may see eight or ten bulls during the hunting season and one or two might be legal. So if I was able to shoot any bull that

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Was there, you know, I would normally kill a bull the first morning of the hunting season. So you'd be a lot more successful, but probably because you're lower in number there's a good chance that you could accommodate that and not go over 500 or so moose killed per year. Just my off the cuff thought.

6
7 MR. LOHSE: Um-hum. Um-hum. Well, it wasn't a suggestion either, it was just the idea that if we're taking it from one end, we've got to -- if we're giving it to one end, we've got to take it from the other end somehow or another.

11
12 MR. SPRAKER: I agree.

13
14 MR. OSKOLKOFF: Just one question to tail onto that, and I don't want to put you on the spot with this, but I have to ask. Not that the State would want to but it is possible for the State to change those regulations in that amount of time to deal with the fact that this may actually -- this would be this could possibly hit the ground as early as this fall?

20
21 MR. SPRAKER: Well, there's several proposals before the Board this spring so I'm sure if that was, you know, a recommendation from this Council and, you know, brought before the Board, that they may be able to tag that onto one of the proposals that would be discussed here starting the 18th of March. So I think there's a good likelihood that the Board would change it this spring if you made an effort to get to them and present it.

29
30 MR. EWAN: Ralph.

31
32 MR. LOHSE: Well, there's one other thing that I was thinking about is that subsistence season would only be on Federal land. Does the State even have to change its regulations if it's on the -- if the subsistence hunt is on Federal land? You know, the State -- all the State would end up having to do is shorten their season, because the regulations for the non-spike fork 50 would be just applicable on Federal land.

40
41 MR. SPRAKER: I see. In that case, you know, the Department always has the EO authority to shorten seasons or close seasons.

44
45 MR. EWAN: So the answer's yes?

46
47 MR. SPRAKER: To close seasons. So we could probably do that and, perhaps, the Federal regulations could be implemented without even going to the Board. You would want to

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discuss that with the Board to make sure, 'cause I don't want to lead you down the wrong path here and then it turn out to be a dead end so

4

5 MR. LOHSE: No. It's just -- you know, it's just trying to think of some kind of options.

7

8 MR. EWAN: Okay. Can we now postpone this till tomorrow and make it probably one of the first orders of business in the morning? Yes.

11

12 MR. OSKOLKOFF: Yes, if I can get just

13

14 MR. HENRICHS: Mr. Chairman. Well, as I mentioned earlier, I need to be excused for the rest of the afternoon.

16

17 MR. EWAN: All right. Robert, thank you.

18

19 (Mr. Henrichs departs proceedings)

20

21 MR. BRELSFORD: I just wanted to touch on one other point for your consideration this evening. And Gary, I think we need to return to this matter of the -- what you would consider to be the community of Ninilchik and what you would consider to be outside of the community of Ninilchik. I think we're suggesting still that the first responsibility is on the shoulders of the local, knowledgeable Council members. There are census districts that specify units. There are other kinds of boundaries, municipal boundaries in some instances. But really what we're looking for is for the Council to take the initiative in informing the Board about what constitutes meaningful communities.

33

34 So I hope by tomorrow when we revisit this, you'll be able to offer us some specific insight about that.

36

37 MR. OSKOLKOFF: I've got a general concept in mind. And I would appreciate if there is a map available, more detailed, perhaps, a topographic map or just a more detailed map than we have currently in our packets of the entire Kenai Peninsula. I'd like to get hold of that tomorrow morning when we discuss this again, if we -- thank you.

43

44 MR. EWAN: All right. If there is no objection, we'll postpone until tomorrow with action on this. Let's skip to the subject of the Proposal Number 14. Heather Kendall of NARF and Gloria Stickwan of CRNA are going to be talking about this particular subject, and they've been waiting very patiently here. So if you could both come up here at this time now.

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1
2 Proposal 14. All right. Who wants to start? State
3 your name for the record here.

4
5 (Mr. Basnar rejoins proceedings)

6
7 MS. STICKWAN: For the record, Gloria Stickwan and I
8 work for Copper River Native Association as a subsistence
9 coordinator. I'm here to give public comment on Proposal 14
10 and Proposal 57, but since you guys adopted that management
11 plan by them, it's already done.

12
13 Proposal 13 (sic) would open the moose season for 35
14 days for the qualified subsistence users. We think a longer
15 season is needed for the subsistence user so they'll have a
16 more reasonable opportunity to hunt and bag a moose.

17
18 An earlier and longer season is needed for them to hunt
19 under the Federal moose season. The subsistence qualified
20 hunters from the villages get a better chance under the Federal
21 regulations than under the State which imposes a three brow
22 line during the State moose season. Also during the State
23 moose season, the hunters are severely impeded by the
24 competition from the urban areas. Many of these people come
25 out here with their motorized vehicles and they have an
26 advantage over the local qualified subsistence users who do not
27 have these motorized vehicles.

28
29 A longer season is also needed to pass on the customary
30 and traditional hunting subsistence lifestyle. Many of these
31 families in our areas have children who work -- I mean go to
32 school, and many of these families work during these -- during
33 the hunting season. They have seasonal employment only, jobs
34 are very scarce in our area.

35
36 After reviewing the draft proposal analysis and reading
37 what the actions that will probably be taken are to favor the
38 State's regulatory seasons with a shorter season recommended,
39 CRNA recommends that a Tier II be implemented. ANILCA mandates
40 under Section 803 that when there is a shortage, the three
41 criteria be implemented if the population cannot be held at a
42 sustained population.

43
44 Proposal 57, I was going to testify on, but that's --
45 that would include 11, 12 and 13. We wanted to have a harvest
46 of 29 for all residents -- qualified residents in that area.
47 Cause we've always used that Mentasta Herd customary and
48 additionally, we're just asking for a 29 quota during the
49 summer season. And if it's -- the 29 season is taken during
50

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the summer season, then the winter season wouldn't be open.

2

3 The Nelchina Herd, they say that we have an option of
 hunting under the Nelchina Herd. Well, for the past two
 winters, the Nelchina Herd has migrated to Canada, so we don't
 have the opportunity to hunt under the Nelchina Herd because
 right now there is no Nelchina Herd in our area, it's all over
 in Canada. So with the pos- -- with opening the Mentasta Herd
 with a quota of 29, it would give the people -- the subsistence
 qualified users an opportunity to feed their families. Maybe a
 good time to open it is when the Mentasta Herd intermingles
 with the Nelchina Herd, and that then that maybe a quota of 29
 could be opened.

