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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
March 2, 1995
Sheraton Anchorage Hotel
Anchorage, Alaska

VOLUME III

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

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MR. EWAN: Okay. I'll call the meeting to order. This is the third day of the Southcentral Alaska Subsistence Regional Council meeting. Yesterday, we had a discussion on Proposal 13 and 14. CRNA brought their Proposal 14 and they were going to I guess -- there was supposed to be some information that they brought to this meeting today.

MR. BASNAR: Jim Lieb is supposed to bring it.

MS. KENDALL: I think the State was going to provide the Board with some data, but I've got much of the same data that I can provide you if you're ready for this now.

MR. EWAN: Okay. Are you ready to continue with your

MS. KENDALL: Yes.

MR. EWAN: proposal?

MS. KENDALL: The first thing I'll pass out is a response to the interrogatory questions that I put to the State asking them for this specific data which pretty much summarizes things that I was going over briefly yesterday.

MR. EWAN: Okay. Heather Kendall, you'll be testifying again today?

MS. KENDALL: Yes.

MR. EWAN: Okay.

MS. KENDALL: I'm Heather Kendall here on behalf of CRNA. I'm here again with a little bit more information that I'm going to bring to your attention.

Now, if you look on Page 3, we ask how many people participated in the State Unit 13 hunt and asked the State to break down the numbers as to place of residence. And Number 5 there, they state that the latest available data indicate that 5,422 people reported hunting moose for Unit 13 in 1993 under the State regulated hunt broken down as follows: Alaska residents from Unit 13, 537; other Alaska residents, 4,573; Non-Alaska residents, 164; and residents undetermined, 148 for a total of 5,422 hunters.

Then when asked that of those hunters break down on the

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basis of success rate for us. In Number 6 we see that of the Alaska residents from Unit 13 that were successful in getting moose, they gave us a number of 90 to 101; other Alaska residents, 1,022; non-Alaska residents, meaning out of state sport hunters, 81; and residents undetermined, 34 for a total of 1,227 moose taken.

7

8 So as you can see, these numbers very vividly show that the out of state sports hunters have been achieving a significantly larger success rate than the Unit 13 local residents. On this page here, I was looking at this a little bit more closely today, the second document, and on Page -- the second page of the data list, if you look down at the very bottom of the regulatory year 1993, here it actually shows that the locals -- of the locals that participated in the Unit 13 hunt only 90 reported getting their subsistence use. So even though on our answer here they said 90 to 101, it looks here like the actual numbers reported were 90. So it's not even a 20 percent success rate that they achieved in that hunt.

20

21 Number 7 -- Question Number 7 is also rather interesting in that it shows that the number of hunters utilizing off-road vehicles, 360, used three-quarter wheelers, 246, reported taking 736 moose. So out of the number -- the total number of moose taken in Unit 13 under the State regulated hunt, half of them were taken by people utilizing off-road vehicles.

28

29 So I present these numbers to you to show the level of competition that occurs in this particular hunt under the State regulated hunt, and that the local users have -- just don't have a chance. And these numbers show that the local users have not been getting their subsistence needs met under this system. And therefore, it's all the more important for this Board, we believe, to enforce the mandate of ANILCA and to provide the local hunters in that area -- given that the resource has now declined to the extent that restrictions are going to be necessary, to give them the preference with the longer season.

40

41 MR. EWAN: Is that the data today?

42

43 MS. KENDALL: Yes.

44

45 MR. LOHSE: On Page 4 under Number 6, this in addition, according to the latest figures, 51 moose were taken under the Federal subsistence hunt by Unit 13 residents. An apparent overlap of 13 moose reported under both State and Federal hunts has been deducted from the figure. Does that mean that there

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were an additional 51 moose and because 13 of them overlapped, you know, were kept credit underneath the State one, that that meant that there actually were basically 64 moose taken under Federal subsistence hunts but some of them were reported under State and that 51 additional moose were taken under the Federal subsistence hunt? Is that basically what it's saying right there?

8

9 MS. KENDALL: Yes, I think that's right.

10

11 MR. LOHSE: So what we basically ended up with then for Unit 13 residents was about 150 moose, right, close in that neighborhood anyhow?

14

15 MS. KENDALL: Well, let me see. Well, that could be accurate. I think, though, on the back of the second page here let me see if you combine those -- Unit 13, this is not clear whether it combines both those numbers into a total of

20

21 MR. EWAN: Could Jim Lieb help here? I mean, do you know any -- or Bob?

23 MR. LIEB: I don't have those numbers in front of me. I'm more than willing to take a look at them and revise them.

25

26 MR. EWAN: I guess maybe you could repeat that. Do you understand the question?

28

29 MR. LOHSE: It looks to me, from reading this, that this was information you asked from the State.

31

32 MS. KENDALL: Um-hum.

33

34 MR. LOHSE: The State only reported on what happened on State land. And so consequently, this is an additional hunt that took place on Federal lands or additional reporting that took place on Federal lands. So I mean it appears to me like there's basically another 51 moose involved in this right here, but I may be wrong on that.

40

41 MS. KENDALL: Okay.

42

43 MR. LOHSE: Do you have a copy of the thing for

44

45 MS. KENDALL: Here, let me. This is the one he's referring to. In addition to this number taken on -- which is those taken under State land, 51 was taken under the Federal subsistence hunt by Unit 13 residents.

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1 MR. LIEB: Yes, Mr. Chairman. Yeah, that is correct.
 The -- those 51 animals were taken under Federal registration
 permit and

4

5 MR. EWAN: And we were not including this in the number
 here.

7

8 MR. LIEB: In theory, we haven't done this yet, it's
 actually on our list of things to do for 1993. If you take the
 10 we have the harvest total under the State harvest ticket
 hunt at 90 moose. And in theory, if everyone has reported
 correctly, you should be able to add those two totals and get
 the total harvest by residents of Unit 13 at 141. But in fact,
 what we still need to do, and we haven't done it yet -- mainly
 because it's got to be done by hand, 'cause the Federal data we
 can't directly put into a computer and have the computer do it.
 15 So what we need to do is we need to go back and double-check
 and make certain that no one has double reported.

19

20 MS. KENDALL: Taylor just clarified for me that
 basically as was said here, you add the 51 moose to the 90 for
 the total and then deduct the 13. So even with these numbers
 23 would be a total of 130 or thereabouts for local Unit 13
 residents. And that would out of a number of 537 that
 participated. So you're still looking at pretty much 20
 percent success rate as compared to the out of state sport
 hunters, 50 percent.

28

29 MR. EWAN: I think Robert here has to have that (ph).

30

31 MR. WILLIS: Excuse me. One point that's kind of
 important that needs to be brought out in relation to these
 numbers is that we don't get very good reporting on our Federal
 subsistence permits out of Unit 13. I looked at it yesterday
 and right now it's running about 66 percent reporting which
 means that just over a third of the people who have a harvest
 ticket who got a registration permit, that is, for moose in
 that unit have not reported one way or the other whether they
 harvested a moose. And I talked to our statistician about it,
 and he said that was about average over the last several years.

41

42 UNIDENTIFIED VOICE: Do you

43

44 MR. EWAN: For the resident hunters? The average
 number for the resident hunters?

46

47 MR. WILLIS: Yes. Talking about subsistence hunters
 only, those are the 553 I think it was last year who got a
 Federal registration permit are supposed to report whether or

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not they harvested a moose. Reports will still -- there will still be some trickling in because we're -- you know, we're still in the middle of the winter. But that's something that you need to keep in mind when you're discussing these figures is that there is a lot of non-reporting.

6

7 MR. EWAN: Jim.

8

9 MR. WILLIS: Taylor pointed out that typically most of those people, or a lot of them anyway, either did not hunt or were unsuccessful. You tend to hear more about the people who harvested a moose than you do the ones who did not harvest a moose, but reporting is a problem in almost all areas of the State and you need to keep that in mind when you're looking at these reported harvest figures.

16

17 MR. EWAN: So are we just talking about bad reporting by subsistence hunters or by --

19

20 MR. WILLIS: Right.

21

22 MR. EWAN: by other people too?

23

24 MR. WILLIS: We're talking about just the Federal Subsistence Program here because that's all we compile in our office.

27

28 MR. EWAN: Yeah.

29

30 MR. WILLIS: The State -- Jim could speak better to what the State's reporting effort is than I could.

32

33 MR. EWAN: Go ahead, Jim.

34

35 MR. LIEB: Yeah. Just for your information. We've got a fairly elaborate reporting program that's been in effect in the State for many, many years. And it involves reminder letters and certified reminder letters, and so it takes us close to six months. This effort starts in the fall, within 25 days after the end of the season, and then it isn't completed until the end of the following March before we finalize our total harvest data. And it requires two sets of reminder letters. And you can see what happens, the regular harvest tickets, you get about 70 percent of your harvest reporting at the State level for moose, and then the first reminder letter you pick up about another 20 percent, and then the second reminder letter, you'll get your last 5 to 10 percent of your total harvest reported.

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1 Just one other

2

3 MR. EWAN: Do you think yours is very complete?

4

5 MR. LIEB: Yeah. I would say that our harvest totals,
6 by the time we get through with them, they're pretty accurate.
7 Yes.