14

15 And how to harvest -- or distribute harvests, I would
 say that the long-term customary and traditional users should
 be given preference over the newer residents. And I also think
 that there should be some kind of control upon the wolves to
 balance the numbers so that the Mentasta Herd can be raised
 back to a healthy, sustainable population.

21

22 That's all I have. Thank you.

23

24 MR. EWAN: Thank you, Gloria. And thank you for
 waiting a long time here to have your say. Heather.

26

27 MS. KENDALL: Thank you, Mr. Chairman. I'm Heather
 Kendall, and I represent the -- I'm with an attorney with the
 Native American Rights Fund and I'm here on behalf of CRNA.
 We've been working with CRNA since the McDowell decision in
 helping trying to get them a Tier II hunt in the Unit 13 area
 under State regulations, not with very much success I must say.
 So I'm here to speak today on behalf of the Proposal 14.

34

35 For Unit 13, the existing Federal regulation allows a
 26 day general hunt of one antlered bull moose by registration
 permit. The hunt opens August 25th and closes September 20th.
 Proposal 14 requests an extension of the subsistence moose
 season from August 1st through September 30th. CRNA put forth
 Proposal 14 because it better accommodates their customary and
 traditional harvest seasons. A longer season is also necessary
 because of the increased competition from urban hunters who
 hunt pursuant to State law. The increased number of hunters in
 Unit 13 has resulted in few rural residents getting their
 subsistence needs for moose satisfied for many years now.

46

47 The Staff for the Federal Subsistence Advisory Board,
 in its draft analysis, rejects Proposal 14 in favor of
 Proposal 13 submitted by the Bureau of Land Management.

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Proposal 13 would extend the Federal season by five days to align with the State season. The rationale in support of the change is that a high percentage of moose are taken in the first five days of the State hunt, thereby giving non-qualified hunters an advantage over qualified hunters by allowing non-qualified users to have first opportunity to harvest moose. By increasing the Federal hunt to align with the State season, Proposal 13 would allegedly eliminate the advantage that non-qualified hunters have over qualified hunters.

10

11 We believe that the adoption of Proposal 13 over
 12 Proposal 14 would do nothing to alleviate the current
 13 conditions denying rural subsistence users from getting their
 14 moose. As the data shows, the numbers of harvestable moose are
 15 significantly down in Unit 13. This has been attributed to
 16 decreased calf recruitment and adult bull mortality caused by
 17 severe winters and increased human harvest.

18

19 In 1993, data from the State indicates that 5,422
 20 people reported hunting moose in Unit 13 under the State
 21 regulated hunt. Out of those 5,422 people, it was a general
 22 hunt, it was a general open hunt, there were 160 non-residents
 23 that participated in that hunt. Their take was 80 moose. They
 24 had a 50 percent success rate; whereas out of the 542 -- 422
 25 (sic) people that participated in the hunt, there were 560
 26 Unit 13 residents that participated; they achieved 100 to 120
 27 moose, meaning that their success rate was about one-fifth.
 28 Non-residents not living in the State of Alaska had a
 29 significantly higher success rate than those people that are
 30 directly dependent on the resource.

31

32 The State Department of Fish & Game has responded to
 33 these increased numbers of hunters participation and declining
 34 moose populations in Unit 13 by adopting shorter seasons and
 35 antler restrictions. The 1993 State regulation maintained a
 36 general hunt but imposed the 50 inch antler, three brow tine
 37 back restriction. This restriction makes the hunt into
 38 essentially a trophy hunt.

39

40 From 1993, the State determined -- excuse me. Yes.
 41 For 1993, the State determined that 600 moose were necessary to
 42 satisfy subsistence uses, that number hasn't changed for 1994
 43 or 1995. However -- and they've also made a determination
 44 that 600 moose -- that the latest data that I've seen that 600
 45 moose is going to be the maximum allowable harvest in Unit 13.
 46 However based on the information provided in your draft
 47 proposal analysis for -- by the Regional Council reading and
 48 comment, it appears that the State is currently proposing
 49 additional antler restrictions for the coming season with no

50

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discussion of a Tier II hunt.

2

3 This omission of even any consideration of a Tier II
 4 Hunt is contrary to State law and denies the people who rely on
 5 the resource the most from having a reasonable opportunity to
 6 get their moose. This makes it all the more important for the
 7 Federal Board to live up to the mandate of ANILCA by giving
 8 rural subsistence users a priority when the resource is
 9 limited. The data shows that the resource is currently
 10 limited. Thus, we would urge the Board to limit the hunt in
 11 Unit 13 to rural subsistence users since the resource now is
 12 too low to accommodate all users.

13

14 The longer season requested by CRNA accommodates
 15 additional harvest seasons and is also consistent with the
 16 fall seasons in the past before the McDowell decision opened up
 17 Unit 13 to all Alaskans. I urge you to adopt the longer season
 18 and limit the number of hunters eligible to participate in it,
 19 and if necessary for conservation purposes, consider issuing
 20 Federal permits under a Tier II type system.

21

22 Thank you.

23

24 MR. EWAN: Thank you. I have a quick question on the
 25 last portion of your statement, on restricting hunters.

26

27 MS. KENDALL: Um-hum.

28

29 MR. EWAN: How would -- do you have any suggestion how
 30 that could be accomplished?

31

32 MS. KENDALL: Limit the hunt to Unit 13 residents,
 33 those that are rural, have been determined to have a customary
 34 and traditional reliance on the resource.

35

36 MR. EWAN: Okay. Any comments or questions from the
 37 Council Members? Yes, Lee.

38

39 MR. LOHSE: Yes, Mr. Chair. I had exactly the same
 40 question he did.

41

42 MS. KENDALL: Um-hum.

43

44 MR. LOHSE: We're in the process of finding C&T
 45 sometime down the road in 13, we haven't found that yet, am I
 46 correct? So in that situation then we -- am I wrong on that,
 47 Taylor? Aren't we going to take a look at that sometime in the
 48 near future?

49

50

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1 MR. BRELSFORD: You will have the opportunity to
 2 revisit that. That's the exercise that Bruce was describing
 3 from the Park Service.

4
 5 MR. LOHSE: Right.

6
 7 MR. BRELSFORD: But there are existing C&T
 8 determinations in Unit 13.

9
 10 MR. LOHSE: On Federal lands.

11
 12 MR. BRELSFORD: And until those are chang- -- federally
 13 adopted

14
 15 MR. LOHSE: Okay.

16
 17 MR. BRELSFORD: C&T determinations, and until
 18 those are reviewed and revisited, they remain in place.