8

9 MR. EWAN: But can you get away with not reporting or
10 can you falsely report?

11

12 MR. LIEB: Yeah, you can always falsely report. Yeah.
13 There's no way of determining how accurate the information is.
14 I mean

15

16 MR. EWAN: That is --

17

18 MR. LIEB: There is a report

19

20 MR. EWAN: that is not reporting, in my opinion.

21

22 MR. LIEB: There is a State regulation, you're required
23 to report under the State hunting system. The other thing I'd
24 like to point out to try to put a little bit of this in
25 perspective. You're trying to compare non-resident hunters and
26 harvest success and harvest with residents and with residents
27 in Unit 13.

28

29 The thing -- one of the things you have to keep in mind
30 here is that for many years throughout the '80s and up until
31 two years ago, non-residents were not allowed to participate in
32 the Unit 13 moose hunt. This was only initiated in 1993 when
33 they went to the longer hunting season with the antler
34 restrictions. And with that year, after evaluating what they
35 felt was a estimate of the number of animals needed for
36 resident hunters, they -- and then evaluating what was
37 available, they decided at that point that they could provide
38 for additional take in addition to the resident take. And so
39 in 1993, that was the first year for many years where non-
40 residents have been able to participate in the Unit 13 hunt.

41

42 MS. KENDALL: On the State lands are you suggesting
43 that?

44

45 MR. LIEB: That's correct.

46

47 MS. KENDALL: Well, I must say that I think that that's
48 not right, because we were involved in litigation against the
49 State in 1991 for allowing a general hunt in Unit 13 with a

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very restricted season.

2

3 MR. LIEB: But that was -- basically it was a general
4 hunt for all residents.

5

6 MS. KENDALL: For all residents. Since the McDowell
7 decision, it has been all subsistence users which means non-
8 local residents as well as local residents.

9

10 MR. LOHSE: But you were talking about strictly a non-
11 resident out of state hunt?

12

13 MR. LIEB: Out of state non-resident.

14

15 MR. LOHSE: Okay.

16

17 MR. LIEB: And when I say non-resident, that's what I
18 mean by someone

19

20 MR. LOHSE: You mean out of state?

21

22 MR. LIEB: Right.

23

24 MR. LOHSE: Okay.

25

26 MR. LIEB: Non-Alaska resident.

27

28 MR. EWAN: All right. Does that answer your question,
29 Ralph?

30

31 MR. LOHSE: Yeah. Basically it doesn't change things
32 that much. It does change percentage a little bit but not that
33 great.

34

35 MR. EWAN: I'd just like to ask about false reporting.
36 I just think that that's probably easily done over in Unit 13.
37 I think the Fish & Game people over there go watch 24 hours a
38 day. Those people come out of the woods at midnight. And I
39 see a lot of moose come in very late at night. I drive that
40 highway up and down almost every two weeks I'm on the road or
41 sometimes every week, and I see a lot of moose and caribou and
42 everything coming out at night. So maybe they come in and
43 nothing -- they keep the option open, they don't have to report
44 that they killed a moose if you didn't see them.

45

46 MR. LIEB: The level of inaccurate or false reporting,
47 you know, there's no reason to believe that it would be any
48 different in Unit 13 than anywhere else in the State, you know.
49 You're -- you know, human nature being what it is, there may

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1- you're going to get some percentage of people for whatever
 their motives are that they decide they're not going to
 accurately report. You know, our basic- --

4

5 MR. EWAN: So

6

7 MR. LIEB: Our gut feeling is that by and large most
 hunters

9

10 MR. EWAN: Wait. What I'm getting at is the numbers
 could be higher, right?

12

13 UNIDENTIFIED VOICE: Right.

14

15 MR. EWAN: A little higher?

16

17 UNIDENTIFIED VOICE: Yeah. Um-hum.

18

19 MR. EWAN: Okay. Lee.

20

21 MS. KENDALL: Thanks.

22

23 MR. BASNAR: Mr. Chairman. There's a flip side to
 that. Because going back several years when -- I'm talking
 strictly on the State now. Did you get a moose last year, did
 you get a moose the year before and you added up a number of
 points. I forget what that system was, but we've been through
 so many. There could be false reporting that yes, I got a
 moose when in fact I didn't, just in case the State comes back
 with some kind of a program like that again. There's a
 possibility some people could claim that they did kill a moose
 which might help balance out the under-reporting on the other
 side. I don't know, I just

34

35 MR. LIEB: You're absolutely right. There has been
 speculation as to whether since 1991 when the basically Tier II
 hunts have been initiated in a number of places in the State,
 whether people are beginning to attempt to evaluate how the
 answer to their harvest reporting is going to affect their
 chances for Tier II. In actuality, the way the Tier II
 questions are worded, there's no advantage in harvesting an
 animal, it's your intent to hunt. It's whether you hunted or
 whether you intended to hunt, if for some reason you weren't
 able to hunt because the hunt was closed or whether it was a
 permit that you weren't able to obtain.

46

47 MR. EWAN: I think we're spending a lot of time here on
 this. Any other comments or questions about this proposal?

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1 MS. KENDALL: I just wanted to bring the Board's
2 attention briefly, real quick, to the data in the back here.
3 And this actually shows a breakdown per community of successful
4 hunters. And CRNA of which we are here giving testimony on
5 behalf of, their eight villages as you can see

6

7 MR. EWAN: Which page are you looking at?

8

9 MS. KENDALL: On the back here of this one fax
10 transmittal. Okay. Like on the fourth page, Page 4, it
11 begins. Here's the breakdown of successful takes based on
12 community; Tazlina, for instance, three moose, the whole
13 community. Mentasta Lake, one moose. Gakona, six. Gulkana,
14 one. Cantwell, fifteen. Chistochina, two. Chitina, none.
15 Copper Center, eleven. These are the communities that have the
16 most direct reliance and need on this resource. And these are
17 the communities that have been least successful in getting
18 their subsistence needs.

19

20 So that's the data I have to present to you. Thank
21 you.

22

23 MR. EWAN: All right. Thank you, Heather. Jim, did
24 you have additional comments?

25

26 MR. LIEB: Well, you requested information yesterday
27 and

28

29 MR. EWAN: I wasn't here so I don't know.

30

31 MR. LIEB: That's correct. And I did go back and put
32 together some information. We do have the preliminary
33 information for this last year, 1994. This is after --
34 remember, I just got through explaining the reminder letter
35 system. We do have the data after the first reminder letter,
36 it should be in the 90 plus, 95 percent accuracy range in
37 terms of the final harvest totals for this last year. And you
38 know, we can take a look at that in terms of comparing it with
39 the prior year.

40

41 As you'll recall, we've been under this system of the
42 selective antler restriction scheme for the past two years.
43 And the preliminary harvest for 1994 shows 849 moose harvested
44 by 5,237 hunters. And of that total, 764 moose were taken by
45 residents of the State.

46

47 MR. EWAN: Say that again, the last

48

49 MR. LIEB: Seven hundred and sixty-four moose were

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taken by residents of the State, and that's 400- -- 4,521
 Hunters. I'm sorry, no, that's not accurate here.

3

4 (Side conversations)

5

6 MR. LIEB: It's going to be about 40 -- 4700 resident
 Hunters. And then there's 85 moose harvested by non-residents,
 that's approximately 225 non-residents.

9

10 Now, a breakdown of the resident hunters for '94, we
 have a preliminary total of 88 moose taken by 546 residents of
 Unit 13. And once again, what you're going to need to add to
 that total is the number of animals taken under the Federal
 Subsistence hunt in order to get your total number of moose
 harvested by Unit 13 residents.

16

17 One of the things to note here is comparing '93 with
 '94, you'll see that the total harvest has declined from 1278 I
 believe down to 850, while actually the State -- while the
 local -- the residents of Unit 13 harvest is apparently just
 about the same as it was last year in '93.

22

23 MR. EWAN: That number again? I didn't -- I was doing
 something else here, that number again?

25

26 MR. LIEB: In '93, the residents of Unit 13 took 90
 moose

28

29 MR. EWAN: Ninety.

30

31 MR. LIEB: under the State harvest, and they took
 52 under the Federal. And this past year, under -- on the
 State hunt they took 88, and we don't know what the Federal
 Harvest yet for '94 is.

35

36 And the other thing to keep in mind here is that in '93
 37 there's a number of factors that go into evaluating the
 total decline in harvest. You know, we've had a decline in
 recruitment, we've had a decline in the total moose population
 over this period and, therefore, there's less animals available
 to harvest out there. In addition, we did open up that
 Unit 13(A) in '93 for the first time, and there was a surplus
 of bulls in that area. So part of the difference between '93
 and '94, between the 1200 and some and the 850 this past year,
 45 those animals taken in 13(A) in '93.

46

47 MR. EWAN: All right. Is that it? That's all the
 numbers you have?

49

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1 MR. LIEB: Yes.

2

3 MR. EWAN: Okay. Thank you.

4

5 MR. LOHSE: Yes, can I ask a question?

6

7 MR. EWAN: Yes.

8

9 MR. LOHSE: Is there any breakdown? I know that some
of the -- the 50 moose we've talked about were under Federal
subsistence regulations, but is there any breakdown on the
number of moose that were taken by resident and non-resident
hunters on Federal land? I mean did people have to report
whether they took their moose on Federal land or State land?

15

16 MR. LIEB: Basically, they report -- under the State
reporting system, they report the relatively exact location of
where they take

19

20 MR. LOHSE: Um-hum.

21

22 MR. LIEB: their animal. And then we transpose
that into what we call UCU, it's -- the whole Unit 13 is broken
up into

25

26 MR. LOHSE: Um-hum.

27

28 MR. LIEB: components, geographical components.
And so then, in fact, we can determine how many moose were
taken in each one of these UCUs throughout the Unit 13.