19
 20 MR. LOHSE: Okay, good, that clears that up for me.
 21 And the second question I had was does either of you have any
 22 numbers on the numbers of guides operating in your area, and of
 23 that number how many of these guides are Native guides?

24
 25 MS. KENDALL: I don't have that information. I don't
 26 know if Gloria does either.

27
 28 MS. STICKWAN: I don't have that information. But from
 29 what I know of the area, I don't know of any Native guides in
 30 the area.

31
 32 MR. LOHSE: No Native guides.

33
 34 MS. STICKWAN: I don't know of any Native guides.

35
 36 MS. KENDALL: I think maybe Chistochina may have a few
 37 but I don't know personally of more than a couple.

38
 39 MR. LOHSE: Well, it's evident that the non-residents
 40 are better hunters than the Native Alaskans, it's just evident
 41 that they've got access to guides with airplanes and

42
 43 MS. KENDALL: That's right.

44
 45 MR. LOHSE: so that's why I asked the question.

46
 47 MS. KENDALL: Um-hum. Gloria made a point of saying
 48 that in this particular area there is a high use of ATVs.
 49 Again, like with the Kenaitze testimony and comments, this is a
 50

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high impact area where we have a road system giving people direct access. Those that have the money that can afford ATVs are using them and increasing the competition.

4

5 MR. BASNAR: Okay. And I would like to comment on the dates. I have a little problem with the late date. I don't have any problem changing the date up to the 1st of August, but as you get real late into the season, your moose get pretty stupid. They've got one thing on their mind, and it's not avoiding hunters.

11

12 MS. KENDALL: Well, I would point out here that in the earlier seasons up through the '60s they allowed exactly the hunt that we're suggesting, and apparently it worked then. I think the problem now is the number of hunters that are operating in the area.

17

18 MR. BASNAR: What about the quality of the meat? I personally don't want a bull in the rut. How about your people, Gloria, do you

21

22 MS. STICKWAN: No.

23

24 MR. BASNAR: You don't like a bull in the rut either I don't expect, do you?

26

27 MS. STICKWAN: No. But we still do like to have the longer hunting season. You could still use the meat.

29

30 MR. BASNAR: Could you be -- would you be comfortable with going to the earlier date; i.e., the 1st of August; but retaining the current later date?

33

34 MS. KENDALL: The 25th of September rather than the 30th of September?

36

37 MR. BASNAR: Um-hum. Uh-huh.

38

39 MS. STICKWAN: Yeah.

40

41 MR. BASNAR: That would -- you'd be comfortable with that?

43

44 MS. STICKWAN: Um-hum.

45

46 MR. EWAN: Excuse me.

47

48 MR. BASNAR: Because the leaves are off the trees, and the bulls are just plain stupid in the rut. And I know we want

50

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to go out and get meat, but to me (indiscernible -
 interrupted)

3

4 MR. EWAN: Excuse me, I was coughing when you -- did
 you compromise on the dates here? I didn't

6

7 MS. STICKWAN: Well, we're willing to work with you.
 We're not going to be here, you know, unwilling to work with
 you.

10

11 MR. EWAN: Ralph.

12

13 MR. LOHSE: You made a statement that I was looking for
 it in here that the -- that a finding was found that
 subsistence needs were approximately 600 moose in Unit 13?

16

17 MS. KENDALL: Yes.

18

19 MR. LOHSE: Now, was that a State finding, a Federal
 finding or

21

22 MS. KENDALL: It was State.

23

24 MR. LOHSE: That was a State finding.

25

26 MS. KENDALL: A State finding.

27

28 MR. LOHSE: And they're currently predicting a season
 of less than 600 moose?

30

31 MS. KENDALL: Well, I don't know how firm their data
 is. They have been playing around with it. The more
 information that they have been receiving is showing that there
 has been a drastic decline of moose in the area. They've been
 playing around with that number. Maybe it goes from 600 to 900
 at most. So I think it may be a little bit in flux still, but
 I think they're looking at -- they're definitely looking at
 restrictions. But those options are not necessarily geared
 towards a Tier II.

40

41 MR. LOHSE: Um-hum. And did -- do you, off the top of
 your head, know what the take was last year in the area?

43

44 MS. KENDALL: Twelve hundred

45

46 MR. LOHSE: Twelve hundred.

47

48 MS. KENDALL: and seventy-seven I think.

49

50

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1 MR. LOHSE: So they're looking at drastic reductions?
2
3 MS. KENDALL: Yes. Yes.
4
5 MR. EWAN: Since I come from that particular area, you
6 have my sympathy, I can tell you that. Ted, did you have a
7 comment or a question?
8
9 MR. SPRAKER: I was curious about the harvest level. I
10 think the 1200 figure that was for '93, is that correct?
11
12 MS. KENDALL: I think that
13
14 MR. SPRAKER: The '94 harvest was -- about three weeks
15 ago was 725, the '93 harvest was
16
17 MS. KENDALL: Yes, okay.
18
19 MR. SPRAKER: 1200 and something. And the reason
20 for the big jump is it's the first time 13(A) West has been
21 open for quite a few years to taking of large bulls, and it
22 added about 300 plus bulls to the harvest.
23
24 MS. KENDALL: Yes. And I would also
25
26 MR. LOHSE: Since '94.
27
28 MS. KENDALL: add to that, however, that it's
29 also due to the 50 inch rack regulation. Their testimony given
30 at the State Board last fall indicated that it would increase
31 the numbers of take of moose in that area for the first year.
32
33 MR. EWAN: I did want to make a comment just, you know,
34 expand on some of the information that's been given here.
35 In the particular area that we're talking about, 13 and 12 and
36, right, for the moose or just 13?
37
38 MS. KENDALL: 13.
39
40 MS. STICKWAN: Unit 13.
41
42 MR. EWAN: Just 13.
43
44 MS. KENDALL: Yeah.
45
46 MR. EWAN: Okay. The -- in certain areas, there's
47 restrictions for access, you cannot use ATV in certain areas.
48
49 MS. KENDALL: In Federal lands.
50

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1
2 MR. EWAN: Yes. Well, that's what I'm saying.
3
4 MS. KENDALL: Um-hum.
5
6 MR. EWAN: And then where there is good moose hunting,
7 there's some restrictions. And where there's access allowed,
8 it's just so crowded during the hunting season that the local
9 people just stay away from there. I mean, there's -- how are
10 you going to -- the Anchorage people, they're bringing their --
11 the Fairbanks people bringing their four-wheelers out there.
12 He doesn't know that it's crowded out there already, but they
13 have to hunt somewhere since they're out there, and they have
14 to -- they'll park and then

15
16 MR. BASNAR: We got the same problem.
17
18 MR. EWAN: Yeah.
19
20 MR. BASNAR: Both of us (ph).
21
22 MR. EWAN: The highway during the hunting -- the
23 regular State hunting season is just -- there's moose moving,
24 just almost every minute there will be a car going by trolling
25 for moose. So I think what these people want an extended
26 season on each end is to give them an advantage when there's
27 less competition. I think the take of the local village
28 villagers is not very many moose during the year. I heard
29 something like seven moose from how many, eight villages in the
30 last year.