31

32 MR. LOHSE: Yeah. I was just wondering if you had any
idea what percentage of the --

34

35 MR. LIEB: Yeah. I --

36

37 MR. LOHSE: the moose were taken

38

39 MR. LIEB: I do not.

40

41 MR. LOHSE: on Federal land.

42

43 MR. LIEB: I do not have that information with me.

44

45 MR. EWAN: Lee.

46

47 MR. BASNAR: Yeah, Mr. Chairman. I don't want to get
logged down in numbers. I think the overall picture is fairly
clear to me. I don't need to worry about two or three moose

50

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One way or the other. It's apparent to me that the local residents' subsistence needs are not being met under the current conditions. And I appreciate all this data, this just absolutely confirms it to me.

5

6 MR. EWAN: Is that it, Jim?

7

8 MR. LIEB: Well, I guess the one

9

10 MR. EWAN: We don't want to take too long on this
11 because we got a lot of business today.

12

13 MR. LIEB: Sure.

14

15 MR. EWAN: Okay.

16

17 MR. LIEB: The only other additional fact that --

18

19 MR. EWAN: So whatever you do, make it quick.

20

21 MR. LIEB: that I would point out is that in
22 attempting to evaluate the changes that have occurred over
23 recent years to -- in terms of harvest, both by residents of
24 the State versus residents of Unit 13, if you look at the
25 harvest by residents of Unit 13, in the -- throughout the 1980s
26 right up through 1989, you can see the harvest ranges from less
27 than 100 up to approximately 200.

28

29 The thing you have to keep in mind is that over this
30 same period of time, quite a few things were going on. There
31 were changes from year to year in season length. There were
32 changes in the bag limit, whether they had to take a 36 inch
33 bull or whether they were taking any bull. There were periods
34 where the locals were hunting under a State harvest ticket
35 hunt, plus they had -- in addition to that there were a certain
36 number of drawing permits available. Then there was a period
37 where there were registration periods available under the State
38 hunting system. This is before there were any Federal hunts.

39

40 So it becomes a little bit complex. But overriding the
41 complexity of the changes in regulations is the simple fact
42 that the harvest range by residents of Unit 13 is basically
43 what they're harvesting today. The last couple of years is
44 very similar, very close to what they've been harvesting over
45 the past decade. And this is just looking at the total harvest
46 of all residents in Unit 13.

47

48 MR. EWAN: Over how many years?

49

50

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1 MR. LIEB: Since 1982.

2

3 MR. EWAN: Yeah. I guess -- that's about right, I
4 guess, because that's about around the time we started --
5 everybody started to complain 'cause we weren't getting enough.
6 We're talking about village people. Yeah. I hunt very
7 extensively up in Unit 13. I'm a local guy, I know the land
8 and everything. My average take in the last 20 years was
9 probably -- well, since '82 maybe 10 years, 12 years, I'd say
10 about two moose. I hunt a lot. So I think that's what the
11 CRNA is talking about today, they'd like to have -- I think
12 we're done with your District, Bob, we'll get back to the CRNA
13 proposal.

14

15 Is the Council ready to discuss further the Proposal 13
16 14? Does CRNA have additional comments on their proposal?

17

18 MS. KENDALL: My only additional comment is that
19 yesterday, Taylor suggested that CRNA consider -- if the Board
20 was going to take action on extending the season per our
21 request that we consider which would be most preferable, an
22 individual permit system or a community harvest. And CRNA
23 would prefer a community harvest. And so whatever questions
24 may arise due to that, if you want to discuss it, I'll be happy
25 to on behalf of CRNA.

26

27 MR. BRELSFORD: Mr. Chairman, this would build on the
28 point that was made in the final paragraph, that currently the
29 Federal permit system is an open registration hunt so that all
30 residents of Unit 13 can come to the Department -- pardon me,
31 the BLM or the Park Service and register for a permit. The
32 total number of permits being issued has been on the order of
33 500.

34

35 Our concern is that in moving from a 20 day season to a
36 50 day season that 500 permits is probably too much on the
37 Federal lands. And if you go down this path, we think part of
38 the package has to be some consideration of the total number of
39 permits that would be sound as a matter of biological
40 management for a 50 day season. If it's not going to be open
41 registration with an estimated 500 permits, we'll need some
42 help on a limited -- on what number would make some sense. And
43 under the legislation, once you do that, when all local
44 subsistence uses cannot be accommodated, then you have to make
45 some decisions about how permits -- or how subsistence
46 opportunities would be allocated among the eligible subsistence
47 users, that's the called the Section 804 hunt in the Federal
48 program. And if we get to that point, we may need to talk a
49 little more specifically about it. But we have asked for some
50

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discussion and thinking on that from CRNA, the proponent on this proposal.

3

4 MR. EWAN: All right. What's the wish of the Council
5 on either of these proposals? We're talking about both of
6 these, the 13 and 14. Lee.

7

8 MR. BASNAR: Mr. Chairman. I'm in favor of extending
9 the season and backing it up to August 1st to give the
10 preference to the local residents before the State hunt starts.
11 But I am not in favor of extending it on the back end up until
12 the end of September for reasons that I stated yesterday. I
13 think that would also alleviate some of the concern about too
14 many additional permits because of the moose being stupid in
15 the rut.

16

17 So I would suggest that -- this is not a motion but I'm
18 leaning toward combining 13 and 14 with a season August 1 to
19 September 20. I see Mr. Willis, he's probably going to tell me
20 biologically we can't do it but

21

22 MR. WILLIS: I wouldn't dare. No. I just wanted to
23 point out that when Taylor was presenting these yesterday and
24 we got back over there and whispering among ourselves and
25 realized that we didn't point out that Proposal 15 also deals
26 with moose in GMU 13.

27

28 MR. EWAN: Proposal 15?

29

30 MR. WILLIS: 15, yes. So with one fell swoop here, we
31 can take care of three proposals with this one action, but it
32 would behoove you probably to take a look at 15 also.

33

34 MR. EWAN: Could I ask about the Proposal 15 since you
35 brought it up? Taylor?

36

37 MR. BRELSFORD: Sure. And I apologize for not being a
38 little more focused in the end of the day yesterday. Proposal
39 Number 15 refers to the same moose population, the same user
40 groups. And it, too, is a season adjustment. It would fall
41 inside of the season adjustments that you're considering with
42 Proposal Number 14. So as you make a decision about the season
43 in general, you will have touched on the elements that are
44 under consideration in Proposal 15.

45

46 Specifically what 15 would do is keep the same season
47 date but move it back a little bit -- keep the same season
48 length but move it back. So instead of an August 25 to
49 September 20, you would have a September 5 to September 30.

50

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And in terms of the Staff analysis, the same biological circumstances are at work, the same user group and traditional practices are work. We don't need to repeat any of the Staff material.

5

6 So I think your effort to focus on Proposal Number 14 which is kind of the broadest reaching one will allow you to make a decision that would cover Proposals 13 and Proposal 15. So with that, I think we -- you should carry forward.

10

11 MR. EWAN: All right.

12

13 MR. BASNAR: Okay. I'm prepared to make a motion.

14 MR. EWAN: All right. There's -- go ahead, Lee, you're on.

16

17 MR. BASNAR: Okay. I move that we amend Proposal 14 to read August 1 to September 20, and then support the amended proposal.

20

21 MR. OSKOLKOFF: I'll second that.

22

23 MR. EWAN: Any further discussion on this motion? There's a motion second.

25

26 MR. JOHN: I'd like to hear what CRNA says on -- what their comment on the 1st to 20th and see if they -- what

28

29 MS. KENDALL: On the amendment to the season?

30

31 UNIDENTIFIED VOICE: On the motion.

32

33 MR. JOHN: Um-hum.

34

35 MR. BASNAR: They told us yesterday that was fine.

36

37 MS. KENDALL: CRNA thinks it's fine.

38

39 MR. OSKOLKOFF: They're consistent.

40

41 MR. EWAN: About the overall -- your -- excuse me. Mr. Basnar, I just wanted to ask if the -- you're saying that approve Proposal 14 as proposed?

44

45 MR. BASNAR: Negative.

46

47 MR. EWAN: Other ways (ph)

48

49 MR. BASNAR: Negative.

50

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1
2 MR. EWAN: except for the amendment?
3
4 MR. BASNAR: Well, the only proposal in 14 was the date
5 change. I mean that's it. There's lots of
6
7 MR. EWAN: I mean how it's going to be take- --
8
9 MR. BASNAR: There's a lot of reasoning for the
10 proposal (ph).
11
12 MR. EWAN: Okay.
13
14 MR. BASNAR: But the only proposal was the date.
15
16 MR. EWAN: Yeah. Okay. Okay. Does Staff have any
17 comments on this?
18
19 MR. BRELSFORD: Well, at the risk of leading, there was
20 much discussion yesterday including some of Ms. Kendall's and
21 Ms. Stickwan's explanation of the intention that touched on the
22 matter of closing of the Federal public lands. And I think we
23 would be best served if the Council was explicit about your
24 intentions here. The motion would seem to leave Federal lands
25 open to non-subsistence hunt- -- non-federally qualified
26 subsistence hunters. And I believe for clarity, and as we go
27 forward to the Board, it would best if you were explicit on
28 that point.
29
30 MR. BASNAR: Well, Mr. Chairman, I don't want to
31 completely rewrite the proposal that these people put in.
32 Let's take it one step at a time. Let's act on this proposal.
33 If it doesn't work, there's another year and another
34 opportunity. But you're suggesting, Taylor, that we sort of
35 rewrite the proposal here, add something that's not there.
36
37 MS. KENDALL: Well, can I
38
39 MR. EWAN: Can you come up and
40
41 MS. KENDALL: I think we clarified in the record
42 yesterday that when this proposal was initially submitted, it
43 was submitted asking that it be restricted to Unit 13
44 residents. And somewhere along the line in publishing that got
45 taken out. So I did put that in yesterday as the request that
46 we were making, that this hunt to be restricted to those
47 qualified subsistence users in Unit 13.
48
49 MR. BASNAR: Yeah. I understand that, but the public
50

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doesn't. And the public is not here today and they're not
 privy to the words that have been exchanged with us. So, you
 know, we have to concern ourselves with them, too, don't you
 think? If we start

5

6 MR. LOHSE: You mean this is the published proposal?

7

8 MR. BASNAR: Yes, this has been published, and if we
 start massaging this thing to the point that the public doesn't
 have an opportunity to talk about the message, I think we're in
 trouble.

12

13 MS. KENDALL: Well, my understanding yesterday of what
 occurred was that we suggested that the season be extended.
 And I understand that given that the resource was restricted,
 that would require additional kind of restrictions on
 subsistent- -- who are the users.

18

19 MR. BASNAR: Well, there again, the regulation is in
 place to accommodate that, but we don't need to address it in
 this proposal.

22

23 MS. KENDALL: You may need to address it when you
 decide. I mean you just extended the season, you've approved
 the proposal by extending the season. So now as Taylor was
 suggesting, one of your decisions is going to have to be well
 how many permits to issue that is going to, first of all,
 conserve the resource and then (indiscernible - background
 coughing) the subsistence users.

30

31 MR. BASNAR: Well, I'm not sure that that's true at
 this point. I haven't seen data. We haven't seen the results
 of the effects of this proposal yet. I don't want to put the
 cart before the horse.

35

36 MR. EWAN: Let Ralph have a comment here.

37

38 MR. LOHSE: I agree with what she's saying right there,
 because basically any time you extend seasons, you've increased
 the take, if the take is already -- if the available resource
 is already limited. Like I said yesterday, when you increase
 the take for one group, you've got to find some way to take it
 away from another group. You can't make unilateral increases
 on a finite resource. The finite resource has gotten balanced.

45

46 And that's why I asked the question before, and that's
 why I think it's fairly pertinent to this is how many of the
 those that were taken in Unit 13 came off of Federal land.
 Because the only area that we have any jurisdiction or --

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that's really not the right word, but the only area that we have to adjust things is on Federal land. If the majority of the moose came off of State land, then -- or if, you know, the high, high majority came off -- if we're not dealing with a large -- or a significant number of moose on Federal land, we have no place to find the moose to lengthen the season.

7

8 So you know, like out of this 764 moose that were taken by Alaska residents and this 85 that were taken by non-residents, are there sufficient of them taken on Federal land that if we extend the season and limit it to subsistence users that it balances out? Do you see what I'm getting at?

13

14 MS. KENDALL: Right. I agree.

15

16 MR. LOHSE: And that's why to me there is no way that I can vote to support lengthening a season if all it does is lengthens the season. I mean 'cause that just means that you're lengthening a season on a finite resource.

20

21 MR. JOHN: That's right.

22

23 MR. EWAN: Lee.

24

25 MR. BASNAR: Mr. Chairman. We're talking about a very narrow strip of land. These moose trade frequently back and forth across State and Federal land. If we were talking about a large block of land, Ralph, I would agree with you a hundred percent. I certainly believe in protecting the resource. But we're talking about such a narrow strip of land here that these moose are not confined to Federal land. These moose move wherever they feel like moving.

33

34 So if additional pressure along this corridor does reduce the amount of moose temporarily in that area, nature abhors a vacuum and the moose will move back in. That may impact the State lands in 13. At which point, we or somebody's going to have to take another look at that. But I would proceed along this line, give you what you have asked for specifically here. I don't know what caused the rest of it to get dropped out, I'm sorry that happened. But nevertheless, this is what the public has to deal with, I'd like to deal with this and try it for a year and see how it works, rather than trying to put an additional restriction on here. I don't see

45.

46

47 MR. EWAN: Fred.

48

49 MR. JOHN: Yeah. Myself, I -- if we're going to

50

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lengthen the season, I don't believe in restricting other, you know, moose hunters on this area. What we're dealing right here is subsistence hunters that are not getting their meat for the winters that are traditional and customary people. We're dealing with subsistence here. And I think that's what we're here for, for subsistence hunters. And I believe that we have to cut back on other area if we're going to lengthen that.

8

9 MR. OSKOLKOFF: Mr. Chairman.

10

11 MR. EWAN: Gary.

12

13 MR. OSKOLKOFF: Not to confuse the issue but to hopefully shed some light on it. There is an option to reduce hunting in that -- or take in that area, and that option would be a secondary source which is the State. I'm not suggesting that we motivate the State to shorten their season or anything like that. But I think you should keep in mind that there is another group who takes that animal -- those animals in those areas that are State hunters whose seasons will effect the availability of the resource for the subsistence hunters.

22

23 MR. EWAN: Bob.

24

25 MR. WILLIS: Mr. Chair, I'd like to add a few points that might be of some benefit. First of all, in regards to the impact on the population of increasing the season length that Ralph brought up. By increasing the season on the front end and giving the subsistence user the first chance at those moose for two or three weeks, you're not necessarily going to increase harvest overall; you may simply redirect harvest to that group of people. Because the moose that they remove in that two or three week period that they're getting to hunt without competition are moose that were not going to be available for someone else to harvest later in the season.

36

37 So that will certainly operate to some degree but we have no way of measuring that without trying it as Lee said for a year to find out. As he pointed out with such long, narrow strips of land and no boundaries and moose moving freely from one side to the other, obviously hunting pressure on Federal lands is going to be affecting moose that are not on Federal lands. So you can't really say we have X number of moose on Federal lands and so this is how many moose we can harvest on Federal lands.

46

47 The fact that the subsistence user, if you elect to go with the earlier season, would have the benefit of a three week season or so with no competition, plus no antler restriction,

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would be a very significant advantage over the non-subsistence user, and might have the effect of redirecting that harvest rather than increasing the harvest. I just wanted to point that out for your consideration.

5

6 MR. EWAN: Ralph.

7

8 MR. LOHSE: Thank you. I never -- I hadn't given that any thought, but you brought something else up that I didn't read in here, and that was no antler restriction. The way this reads right here -- or is there no antler restriction currently on Federal land for a subsistence permit?

13

14 MR. WILLIS: Currently, there's no antler restriction.

15

16 MR. LOHSE: Okay. So currently -- in other words, we would be under the current Federal subsistence hunt on Federal land with no antler restriction starting on the 1st of August?

19

20 MR. WILLIS: That is correct. There has never been an antler restriction on the subsistence user since the Federal Program began.

23

24 MR. LOHSE: Okay. So basically what we could do then if we tried it for a year -- and the State would always have the authority to make an emergency closure on theirs?

27

28 MR. WILLIS: That's true.

29

30 MR. LOHSE: On theirs later. And we would have the next year to evaluate what happened is what you're saying?

32

33 MR. WILLIS: Right. I might also point out that there is a proposal in front of the State Board to either restrict the season significantly on State lands or to go to a four brow antler restriction rather than three brow tines in order to try to reduce the harvest on State lands.

38

39 MR. LOHSE: On State lands.

40

41 MR. WILLIS: Right.

42

43 MR. BRELSFORD: Robert, those same restrictions would apply to hunters hunting under State regulations on Federal lands as well, non-subsistence hunt -- non-federally qualified users would have to follow State regulations.

47

48 MR. WILLIS: Right, that's correct. The non-subsistence users are still restricted by the antler

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restriction, whether he's hunting on State or Federal land.

2

3 MR. LOHSE: Okay.

4

5 MR. EWAN: All right. I guess everybody is done asking
6 questions about this proposal. I do want to make a comment. I
7 think we're trying to fix a problem for the local people that
8 really need moose in Unit 13. And I've heard that expressed
9 time and time again in the villages that I'm, you know, in
10 contact with. I have a concern for their need. This goes on
11 year after year. They keep coming back and saying I didn't get
12 a moose, and look at all the people going by my -- in front of
13 my community with a moose going back to Anchorage or somewhere
14 else. And it's just very discouraging.

15

16 And I guess what I want to say is that maybe any
17 advantage that we can give the local people would be very good
18 for CRNA, their area that they represent, and the area that I
19 represent. I think the extension of the season is an
20 advantage, but there are other options too. Further advantage
21 would be probably more local control of the hunt, is that a
22 possibility?

23

24 MS. KENDALL: Well, I think what we had discussed were,
25 were the Board to decide to restrict the hunt to what would
26 essentially be a Tier II under what the State would do or the
27 204 criteria, the three criteria in which subsistence users are
28 determined to be most dependent upon the resource, if that were
29 to occur, then Taylor suggested considering whether or not to
30 issue permits on an individual basis or a community harvest
31 basis.