31
32 MS. STICKWAN: It was collected over the telephone,
33 just those people who had telephones were interviewed and only
34 seven out of those villages got a moose.

35
36 MR. EWAN: Seven of those

37
38 MR. JOHN: Mr. Chairman.
39
40 MR. EWAN: Fred.
41
42 MR. JOHN: Yeah. I would like to say I am glad Heather
43 and Gloria is talking about this problem we have up in our
44 area. I'm from Mentasta, and right there in the village we
45 have a place called Eagle Trail that goes up past our village.
46 And during the hunting season, that road is one big -- I mean,
47 big, heavy truck go back and forth everyday. And then when it
48 comes back with big moose horn on top and everything, we just
49 sit there and watch, you know, 'cause when we go out, we --

50

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When the people in Mentasta go out, they don't get anything. The moose is driven so far back by the influx of people, vehicle, road vehicle, we can't even keep them off the Native private property. They're all over the place.

5

6 And I agree with that having longer season and going for subsistent hunter only. I'd like to say I back them up on what they brought forth. And it's happening on the whole 13 area, I know that. I heard it from Cantwell and Copper and down -- even down in Tazlina, Tol- -- what do you call that river going up, Tulsona River -- Talzina River by Copper Center, that place is just so crowded.

13

14 MR. EWAN: Totina (ph)?

15

16 MR. JOHN: Yeah. Totina River. I mean you -- subsistent hunter in our area don't have a chance during the hunting season, that's the conclusion.

19

20 MS. KENDALL: We'd like to clarify that. The proposal as it stands does not request that it be limited to just qualified subsistence hunters. I think that was the intention of Gloria when she submitted it and somewhere along the line it got left off. But we want to clarify and our testimony supports that, that's that what we are asking for, that this proposal 14 extend the season and limit the hunt to qualified subsistence hunters.

28

29 MR. EWAN: All right. Thank you for that clarification. Any more comments? Ralph.

31

32 MR. LOHSE: Mr. Chairman, I've got a question and a comment. Listening to what Fred said and what we've talked about in the past, to me I'm -- I guess I'll say I won't say I'm in favor of it but I'm inclined towards the fact that if I was going to extend an increased opportunity to subsistence hunters, that I would be inclined to extend it on the front part of the season. I know from my own standpoint, if I had my brothers and wanted to increase my opportunity, I would prefer to do my hunting before other people came and drove them back, before other people got them all shook up instead of after. And from that standpoint, I'd be very, very inclined towards extending the hunting season on the front end for a subsistence hunt more logically than on the back end.

45

46 The other question I had, and this is a question for either the Chair or for one of our advisers out there, if there are insufficient animals to meet subsistence requirements on Federal land, aren't we mandated or required to go something

50

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equivalent to a Tier II hunt? I mean isn't that -- I mean is there a point in time, is there a regulation or something along the line that basically takes that choice away from us?

4

5 MR. EWAN: Who wants to answer that question?

6

7 UNIDENTIFIED VOICE: Nobody.

8

9 MS. KENDALL: I will say that that is our position, that's how we read the law.

11

12 MR. EWAN: Taylor, did you want to

13

14 MR. BRELSFORD: Well, I think we've prepared a fairly carefully worded proposal analysis precisely because this question and several others are fairly specific and fairly subtle. And I think part of the interrelationship that we've looked at is the very small amount of Federal public land in Unit 13 and the sort of complicated policy problem of how much the Federal lands provide for the entire subsistence opportunity as compared to what portion of subsistence hunting would occur on the State lands.

23

24 So there are some provisions -- there are provisions in the Federal Subsistence Management regulations for closure of Federal public lands when that's required to provide for subsistence needs. There are provisions that were cited by MS. Kendall concerning distributing available subsistence opportunities among qualified subsistence users, so-called Section 804 permit hunts, this would be comparable to the State's Tier II hunt. And basically, each of those options is available to you, but they have some -- there's some weighing and balancing and judging that I think the Council is going to want to look at with some caution.

35

36 I don't know if the intention of the Council was to treat the Proposals 13 and 14 through to conclusion right now or -- in which case, we would probably want to do the Staff analysis

40

41 MR. EWAN: I believe we're looking

42

43 MR. BRELSFORD: and so on?

44

45 MR. EWAN: towards your guidance right now. Earlier, you mentioned that maybe the normal time to consider proposals is in the fall?

48

49 MR. BRELSFORD: No, no. These are proposals that were

50

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1- that have gone through

2

3 MR. EWAN: Okay. So this is the proper time.

4

5 MR. BRELSFORD: out for public review.

6

7 MR. EWAN: Okay.

8

9 MR. BRELSFORD: And the draft Staff work is in front of
 you and we even have public testimony responding to the draft
 Staff work. So all the cards are in-hand to go ahead and do
 it. If that's your wish, then perhaps we could start with the
 Staff -- a briefing on Proposal 13 and then on 14 since those
 two are very closely related. If that's the case -- okay.

15

16 Well, I'd ask that

17

18 MR. EWAN: Okay. We don't -- hearing no objection, I
 guess that's probably the way to go.

20

21 MR. BASNAR: Well, what -- you know, how deep do we
 want go get into this at this point in the day. Are you people
 going to be available tomorrow or is this the end of your stay
 here? 'Cause that's important to us.

25

26 MR. LOHSE: Mr. Chairman.

27

28 UNIDENTIFIED VOICE: Ralph has a question.

29

30 MR. EWAN: Yes, Ralph.

31

32 MR. LOHSE: Mr. Chairman, I think we should go -- I
 mean, we're on these, we've got witnesses right here or test-
 34 people testifying. I don't think we'll come to conclusion
 on these today yet any more but I don't see any reason not to
 go as far as we can today 'cause we're going to -- we have a
 lot to do tomorrow. And we're going to just have to get
 started on doing some of it.