32

33 MR. EWAN: Lee.

34

35 MR. BASNAR: Mr. Chairman. Again, I think we need to
36 make haste slowly on this one. And we are -- I have absolutely
37 no disagreement with you that the local people need to have
38 their subsistence needs met. And I think we have taken a large
39 step in this direction, if we were to pass this proposal as
40 amended and the motion before the Council. If we, at this
41 time, try to fine tune and tinker with it and say well, let's
42 restrict additional hunters coming into the area, I don't like
43 that either. Over in Cantwell, I go out of my cabin and I got
44 a step over hunters to go moose hunting. This is not the way
45 that we used to do it. I don't like that either. But
46 nevertheless, we're in the public eye now, we're on the front
47 page of the newspaper, we need to move slowly and with
48 deliberation.

49

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1 And if we want to come in with a proposal ourselves as
 2 a Council, we can certainly do that next year. We can propose
 3 restricted hunters. We can propose individual permits. CRNA
 4 can do the same thing next year in an incremental process which
 5 I think, Number 1, is going to stand up under public scrutiny;
 6 that we have gone slowly rather than too fast. What we are
 7 doing, whether we like it or not, is establishing a precedent
 8 even though we don't intend to do so. So I think we're
 9 answering the mail if we vote in favor of the motion that's
 10 before the Council.

11

12 MR. EWAN: Any other comments or questions?

13

14 MR. JOHN: I'm more for narrowing it down to subsistent
 15 hunter. And Unit 13 hunter that's having -- like I say, the
 16 other hunters. We get most of our hunters out of Anchorage and
 17 I don't know about the big game hunters, you know, I don't know
 18 the number but I know it's relative. But I'm for more into the
 19 subsistent area, what you call 804.

20

21 MS. KENDALL: Well, this hunt, as I understand, would
 22 be restricted to qualified subsistence users. But my
 23 understanding was that the resource is in decline this year.
 24 And given that, there can be no net gain on the numbers of
 25 those harvested in that area. If there is any -- as the
 26 comments to our proposal made clear, if our -- if the extension
 27 of the season is going to result in a greater harvest, that's
 28 when the Board has an obligation under the law to be able to
 29 begin to distinguish between subsistence users. And when that
 30 occurs, then the people with the most direct dependence on the
 31 resource get the preference -- that's what the law says.

32

33 MR. EWAN: Gary.

34

35 MR. OSKOLKOFF: I think that the question that I'm
 36 wrestling with, I don't know if the rest of the members of the
 37 Council are, but -- is whether there is -- whether this
 38 regulation as propo- -- or this proposal as moved would indeed
 39 cause there to be a greater harvest instead of the
 40 displacement. And I think that it's difficult to answer that
 41 question because we're dealing with speculation at that point.

42

43 MS. KENDALL: Well, I disagree. I think that is the
 44 threshold question, whether or not an extended season will have
 45 that result of a greater harvest. That's what triggers the
 46 distinguishing between the subsistence users.

47

48 MR. EWAN: Lee.

49

50

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1 MR. BASNAR: Well, Mr. Chairman, again, to backup what
 Mr. Willis said. We're getting a three week preference as a
 result of changing the date; we, the subsistence users. And
 therefore, the same moose cannot get killed twice. So
 therefore, I would presume that the local people are going to
 have first crack and the highest success at those moose that
 are in this little strip of land. And then, people from
 Anchorage can come up and hunt all day but they can't kill that
 same moose again.

10

11 MR. EWAN: I don't think anybody's making any
 amendments or anything here. I'm just pointing out the other
 options, you know, down the road. I think it's better to talk
 about all the options rather than just bang, this is it for now
 and that's it. I'm just expanding the information a little
 bit. Actually, this -- are we ready to vote on this issue?

17

18 MR. OSKOLKOFF: Ralph had something.

19

20 MR. EWAN: Ralph.

21

22 MR. LOHSE: Mr. Chairman. The one thing that I keep
 coming back to on this is that this extension, if I'm correct
 24 I mean I'd like the information if I -- this extension only
 takes place on Federal land, it doesn't -- it does not take
 place on State land?

27

28 MR. WILLIS: That's correct.

29

30 MR. LOHSE: So basically, what this proposal would do
 would extend the hunting season on Federal land by 24 to 25
 days prior to the regular hunting season. So the

33

34 MR. WILLIS: That's right.

35

36 MR. LOHSE: only increase in moose that could be
 taken would be moose that were available on Federal land at
 that time. And those moose would later be hunted by -- I mean
 if they weren't taken, would have later been hunted as of
 September 25th. So the question comes does -- is it really
 going to have a lar- -- a significant increase in the amount of
 moose taken.

43

44 The only other options, though -- and I'm not
 suggesting these as options. But the only other options that
 are available, because we're only dealing with Federal land,
 would be to close Federal land during the September 20- --
 August 25th through September 20th season to resident hunters
 49 non-resident hunters, as per se. Or again, when we're

50

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talking about limiting who's available to hunt moose from August 1st to August -- September 20 -- August 25th, if you went to a Tier II or 804, you could limit the amount of subsistence hunters that would hunt during that period of time. But the only impact that can be made is the impact that's on Federal land. And that's why -- to me, that's why I would have liked that piece of information that said what percentage of the harvest took place on Federal land in Unit 13.

9

10 MR. WILLIS: To speak to that a little bit, Ralph. First of all, we tried to get that information, and it's impossible to get it because even though ADF&G has the specific drainage information on where moose are harvested, these little narrow strips of land are only a small part of each one of those drainages. And so there's no way to tell whether the moose was killed down here close to the Pipeline or 200 yards up the hill on State land.

18

19 To clarify one point that you made which was a little bit off. It's not just the moose on this Federal strip of land that the subsistence user is getting that early crack at, it's also the moose on State lands that are moving back and forth across that area. So there's really a larger area that you're actually getting to hunt even though you're restricted physically to being on Federal land, you have a crack at those moose that are traveling. Okay.

27

28 MR. EWAN: There's really no boundary out there.

29

30 MR. WILLIS: Right. The

31

32 UNIDENTIFIED VOICE: At least none the moose know about.

34

35 MR. WILLIS: Again, the final point I would make is that when we evaluate these proposals, we have to evaluate what were presented. We have to look at the proposal as it's written up and sent in. And when you come back and want to modify that proposal, that changes our evaluation significantly. And so it's very difficult for me to sit here and immediately give you a readout on what the impacts of that change would be. You know, I'd do the best I can as fast as my mental wheels can turn. But one of the things we do after these Council meetings -- and this is a preliminary analysis that we give you -- we go back and take what you have given us and try over the next -- I guess we've got about 10 days before the Staff Committee meets to try to reevaluate all of these proposals with what we've gotten from the Council and any recommended modifications so we can present that to the Staff

50

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Committee.

2

3 MR. BRELSFORD: Mr. Chairman, let me apologize for Tom
 4 Boyd, the Staff Committee representative from the BLM. He is
 5 tied up in another meeting at 10:00 o'clock and was not able to
 6 stay with us. But he was quite gratified to be able to sit in
 7 on this particular proposal because most of the lands in
 8 question are BLM lands. And I think he will have gained a
 9 great deal from this discussion. And whatever reanalysis we're
 10 able to offer to the Staff Committee in two weeks time, Tom
 11 will be directly and personally familiar with your concerns on
 12 this topic. And I think basically, you know, the key decision
 13 maker was in the room for much of this discussion.

14

15 MR. EWAN: Um-hum. Okay. Any further discussion?
 16 Gary.

17

18 MR. OSKOLKOFF: Just one thing. I think there are
 19 three levels of advantage that we're kind of discussing right
 20 now. I mean there are other ones available, but there are
 21 three we're discussing. One is the advantage that has been
 22 available which has been the term -- using the term antlered
 23 bull instead of restricting the antler sizes. The second
 24 advantage is what we're discussing right now which is extending
 25 the season and especially the preseason which gives a
 26 subsistence user a -- the first crack at it. The third one we
 27 were discussing -- and that was really the time that those non-
 28 subsistence users would be able to use Federal lands.

29

30 And I just wanted to point out that it may -- it's not
 31 a matter of all or nothing, I don't believe, in restricting
 32 Federal lands for the State hunt. You could restrict, say, the
 33 first 10 days and therefore give another significant advantage
 34 to the subsistence hunter, or any period that you wanted to
 35 within there to give yourself some adjustment capability in the
 36 number of moose taken. I'm getting a lot of blank stares, I
 37 wonder if people are following what I'm saying.

38

39 MR. BRELSFORD: Well, Gary, if I understood

40

41 MR. EWAN: Taylor.

42

43 MR. BRELSFORD: your point it's that the first 25
 44 days of the season under the motion would be on Federal lands,
 45 the only qualified hunters would be Federal subsistence
 46 hunters.

47

48 MR. OSKOLKOFF: Um-hum.

49

50

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1 MR. BRELSFORD: When the State begins, on August 25th,
2 when two user groups would have access to Federal public lands.
3 You're suggesting that a closure of Federal public lands might
4 be for only part of the State season, the period from August 25
5 to September 20th?

6

7 MR. OSKOLKOFF: I'm saying that this is a tool

8

9 MR. BRELSFORD: A possibility.

10

11 MR. OSKOLKOFF: we could use.

12

13 MR. EWAN: Ralph.

14

15 MR. LOHSE: One comment. I think that this addresses a
16 number of issues that have been brought up. One of the issues
17 that I've heard a lot of is the fact that most residents, most
18 subsistence users, don't like to hunt in a crowd. I know I've
19 got the same experience when I go deer hunting on the island,
20 if there's somebody in the bay that I was going to deer hunt
21 in, I go someplace else. I mean that's just about what it
22 boils down to.