39

40 MS. EAKON: Mr. Chairman, I checked with the hotel, and
 we can have this room until 5:00 o'clock tomorrow so you don't
 have to feel pressed for time.

43

44 MR. LOHSE: Thanks.

45

46 MR. EWAN: Yes. Okay, Taylor, I guess you can go ahead
 and

48

49 MR. BRELSFORD: Okay. Well, let me

50

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1
2 MR. EWAN: Unless there's -- then we can go back to the
question after, okay.

4
5 UNIDENTIFIED VOICE: All right.

6
7 MR. BRELSFORD: Okay. Thank you very much. I always
get to do this stuff on two minutes notice. On Proposal 13,
we're discussing a proposal that was submitted by the BLM in an
attempt to accommodate some differences between State and
Federal seasons. And my understanding was this was done on the
basis of local requests, but technically it was submitted by
the BLM. And specifically what was sugges- -- what is under
consideration in Proposal Number 13 is an increase of the moose
season in Unit 13 by opening it five days earlier, that is on
August 20th. The closing date would remain the same, the
harvest limit would remain the same. With this change, the
season on the State and Federal lands would be exactly
concurrent.

20
21 I realize we've made up a large map that demonstrates
the distribution of Federal public lands in Unit 13.

23
24 UNIDENTIFIED VOICE: More maps.

25
26 UNIDENTIFIED VOICE: These are bright colored maps,
folks.

28
29 (Off record comments)

30
31 MR. BRELSFORD: And I think this is a matter of kind of
visualizing what we're working with. These corridors, they're
a kind of a beige color or orangish color, are the Federal
public lands. All of the other lands -- pardon me, the green
bands in the bottom are a portion of the Chugach National
Forest. And in 13(E) in the extreme west, there's a portion of
the Denali National Park and Park addition.

38
39 Starting our discussion with the moose population
status, the census data provided indicate that the moose
population in Unit 13 is currently in decline. This concern
about the status is consistent throughout all of the categories
of composition; that is to the bull/cow/calf ratios and the
numbers that have been identified. So that numbers in all of
these categories are the lowest recorded since 1978. The
harvest in '93/'94 as has previously been cited was high, it
was 1,277 moose, more than double the harvest of the previous
year, the 1992/'93 season. The number of hunters was also
approximately twice as high. There's additional information

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concerning the implementation of the spike fork -- of the antler restrictions as a regulatory approach during that year. And we were not able to turn up the harvest data for the 1994/'95 season in our review.

5

6 The next topic discussed has to do with the seasonality of harvest success and the fact that most of the harvest occurs during the second, third and fourth weeks. The point that's raised there is that in the past when seasons occurred in the last week of September, that was a very successful period of harvest as the animals became less wary and more susceptible to hunting.

13

14 Turning to the question of human use patterns, the rural residents throughout Unit 13 have been determined to be customary and traditional users with the exception of residents in a small area along the Parks Highway referred to as McKinley Village and the residents of the Park Headquarters itself. This amounts to 14 communities with a total 1990 population of 20,000 residents roughly of whom about 15.5 percent are Alaska Native, and that would be predominantly Ahtna people.

22

23 Historically and in the contemporary subsistence rounds, moose represent a very important part; in fact, the most important large mammal species in the annual harvest cycle. There's a fairly extended table showing the percentage of households that try to harvest moose, that are successful in harvesting moose, that use moose, give moose away, receive moose, and then the harvest numbers, the estimated community totals. These are all of the individual communities that were covered in one of the intensive community studies by the Division of Subsistence, ADF&G Subsistence Division, in Unit 13 through about a 10 year period of research.

34

35 The -- there is an important point for us having to do with customary and traditional seasons of harvest. And there are some early historic sources at the turn of the century indicating that the Ahtna people traditionally harvested moose both during the fall and winter, taking antlerless moose during winter openings and employing a harvest practice that's very wide spread through the subarctic of hunting in the late winter and early spring when crust snow makes it difficult for moose to move and easier for a hunter on snowshoes. So the traditional seasons were actually very wide throughout a wide period of the year. We're not able to trace the transition to the current period, however as Ms. Kendall noted as well, during the 1960s and '70s seasons comparable to what are being requested here were in place as part of the management regime at that time.

49

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1 Other management considerations that are significant
 2 here, first of among those, is the widely dispersed
 3 configuration of Federal public lands; and secondly, the very
 4 high level of non-local interest in moose hunting, out of
 5 region residents that are hunting moose in this area. We note
 6 the fact that the Federal Subsistence Program has operated
 7 through a permit hunt on Federal public lands in Unit 13. The
 8 Federal public lands are not closed to non-subsistence hunters
 9 so that other residents from the State are able to hunt on the
 10 Federal lands based on the State regulations. An this modest
 11 change of dates would appear to result in an alignment. It
 12 would add a modest advantage to the subsistence users with no
 13 adverse consequence in the conservation of a healthy moose
 14 population.

15

16 In sum, that proposal as it was submitted makes a small
 17 change but a positive change on behalf of subsistence users in
 18 the region and does not pose any conservation or biological
 19 difficulties for the moose population. I would point out that
 20 proposals 13 and 14 are linked, and if your interest is in
 21 recommending Proposal 14, then Proposal 13 would kind of fall
 22 under that. So I'll stop there and see what your wishes would
 23 be.

24

25 Yes, Ralph.

26

27 MR. LOHSE: If I read this one right, basically it says
 28 under Federal regulations subsistence hunters are not limited
 29 to spike fork, 50, three brow tine. So basically on Federal
 30 land under current regulations with a subsistence permit, a
 31 subsistence hunter is not regulated to the State spike fork 50?
 32 In other words, any bull moose is available?

33

34 MR. WILLIS: Any moose is legal for the subsistence
 35 user.

36

37 MR. LOHSE: Or any moose or any bull moose?

38

39 MR. WILLIS: Any bull moose, excuse me.

40

41 MR. LOHSE: Any bull moose.

42

43 MR. WILLIS: I believe the limit is one bull.

44

45 MR. LOHSE: Yeah.

46

47 MR. BRELSFORD: Thanks. I should have mentioned that.

48

49 MR. EWAN: Even with that advantage, the take has

50

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been

2

3 MR. WILLIS: Um-hum.

4

5 MR. EWAN: seven among all the villages.

6

7 UNIDENTIFIED VOICE: It's a pretty small area.

8

9 MR. EWAN: Native villages that have been surveyed by
~~ph~~ none.

11

12 MR. LOHSE: Mr. Chairman.

13

14 MR. EWAN: Yes.

15

16 MR. LOHSE: Does that include people who are not right
 in a village? I was thinking of like both Ada Wilson and Duck
 (ph) and Freda Brown got one last year down in the Tonsina
 area. They're in Kenny Lake, are they considered part of a
 village or not?