23

24 This, as this proposal has been amended right here,
25 would basically give the subsistence user a little bit over
26 three weeks that he would not have anybody else hunting with
27 him. I mean that's basically what it says right here is that,
28 you know, from August 1st to August 25th, they would be the
29 only people hunting on Federal land. That addresses the
30 aesthetic part of it, the ability to hunt without other people
31 hunting. At least -- we can at least find out whether it's
32 effective or not.

33

34 The other thing it does is I can't imagine it not
35 increasing the success ratio, simply because to hunt animals
36 before the opening day -- I mean you're still going to have an
37 opening day but the opening day instead of 5,000 people is
38 going to have 500, you know. And that should have an impact on
39 access, too.

40

41 MR. EWAN: I agree with you. I think this is an
42 advantage. Did you have something?

43

44 MR. WILLIS: Just one thing here, Roy. There's any
45 number of -- speaking to Gary's comment, there's any number of
46 combinations of shortening, you know, the State season by five
47 ten or fifteen days or whatever that you could come up with.
48 But I will just point out that the State is almost certainly
49 going to shorten their State season, regardless of what the

50

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Federal subsistence season is. I mean they've already proposed two possible combinations of restricting harvest on State Bands. So what -- I guess what we do here may be negated to some degree by what the State Board does in March. Of course, by the time the Federal Board meets in April, we will know what they have done and so, you know, there could be some adjustments made then after that, if it's felt necessary.

8

9 MR. EWAN: All right. Any other comments? Yes. Fred.

10

11 MR. JOHN: If we pass this as is, lengthening the hunt
 12 Federal land for the antlered bull, would we have comment on
 13 before it goes to the -- would there be any more comment on
 14 before we got to the -- it goes to the Federal Board?

15

16 MR. WILLIS: Comment by who, Fred?

17

18 MR. JOHN: Comment by the public.

19

20 MR. WILLIS: Yes. The public would be able to comment
 21 at the Board meeting.

22

23 MR. JOHN: Um-hum.

24

25 UNIDENTIFIED VOICE: Mr. Chairman.

26

27 MR. JOHN: Then at that time,

28

29 MR. WILLIS: And that would

30

31 MR. JOHN: there could be changes?

32

33 MR. WILLIS: Beg your pardon?

34

35 MR. JOHN: Could -- at the Board meeting, there could
 36 be changes additional?

37

38 MR. WILLIS: Yes.

39

40 MR. JOHN: Uh-huh.

41

42 MR. WILLIS: Yes. Amendments are sometimes made at the
 43 Board meeting because additional -- of additional input. We
 44 sometimes get additional scientific information between the
 45 time this Council meets and the time the Board meets. And
 46 we're constantly refining our analysis, you know, and
 47 presenting new information that comes up. Yes, quite often
 48 these proposals are modified by the Board at the Board meeting.

49

50

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1 MR. JOHN: So, Mr. Chairman, if I could ask one more
 2 question. So from here on till the Board meeting, what CRNA
 3 want, they could add on or make -- they could made addit- --
 4 give them additional information of what they want, could they?

5
 6 MR. WILLIS: They can provide additional information to
 7 us to present to the Staff Committee, but their -- any changes
 8 that they want to make would probably best be done at the Board
 9 meeting through the public comment.

10
 11 MR. JOHN: Okay. Thank you.

12
 13 MR. LOHSE: Question.

14
 15 MR. EWAN: The question's been called for on the propo-
 16 sition to amend the

17
 18 MR. BASNAR: Do you want me to restate that?

19
 20 MR. EWAN: Yes. You proposed to amend this
 21 proposal 14, right?

22
 23 MR. BASNAR: That's correct. I propose to amend 14 to
 24 the new dates should read August 1 to September 20th. And
 25 then if that amendment passes, to support -- and then the
 26 proposal as amended. But first, we have to act on the
 27 amendment.

28
 29 MR. EWAN: All right. The question's called for. All
 30 favor say aye.

31
 32 IN UNISON: Aye.

33
 34 MR. EWAN: Opposed by the same sign?

35
 36 (No opposing responses)

37
 38 MR. EWAN: Motion's carried. And on the main motion,
 39 our -- this is just the amendment, there's now

40
 41 MR. BASNAR: Not now, I mean

42
 43 MR. EWAN: If somebody could make a motion to pass the
 44 proposal?

45
 46 MR. BASNAR: Yeah. I move we support Proposal 14.

47
 48 MR. EWAN: As amended?

49
 50

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1 MR. BASNAR: As amended.

2

3 MR. OSKOLKOFF: I'll second it.

4

5 MR. EWAN: The motion's second. Further discussion on
6 the motion?

7

8 MR. LOHSE: Mr. Chairman.

9

10 MR. EWAN: Ralph.

11

12 MR. LOHSE: I was listening to what he was saying, and
13 basically by supporting this proposal what we're doing is we're
14 saying that we are in principle, with extending the season on
15 the front end to give the subsistence users early access and
16 increase their opportunity. Recognizing the fact that we
17 support August 1 through September 20th does not necessarily
18 mean that the Board will find for August 1st, they may end up
19 adjusting this number -- this date in line with biological
20 data. But as a group what we're doing is we're saying that we
21 support the idea of subsistence seasons coming first to
22 increase hunter oppor- -- subsistence opportunity on the moose
23 hunt, right? Is that basic- -- do I understand that right?

24

25 I mean the fact that we say August 1st doesn't mean
26 that necessarily it's going to be August 1st, because the Board
27 will act on our idea and adjust it by biological data, right?

28

29 MR. WILLIS: I wouldn't put it that strongly, Ralph.
30 They have the opportunity to do that. But at the present I can
31 think of no strong reason to oppose that from a biological
32 standpoint. And unless I come up with one between now and
33 then, it's very likely the Board will go with the
34 recommendation of the Council, in my opinion. So you're doing
35 far more than just presenting an idea that you're in support of
36 an increased opportunity. I think your designation of
37 August 1st will carry great weight.

38

39 MR. EWAN: Okay. Well, with that understanding --
40 noted, I think you had your hand up.

41

42 MR. JOHN: He just answered it.

43

44 MR. EWAN: He answered your question?

45

46 MR. JOHN: Yes, he did.

47

48 MR. EWAN: Okay. Lee.

49

50

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1 MR. BASNAR: Yeah. Just one final comment for the
2 Board. I want the Board to understand that we considered the
3 health of the resource and the biological data that was
4 presented when we made our deliberations and recommendation.
5 And yes, in fact, we are trying to give a preference and some
6 assistance to the local people by supporting this new proposal.
7 And I call for the question.

8

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

11

12 IN UNISON: Aye.

13

14 MR. EWAN: Opposed by the same sign?

15

16 (No opposing responses)

17

18 MR. EWAN: Motion's carried. Okay. We'll take a 10
19 minute break.

20

21 (Off record)

22

23 (On record)

24

25 MR. EWAN: I'll call the meeting back to order. We
26 took care of Proposal 14, now we got to take care of 13 and 15
27 for the record. I realize that we discussed both -- all of the
28 proposals already, but for the record, I guess we should take
29 action on 13 and 15 also, is that correct?

30

31 MR. BRELSFORD: That's correct. Right, Mr. Chairman.
32 I think your action on Number 14 will direct your decisions on
33 Number 13 and 15 quite quickly.

34

35 MR. LOHSE: I make the motion that we accept
36 Proposal 13.

37

38 MR. OSKOLKOFF: I'll second it.

39

40 MR. EWAN: The motion's second. Is there further
41 discussion on the motion?

42

43 MR. BASNAR: Just a second, please. You made the
44 motion that we accept 13?

45

46 MR. LOHSE: It's the only thing we can make.

47

48 MR. BASNAR: No, it's not.

49

50

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1 MR. OSKOLKOFF: You can only make a positive motion.
2
3 MR. LOHSE: You can only make a positive motion.
4
5 MR. OSKOLKOFF: And then you just vote it down.
6
7 MR. EWAN: Yeah.
8
9 MR. OSKOLKOFF: Either that or we take no action.
10
11 MR. BASNAR: Well, that's right. I was going to
12 suggest we take no action because of the all-encompassing
13 result of 14.
14
15 MR. EWAN: For the record, this is okay.
16
17 MR. BASNAR: Okay.
18
19 MR. OSKOLKOFF: I'm willing to do it either way.
20
21 MR. EWAN: Are we ready for the question then if there
22 is no further discussion on this? Okay. We'll -- all in favor
23 say aye.
24
25 (No supporting responses)
26
27 MR. EWAN: All opposed by the same sign?
28
29 IN UNISON: Aye.
30
31 MR. EWAN: The motion's voted down. Motion not passed.
32 I guess the next item is Proposal 15.
33
34 UNIDENTIFIED VOICE: Proposal what?
35
36 UNIDENTIFIED VOICE: Proposal 15.
37
38 MR. EWAN: 15.
39
40 MR. LOHSE: We might as well go the same way?
41
42 MR. OSKOLKOFF: Yeah.
43
44 MR. LOHSE: I move that we accept Proposal 15.
45
46 MR. OSKOLKOFF: I second it.
47
48 MR. EWAN: Motion's second. Discussion on the motion?
49
50

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1 UNIDENTIFIED VOICE: Question.