21

22 MR. EWAN: I don't know, maybe not for this survey that
 I'm thinking of. The villages we talked about are Ahtna
 villages, most CRNA villages (indiscernible)

25

26 MR. LOHSE: Um-hum.

27

28 MR. EWAN: villages, those would be Chitina,
 Copper Center, Tazlina, Gulkana, Gakona, Chistochina, Mentasta
 and Cantwell.

31

32 MR. LOHSE: Okay. So we can have rural residents,
 Native residents that took ones that are prop- -- that aren't
 right in the village proper (ph).

35

36 MR. EWAN: Village (indiscernible), um-hum.

37

38 MR. BASNAR: Gakona and Gulkana?

39

40 MR. EWAN: Um-hum.

41

42 MR. BASNAR: And you don't have any Native population
 in Gakona, right?

44

45 MR. EWAN: That's true.

46

47 MR. BRELSFORD: Do you want to look at these together?

48

49 MR. EWAN: I do have a question on your Page 35 on --

50

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What's HH stand for up at the top there?

2

3 UNIDENTIFIED VOICE: Households.

4

5 MR. EWAN: Households.

6

7 MR. BRELSFORD: I'm sorry, yes. That stands for
Households.

9

10 MR. EWAN: Okay. Okay.

11

12 MR. BASNAR: Mr. Chairman, I think we need to look at
these both together. We're -- essentially, we're just
discussing dates. We're discussing nothing else but dates here
both of these proposals, so I think we need to look at them
both at the same time and try to come up with either a modified
third proposal or supporting one or two of these or whatever
but

19

20 MR. EWAN: Yes. Go ahead.

21

22 MR. BRELSFORD: With your permission, I'll just touch
on the points that are different, and obviously not repeating
what we've already said. The Proposal Number 14 has been
described by the proponents, and in effect it would lengthen
the season by 35 days, while the harvest limit of one antlered
bull by the Federal registration permit would remain in place.

28

29 We've commented on the general -- the increasingly
restrictive management regime in response to increasing
competition in the -- in Unit 13 in the past 20 years. So I
don't think those details need to concern us. The biological
status of the moose population we've touched on just a moment
ago. And similarly, we've already touched on the role of moose
in the traditional harvest round of Ahtna people, the
traditional seasonality, some information that we have
regarding the traditional harvest levels.

38

39 I think in this respect it's, perhaps, a little bit
helpful to point out -- I'm now summarizing from the top of
page 43 -- the fact that throughout State management in Unit --
42 moose in Unit 13, there have been efforts to accommodate
subsistence priority through permit hunts. There were -- there
was a State implemented Tier II hunt for moose in the mid-
480s, and that was successful in increasing the proportion of
moose taken by local residents. Federal Subsistent management
regulations have operated through a registration permit since
490.

49

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1 The amount of permits issued and the success ratio here
 2s somewhat important for us to look at. So I'll point out
 3that in the fall 1994 hunt, a total of 553 permits were issued.
 4They were fairly widely distributed among the villages due to
 5effective outreach and local familiarity. We actually checked
 6to be sure that the larger population centers weren't
 7dominating the permits. And in fact, they were fairly evenly
 8distributed among the large and small communities in Unit 13.
 9Actually, the village names and numbers are noted in a
 10footnote.

11

12 The reports for the fall '94 hunt indicate that as of
 13the present, 345 hunters went out and attempted to harvest
 14moose, and 22 of those hunters were successful. These would be
 15takes in the Federal public lands, these narrow -- relatively
 16narrow corridors along the highway. And it was estimated that
 17when all of the hunters finish reporting, the total take on the
 18Federal public lands may be something on the order of 27 moose.

19

20 We have pointed out -- in trying to analyze the impacts
 21of this proposal, we've touched on the matter of the small and
 22widely dispersed amount of Federal public land. And it's worth
 23indicating that they are generally very accessible because
 24they're found along the road system. They receive fairly
 25concentrated hunting effort by subsistence and non-subsistence
 26hunters. We've mentioned that the State has moved to a
 27management strategy which relies on antler restrictions,
 28allowing a large number of hunters to participate but with the
 29antler restriction the success rate is going to be much
 30smaller. And that's been kind of a key to the approach that
 31the State has used on State lands.

32

33 More -- turning to our responsibilities in the Federal
 34Subsistence Program, we have two duties. One is to promote
 35conservation of the healthy moose population. And again, the
 36status of the population and the slight decline that is
 37indicated in the quantitative information lead us to conclude
 38that no net increase in total moose harvests can be
 39accommodated at the same -- at the present time. The proposal
 40requested would lengthen the season, and an unlimited
 41Federal registration permit would continue. We think that may
 42result in an increased harvest and couldn't be adopted in its
 43present form without harm to the conservation of healthy moose
 44populations.

45

46 At the same time, Federal regs do require that we
 47provide for the continuation of subsistence harvest practices
 48on Federal public lands. And the proposed changes in season
 49length do appear to correspond with traditional periods of

50

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harvest in the Copper Basin. It appears that to provide for the longer closure, restrictions on other hunters would be required; that is, as you've described, have to be taken out of current users to allocate a greater portion to the subsistence use. And that may even -- it may even go to the level of Tier II or Section 804, that all residents in Unit 13 would not be able to be accommodated given the biological status.

8

9 Really, the heart of our conclusion is in the final paragraph where we've suggested adopting the proposal as it's currently written may well pose a risk to the conservation of a healthy population. But it should be possible to fashion an alternative management strategy that could provide for a longer season on Federal public lands. If the number of Federal public -- pardon me. If the number of Federal permits were limited, even with the longer season, the total moose harvest could be held to current levels.

18

19 Closure of Federal public lands to moose hunters from outside Unit 13 and limiting the number of Federal permits among the Unit 13 residents would be, we think, difficult and controversial steps given the level of interest that's been at work in Unit 13. But these steps might be required in order to accommodate the requested season length, the increased length of the season.

26

27 The Regional Council, we feel, would have very important insight into how to strike a balance between these conflicting requirements. On the one hand, conserving a healthy moose population and on the other hand, accommodating traditional subsistence practices without provoking or leading to unnecessary political difficulties in the region. So we're kind of in a -- we're looking to you for some judgment about what combination of steps would make the most sense on this moose population in Unit 13.

36

37 I guess I'd like to suggest that if Ms. Kendall's comments were somewhat off target in suggesting that we were committed to do- -- to -- we were urging you to adopt Proposal 13 and urging you to reject Proposal 14. I think what we've tried to do in the Staff work is to suggest that you have some options in both respects. And that there's a kind of careful balance to be struck here, and that we would appreciate your guidance on how to best do that.

45

46 MR. EWAN: All right.

47

48 UNIDENTIFIED VOICE: Ralph has

49

50

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1 MR. EWAN: Did Bob -- Robert have any comment or

2

3 MR. WILLIS: I'm just here to answer your questions on
the biological aspect. Taylor has presented the biological
5 impact. This was a combined Staff analysis, so I'm just up
6 here to answer any biological questions you might have.

7

8 MR. EWAN: All right.

9

10 MR. LOHSE: Mr. Chairman.

11

12 MR. EWAN: Before I get to you, Ralph, I just -- on
this -- in your conclusion here in the last paragraph, as you
mentioned, this step that might have to be taken, closure of
Federal public land to moose hunters from outside Unit 13 and
16 limiting Federal permits among Unit 13 residents -- to -- I
guess that's to 13 -- Unit 13 residents.

18

19 MR. BRELSFORD: Well, again, the Federal permits at
present

21

22 MR. EWAN: That's one way of doing it, right?

23

24 MR. BRELSFORD: Right. And that second point, the
Federal registration permit hunt right now is limited to
Unit 13 residents, those are the only ones that can
participate. But that 500 permits may be too high if we have a
28 longer season.

29

30 MR. EWAN: So what you're saying limit those?

31

32 MR. BRELSFORD: Right. Even the current level of 500
permits. And it's a registration permit, so anybody who signs
up can get one; it's not capped, there's no upper limit yet at
the present time. But that -- those same 500 permits available
during a much longer season might result in a larger harvest.
That's the concern that we're raising.

38

39 MR. EWAN: All right. Ralph.

40

41 MR. LOHSE: Yeah. I'd like to just get something
straight in my mind. Currently, the way things are operating
right now, a non-subsistence hunter can hunt on Federal and
State land,

45

46 MR. BRELSFORD: Right.

47

48 MR. LOHSE:, and has antler restrictions on
Federal and on State land. I mean, it has antler restrictions

50

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on State and on Federal?

2

3 MR. BRELSFORD: Correct.

4

5 MR. LOHSE: A subsistence hunter can hunt on Federal
land with no antler restrictions and on State land with antler
restrictions?

8

9 MR. WILLIS: That's correct.

10

11 MR. LOHSE: So that currently the only advantage or
whatever you want to call it that a subsistence hunter has is
that they can hunt on the lands that we see as Federal lands
without having an antler restriction?

15

16 MR. WILLIS: That's correct.

17

18 MR. LOHSE: I mean that is the only advantage at this
point in time?

20

21 MR. WILLIS: (Nods head affirmatively.)

22

23 MR. EWAN: Gary.

24

25 MR. OSKOLKOFF: With that, is -- does that mean that
they can have one or the other or that they can -- they could
actually take both?

28

29 UNIDENTIFIED VOICE: No.

30

31 MR. BRELSFORD: Bag limits under the two systems are
not cumulative, you can't add them. So if you've taken an
animal on State lands under State seasons and bags, that --
you're done.

35

36 MR. OSKOLKOFF: Okay.

37

38 MR. BRELSFORD: That fulfills your opportunity under
the Federal regulations at the same time.

40

41 MR. OSKOLKOFF: Okay.

42

43 MR. EWAN: Lee.

44

45 MR. BASNAR: Yeah. I think closing Federal public
lands to moose hunters from outside 13, I don't have any
problem with that. But if you do that and limit Federal
permits at the same time in the initial adjustment year and
reduce the number of Federal permits available to the residents

50

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of Unit 13, we have to face political reality whether we want to or not. And I think that might just be taking it one step too far at least in the initial concept; i.e., you would irritate a lot of residents of Unit 13 who -- depending upon what the numbers of permits were issued, you could irritate a lot of residents of Unit 13 who have got a long history of use of this area.

8

9 This doesn't pertain to my area. We don't hunt over that way very much, a few people, but not much. So I would suggest that that just be a consideration for the Council when we're discussing this.

13

14 MR. EWAN: All right. I'm going to have to turn the Chair over for a little while. I just remembered, I got to deliver something to the front desk here. Okay, hold it for a while.

18

19 (Mr. Ewan departs proceedings)

20

21 MR. BASNAR: Okay. Again, I think we're looking at essentially -- as the proposals are written, we're looking at a date change. And then in the discussion by the Staff, they talk about changing eligibility outside 13 or in 13. I personally lean toward the earlier season, closing down the hunt on the 20th of August -- I'm sorry -- the 20th of September but opening it up on the 1st of August. That'd be a short season. That's what I favor, what does the rest of the Council -- Helga, do you have a comment?

30

31 MS. EAKON: I wanted to, for the record, inform you on the public written comments that we received on both proposals.

33

34 MR. BASNAR: Yes.

35

36 MS. EAKON: Okay. Proposal 13, the Alaska Department of Fish & Game supports Proposal 13. And for the reasons articulated by Ms. Kendall and Ms. Stickwan, Copper River Native Association opposes Proposal 13.

40

41 Proposal 14, the Alaska Department of Fish & Game opposes Proposal 14. They believe that these areas need to be closed during the rut so that bulls can move into heavily harvested Federal lands and optimize mating activities. They state that both State and Federal lands in Unit 13 do not presently have surpluses of bulls that justify hunting during the rut. And for the reasons articulated by Ms. Kendall and Ms. Stickwan, Copper River Native Association supports Proposal 14.

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2 MR. BASNAR: Okay. Thank you. I'd like to add to that
Denali Subsistence Resource Commission discussed these
proposals at our meeting, and Denali -- the Commission voted to
oppose both 14 and 15 and supported 13.

6
7 MR. ROMIG: Mr. Chairman.

8
9 MR. BASNAR: Ben.

10
11 MR. ROMIG: Yeah. I'd be in favor of supporting
Proposal 14 with the amendment that we close the season on
September 20th instead of September 30 then.

14
15 MR. BASNAR: In other words, the season would go
August 1 to September 20?

17
18 MR. ROMIG: Exactly.

19
20 MR. BASNAR: Is that a motion?