2

3 MR. EWAN: The question's been called for. All in
 4 favor say aye?

5

6 (No supporting responses)

7

8 MR. EWAN: All opposed by the same sign?

9

10 IN UNISON: Aye.

11

12 MR. EWAN: Motion not carried. The motion's not
 13 carried.

14

15 MR. OSKOLKOFF: Now, we can go onto the other
 16 proposals.

17

18 UNIDENTIFIED VOICE: Yeah. What were we on?

19

20 (Side conversations)

21

22 MR. EWAN: All right. Yesterday, we were talking about
 23 did you have something else on any of these? Yesterday, we
 24 were talking about the Kenai moose season and bag limit. It
 25 has been suggested that we hold off on this, further discussion
 26 of this issues, if that's okay with you, Gary?

27

28 MR. OSKOLKOFF: Till when?

29

30 MR. EWAN: There's a plane that didn't come back from
 31 Kenai I guess this morning, they'd like to have an opportunity
 32 to be here when you request (ph).

33

34 MR. OSKOLKOFF: Okay. So we're just tabling it till
 35 later today?

36

37 MR. EWAN: Yes. Um-hum.

38

39 MR. OSKOLKOFF: Okay.

40

41 MR. EWAN: Okay. Then we'll go to the other items.
 42 Would we discuss Number 7 here, State of Alaska, Department of
 43 Fish & Game?

44

45 MS. EAKON: No. Mr. Chairman, if the State wishes to
 46 present information, I explained to Mr. John Morrison, now is
 47 an opportunity. You'll have to ask the gentlemen from the
 48 State who are present if they wish to

49

50

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1 MR. EWAN: Jim, do you have any -- I don't know the
2 topic or anything here, it just says Fish & Game, State of
3 Alaska.

4
5 MR. LIEB: Mr. Chairman,

6
7 MR. EWAN: Jim Lieb.

8
9 MR. LIEB: no, I have not prepared any report.
10 You know, basically I'm here to more or less provide any kind
11 of insight or answer any kind of questions you might have.

12
13 MR. EWAN: Have any concerns about anything?

14
15 UNIDENTIFIED VOICE: You do have a lot of concerns.

16
17 MR. LIEB: Yeah. I'm certain I've got a lot of
18 concerns, but in terms of I don't -- I haven't really prepared
19 anything to --

20
21 MR. EWAN: All right.

22
23 MR. LIEB: for you folks.

24
25 MR. EWAN: Put you on the spot. We'll go onto another
26 the next item then.

27
28 MS. EAKON: Yes.

29
30 MR. EWAN: Item 8. Other reports. Are there -- I
31 guess, if any. Are there any other reports? Okay. Hearing
32 none, we'll go onto Item (E), Status of Regional Council on
33 Subpart D Recommendations. Helga.

34
35 MS. EAKON: Yes, Mr. Chairman. Yesterday, I had passed
36 out a copy of the response by the Federal Subsistence Board to
37 your 1993 annual report. But if it got lost in the shuffle, I
38 do have

39
40 MR. EWAN: I have it.

41
42 MS. EAKON: copies here.

43
44 MR. EWAN: I read it over the

45
46 MS. EAKON: Does anyone need a copy?

47
48 MR. EWAN: It's one page.

49
50

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1 (Off record comments)

2

3 MS. EAKON: This is a letter to the Council signed by
 4 Richard Pospahala for David Allen, Acting Chair of the Federal
 5 Subsistence Board. And basically, it addresses two
 6 recommendations set forth by the Council in its 1993 annual
 7 report. And the first one had dealt with the Wrangell/St.
 8 Elias asking the Wrangell/St. Elias Park to inform the Council
 9 of the procedures necessary to classify the communities of
 10 Northway and Tetlin as resident zone communities. And the
 11 Federal Subsistence Board suggests that this Council work
 12 closely with the Wrangell/St. Elias Subsistence Resource
 13 Commission and also with the Eastern Interior Regional Advisory
 14 Council because those two communities are located within that
 15 particular subsistence resource region. And I have asked
 16 Wrangell/St. Elias to inform me when the next Subsistence
 17 Resource Commission meeting is going to be because I do want to
 18 attend that meeting and start working on this particular issue.

19

20 And the letter explains the disposition of your second
 21 recommendation, that the Denali Park Service did listen to your
 22 concern about those two trails that would have potential
 23 adverse impact on subsistence users.

24

25 And finally, the letter commends the Council for its
 26 time and effort that it spends addressing issues involving
 27 subsistence uses in this particular region.

28

29 Now, there is one pending recommendation made by this
 30 Council at their October 1994 meeting. And this is regarding
 31 your recommendation to the Federal Subsistence Board to give
 32 high priority to resi- -- rural residents residing between
 33 Milepost 216 and Milepost 239 of the Parks Highway for
 34 customary and traditional use eligibility of moose and caribou
 35 Unit 20. And this had been made at the request of
 36 M. Basnar who is the vice chair and representative to the
 37 Denali National Park & Preserve Subsistence Resource
 38 Commission.

39

40 There has been no response by the Board as yet to this;
 41 however, in discussions with Bruce Greenwood who works at our
 42 office, he suggested that a possible solution to this request
 43 would be for you as the Council to ask the National Park
 44 Service to give first priority before Copper River Basin
 45 customary and traditional use determinations work is done. And
 46 M. Greenwood indicated that he -- this could be handled first,
 47 if you so desire.

48

49 MR. EWAN: All right. Any comments on that particular

50

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1 issue? Lee.

2

3 MR. BASNAR: Okay. If the Council would like, I can
4 summarize the problem here I think very briefly if -- or is
5 everybody on top of it?

6

7 MR. LOHSE: Yeah, I think we understand the problem.

8

9 MR. BASNAR: You understand the problem? Okay.

10

11 MR. EWAN: Yeah. The thing is the process working for
12 you here, Lee?

13

14 MR. BASNAR: Well, it's not. Once again, here's a
15 small group of people just like over in Copper Center. A small
16 group of people have been denied the opportunity to subsistence
17 hunt. In fact, it's even worse than the Copper Center area,
18 these people who used to be able to hunt in Denali National
19 Park had the Park expanded, they were given individual permits
20 because they fell outside the resident zone, and then the
21 permits were taken away because they were not found to have
22 C&T. They -- or weren't found to be rural, I forget which way
23 it goes now. Yeah, they were rural but not C&T. So their
24 permits were withdrawn. And they've lived there for years.

25

26 This thing has been pending so many years that I
27 recommend that we move this to the top priority with the Park
28 Service and ask them to consider this. The only thing -- let
29 me restate that, because the thing that concerns me is we don't
30 want to interfere with the normal, ongoing process with the
31 Copper Tanana either. How much time is going to be involved?

32

33 MS. EAKON: I didn't ask that question of him, but he
34 did state that it wouldn't interfere with the Copper River
35 Basin ongoing work.

36

37 MR. BASNAR: Okay. If it does not, then I move we
38 request that the Park Service make this their top priority.

39

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

41

42 MR. LOHSE: I'll second it.

43

44 MR. EWAN: Motion's second. Further discussion on the
45 motion? I guess you're -- we say it and it'll be conveyed
46 through the record, right? The record will be made available
47 to the National Park Service, that that'll be sufficient?

48

49 UNIDENTIFIED VOICE: Yeah.

50

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1
2 MR. EWAN: Yesterday, I think we talked about a letter,
But this does not need a letter form, does it or does it?
4
5 MR. BASNAR: I don't know. Helga, which is
6
7 MS. EAKON: I could do a brief letter as your
Coordinator to put -- to make sure it's documented.
9
10 MR. BASNAR: I think that's better. Yeah.
11
12 MR. EWAN: The motion's second. Further discussion on
the motion?
14
15 MR. OSKOLKOFF: Question.
16
17 MR. EWAN: The question's been called for. All in
favor say aye.
19
20 IN UNISON: Aye.
21
22 MR. EWAN: Opposed by the same sign?
23
24 (No opposing responses)
25
26 MR. EWAN: Motion's carried. Do you have other items,
Helga?
28
29 MS. EAKON: Yes. Item 7(F), Charter Renewal Report.
No. Babbitt did sign the re-authorization of your charter and a
copy is in your Council book.
32
33 Item 7(G), Council Nominations Recruitment Process.
Excuse me. The deadline for applications was yesterday. And I
do have a partial listing of applicants, just the names because
that's all we are allowed to give you. So if you wish, you
could have a copy of this listing. This is not complete
because our requirement is that the application be postmarked
by February 28th.
40
41 Where we are, what's going to happen after this, is the
applications will be checked for accuracy, and if additional
information is needed then we're going to get that.
44
45 (Off record comments)
46
47 MS. EAKON: And in your booklet, there's a flowchart
regarding the appointment process. And real briefly, what's
going to happen is the Interagency Staff Committee will
50

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recommend representatives to a Regional Panel, those being from the land managing agencies in the Region. And in this particular region, those would be the National Park Service, the Bureau of Land Management, the Refuges and -- who am I missing -- U.S.

6

7 UNIDENTIFIED VOICE: The Forest.

8

9 MS. EAKON: the Forest Service, Chugach. And I did mention the Park Service. So they would convene here in Anchorage, and make a recommendation to the Staff Committee who, in turn, discusses this and makes their recommendation to the Federal Subsistence Board, who in turn sends a package to Mr. -- to Washington, D.C. where it's cleared for the Secretary of Interior and Agriculture signature.