21
22 MR. ROMIG: No. I'm just giving my opinion right now.

23
24 MR. BASNAR: Okay. Okay. Yes, Robert.

25
26 MR. WILLIS: Excuse me, Mr. Chair, as a point of
procedure. At this point, we usually ask for any comments from
the State or other agency people who might be here, prior to
getting into Council discussion, if memory serves. And I
notice there's a State representative here, I don't know about
the other agencies who might wish to comment before the Council
goes into deliberation.

33
34 MR. BASNAR: They're certainly welcome to do so. I
hadn't seen any hands, but they're certainly welcome. Jim,
would you like to? Please.

37
38 MR. LIEB: Mr. Chairman, I don't have any harvest data
or population data with me, but I could have it tomorrow
morning if you're at all interested in seeing such data for the
State lands. I guess the one observation I would make from
listening to the discussion so far is that there is a
substantial harvest by local rural residents of Unit 13 off the
State lands. In other words, their harvest isn't just coming
from the Federal lands in Unit 13. And I could provide you
that information tomorrow morning if you're interested.

47
48 MR. OSKOLKOFF: Excuse me. Could you clarify it? Did
you mean that there is a substantial harvest off of Federal

50

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lands by local residents?

2

3 MR. LIEB: Yes. Local residents of Unit 13, in
4 addition to participating in the Federal registration hunt,
5 also get State harvest tickets, and they hunt moose throughout
6 all of Unit 13 during the normal State season, and they take a
7 substantial number of moose under this hunting season.

8

9 MR. OSKOLKOFF: Thank you.

10

11 MR. BASNAR: I'd be interested in seeing those figures,
12 but you can't get them until tomorrow morning?

13

14 MR. LIEB: Yeah. I don't have them with me right at
15 the moment.

16

17 MR. BASNAR: Yeah. I think we turn into a pumpkin at
18 5:00 o'clock here and get thrown out of the room or something.
19 And so it might be well to delay -- I just hate to delay these
20 poor people in the back that have been so patient with us, but
21 I'm not sure that we're at the point -- I'm not getting motions
22 from the Council Members yet. I don't think anybody has really
23 settled into a position here, am I correct? Without a motion
24 or a proposal or anything, apparently we do need more data in
25 order for someone to formulate a proposal or a motion.

26

27 MR. OSKOLKOFF: Mr. Chairman, I think you're correct in
28 your assessment. I'm feeling that I agree, I think that
29 extending the season further into August is probably the
30 appropriate thing to do, how far into August is I guess the
31 question and whether to vote yea or nay if that is indeed the
32 proposal. And it would be nice to see those figures to put our
33 minds at ease, at least in my case.

34

35 MR. BASNAR: If there's no objection, is it -- again,
36 really, you have my sympathy, you ladies in the back, I know
37 what it's like to sit in the back of a room for two days and
38 still not resolve the issue that you came here (sic). But we
39 really want to get all the data before we act, and we want to
40 do it in accordance with your wishes as far as we possibly can.
41 Is it possible for you to come back in the morning?

42

43 MS. KENDALL: Yes, it is possible. I think it's a good
44 idea. I think the data will actually prove our points. And
45 we'd be happy to come back and participate.

46

47 MR. BASNAR: Okay. We'll -- I promise you that we'll
48 take this up the very first issue in the morning so we can turn
49 you loose.

50

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2 MR. OSKOLKOFF: Mr. Chairman.
3
4 MR. BASNAR: Yeah.
5
6 MR. OSKOLKOFF: I would really like to get through
7 these proposals and the Kenai proposal that we were working on
8 tomorrow. And tomorrow is our scheduled last day, we've
9 already extended it by half a day, the possibility of it. So
10 there essentially are no tomorrows. And so please try and -- I
11 would advise everyone to try and give us as much information to
12 support your positions as possible to try and make information
13 available for the other proposals that we'll be looking at
14 tomorrow.
15
16 (Mr. Ewan rejoins proceedings)
17
18 MR. BASNAR: Okay. Unless the Council Members object
19 and our Chairman, who has returned, if he wants to retain
20 the Chair. Roy, we've requested some additional information
21 that is not now available from the ADF&G biologist who's going
22 to provide that in the morning.
23
24 MR. EWAN: Yeah. Could you recap for me so I'll
25 know

26
27 MR. BASNAR: Yeah.
28
29 MR. EWAN: what happened?
30
31 MR. BASNAR: It's harvest data and on the amount of
32 those that are harvested on State lands as opposed to Federal
33 lands in this area. And he doesn't have it immediately
34 available. We've talked to the two ladies, they both agree
35 they would like us to delay our discussion until we get that
36 data, and they'll be here first thing in the morning. I've
37 assured them that this will be the first thing on the agenda
38 tomorrow morning.
39
40 MR. EWAN: Okay. That's two things the first thing.
41
42 MR. OSKOLKOFF: Yeah, we have two first things.
43
44 MR. BASNAR: What is the second first thing?
45
46 MR. EWAN: Helga.
47
48 MS. EAKON: Mr. Chairman, Council, the hotel is going
49 to be celebrating their 15th anniversary of operation with an
50

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open house; it begins at 6:00 o'clock. And the sales person I talked to said you're welcome to attend this open house. However, she would like all papers, if you can put them in a box in the back because people are going to come through in droves and admire their newly refurbished board rooms. So either please take your papers with you or we can put them in boxes in the back. Thank you.

8

9 (Off record comments)

10

11 MR. EWAN: All right. Are we done for today then?

12

13 UNIDENTIFIED VOICE: Recess.

14

15 MR. EWAN: Yeah.

16

17 MR. OSKOLKOFF: Recess till tomorrow.

18

19 MR. EWAN: If there is no objection, we'll recess till when? 9:00 a.m. I would prefer 9:00 a.m. because I have a breakfast meeting with someone here tomorrow morning.

22

23 MR. BASNAR: 9:00 it is.

24

25 MR. EWAN: 9:00 a.m. Recess till 9:00 a.m.

26

27 (Off record)

28

29 (END OF DAY'S PROCEEDINGS)

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UNITED STATES OF AMERICA)

) ss.

STATE OF ALASKA)

I, Rebecca Nelms, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 138 through 279 contain a full, true and correct Transcript of the Southcentral Subsistence Regional Advisory Council, Volume II, meeting taken Electronically by Joseph Kolasinski on the 1st day of March, 1995, beginning at the hour of 8:30 o'clock a.m. at the Sheraton Hotel, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by Karen E. Squiers to the best of her knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

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