16

17 MR. EWAN: Lee.

18

19 MR. BASNAR: Mr. Chairman. When we had two seats becoming vacant a year ago, we wrote a letter, as I recall, and I don't know if it was an endorsement but it was a letter that indicated the Council's satisfaction with the members whose seats were up.

24

25 MS. EAKON: You do have that option, if you wish to write a letter of support, you may do so. It is not a requirement but it is your choice.

28

29 MR. BASNAR: I move we write a letter of support for Roy Ewan.

31

32 MR. LOHSE: I'll second it.

33

34 MR. EWAN: The motion's second. Further discussion?

35

36 MR. JOHN: Did you put your -- is your name down?

37

38 MR. OSKOLKOFF: Yeah. My application was sent out on the 28th there, first (ph) on the list.

40

41 MR. BASNAR: Okay. So you're on the list too then, Cary?

43

44 MR. BASNAR: Well, then I amend the motion.

45

46 MR. LOHSE: Don't amend it, make it to include.

47

48 MR. BASNAR: Okay.

49

50

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1 MR. EWAN: Further discussion on the motion?
2
3 MR. JOHN: Question.
4
5 MR. EWAN: The question's been called for. All in
6 favor say aye.
7
8 IN UNISON: Aye.
9
10 MR. EWAN: Opposed by the same sign?
11
12 (No opposing responses)
13
14 MR. EWAN: Motion carries.
15
16 MS. EAKON: Okay.
17
18 MR. LOHSE: Those are the only two seats that are
19 coming up

20
21 MS. EAKON: Yes.
22
23 MR. LOHSE: on our

24
25 MS. EAKON: Moving onto New Business, Item 8(A).
26 Mr. Bill Knauer will lead this discussion, Mr. Chairman.
27
28 MR. EWAN: Who is going to lead the discussion?
29
30 MS. EAKON: On the discussion on the definition of
31 President, Bill Knauer.
32
33 MR. EWAN: Okay. Bill. I knew you were waiting for
34 something for a long time.
35
36 UNIDENTIFIED VOICE: Just loyal dedication.
37
38 (Off record comments)
39
40 MR. KNAUER: Thank you, Helga and Mr. Chairman. There
41 is in your book a document that looks about like this. It's a
42 Briefing Statement on residency and license requirements. In
43 the Federal Subsistence regulations, there is a statement that
44 requires subsistence users to possess pertinent, valid State
45 hunting, fishing and trapping licenses unless Federal licenses
46 are required. And I emphasize the term "pertinent"; that word
47 has caused some confusion and some concern with various
48 entities.
49
50

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1 The Chairman of the Federal Subsistence Board did
 2 receive a letter from the Joint Boards of Fisheries and Game
 3 requesting that that be interpreted to mean a resident hunting
 4 license, a resident fishing license and a resident trapping
 5 license. Under the current Federal interpretation, an
 6 individual moving to a rural area would be able to hunt
 7 currently once they have established their permanent abode
 8 there; however, they may not have met the one year State
 9 residency requirement. There is also the situation -- that
 10 would be for a situation coming from out of state. Likewise,
 11 an individual moving, we'll say, from Anchorage to Glennallen
 12 would be able to do the same.

13

14 Under the current Federal interpretation also, the
 15 State does not require a license to subsistence fish.
 16 Therefore, the Federal interpretation has been there that there
 17 is not a Federal requirement for a license to subsistence fish
 18 under our regulations; although, the area that we have is
 19 somewhat limited right now.

20

21 The State is asking, as you know, for resident licenses
 22 for all three of those categories; hunting, fishing and
 23 trapping. The Bureau of Land Management has also sent a letter
 24 to the Board not requesting specific action but requesting that
 25 the Board and the Councils consider the situation. They have
 26 experienced a situation, especially in some of the roaded
 27 areas, where construction workers will move into an area for
 28 part of a year, living in a campground or something, and
 29 claiming that for a residence, and then competing with the
 30 local user as a bona fide subsistence user.

31

32 The Federal Subsistence Board is putting this question
 33 before each of the Regional Councils for their consideration;
 34 what do you think it should be; how do you think the regulation
 35 should be worded; is the current wording adequate, should it be
 36 changed, if so, how; should a license be required at all.
 37 Licenses do provide a significant amount of funding for the
 38 management and collection of harvest data that you're receiving
 39 here. The license numbers and funds that the Department
 40 receives are also the basis for a significant portion of
 41 Federal matching monies which are used to further purchase
 42 habitat and provide collection and studies. Or should there be
 43 no licenses required. There are certainly pros and cons to
 44 each of -- each option.

45

46 The Board is not asking your immediate answer, however,
 47 they would like for you to consider this. If you choose to
 48 make a recommendation at this time, that's certainly fine. If
 49 you choose to take a look at this, think about it, take it back

50

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to your communities and speak with other people and then discuss it at your fall meeting, that is acceptable also.

3

4 MR. EWAN: I think we ought to discuss it briefly at least. I -- you know, I'll

6

7 MR. LOHSE: I, after getting the information, did discuss it with some members of my community, just not a real lot of them but I wanted to get a general feel. And the feel that came out of the community that I talked to basically was shock that somebody could hunt on a subsistence license with a non-resident hunting license, that they could have subsistence rights in the State of Alaska and not even be a resident of the State of Alaska. The feeling was that in order to qualify for subsistence hunts, you ought to at least have to meet the minimal requirements that it takes to be a resident of the State of Alaska.

18

19 As far as whether or not to apply that to the residents of your unit, there wasn't quite as much consensus on that. You know, I couldn't get any real direct feeling as to whether you should have to meet the same resident requirements for the Game Management Unit as you do for being a resident of the State of Alaska.

25

26 The other thing that was real shocking to a number of them was the fact that you could subsistence fish and not even be a resident of the State of Alaska. And they felt that for subsistence fish permits, you ought to at least have to meet the minimal requirements that you're a resident of the State of Alaska.

32

33 MR. EWAN: You're talking about Federal land, right now, Ralph, or

35

36 MR. LOHSE: I'm talking about -- yeah, for Federal subsistence permits. Currently, you can hunt under a Federal subsistence permit with a non-resident hunting license.

39

40 MR. EWAN: Do you have any comments about that?

41

42 MR. KNAUER: That is correct. With an individual that has just moved to the State and established a domicile in a rural area, they would immediately qualify. In other words, an individual from, we'll say, New Jersey that has just moved up here and has decided to move into the community of, we'll say, Mentasta Lake. Because Mentasta Lake is a rural area, it has C&T, that individual gains the benefits of the other member -- that the other members of that community have and would be able

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to subsistence -- harvest subsistence resources as the other members of the community do, if they so chose.

3

4 In the event of a situation where there is a shortage of wildlife, and if it came down to differentiating among subsistence users, that individual would certainly have less qualifications. But that's -- we have generally not gotten into the situation where we've had to invoke Section 804 yet.

9

10 MR. EWAN: Go ahead, Ralph.

11

12 MR. LOHSE: Mr. Chairman.

13

14 MR. EWAN: Maybe I could ask this question real quick like.

16

17 MR. LOHSE: Yeah.

18

19 MR. EWAN: Maybe the stuff -- the background information here is confusing me a little bit. You do have certain requirements here, is that not in effect what you're saying here?

23

24 MR. KNAUER: We do have the requirement for a pertinent --

26

27 MR. EWAN: Regulations to

28

29 MR. KNAUER: for a pertinent license, but that where the term "pertinent" ism it does not say resident license. And that's where Mr. Lohse is

32

33 MR. EWAN: Okay.

34

35 MR. LOHSE: The kind of incidents that have come up and the kind of incidents that theoretically can happen is you can literally have somebody from the Park Service that lives in Wyoming move up to work in St. Elias National Park. And because they're now currently living in St. Elias National Park, currently have a job in St. Elias National Park, they're not a resident of the State of Alaska and yet, they would be not -- they would have resident zone community status in the National Park, wouldn't they? I mean they could literally hunt at the National Park under a subsistence permit where somebody who is a resident of the State couldn't hunt there because they don't live in that area.

47

48 MR. KNAUER: If they were living in a resident zone community, yes they could.

50

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1
2 MR. LOHSE: Like McCarthy or someplace like that?
3
4 MR. KNAUER: Um-hum.
5
6 MR. EWAN: But we're talking more broadly, right, other
Federal lands here?
8
9 MR. KNAUER: Yes, we're talking all --
10
11 MR. LOHSE: Other Federal land.
12
13 MR. KNAUER: all Federal lands here.
14
15 MR. EWAN: Lee.
16
17 MR. BASNAR: What is the State residency requirement?
18 remember several years ago, it was a year or two years in
order to get a Permanent Fund Dividend, and then it was reduced
to 30 days for that particular instance.
21
22 MR. KNAUER: A resident -- the residency requirement
for a hunting, fishing or trapping license is one year.
24
25 MR. BASNAR: One year. Okay.
26
27 MR. EWAN: I just want to comment very generally
because this kind of struck me out of the blue right here. I
didn't know we were going to be talking about this at all. I
think there should be maybe some action or something sometime
in the future -- near future maybe by this Council, unless you
feel like we have the time today to discuss and make some
recommendations, this is something that we ought to have some
input into.
35
36 UNIDENTIFIED VOICE: I think so.
37
38 MR. EWAN: It's very important to all of us, I believe.
39 red.
40
41 MR. JOHN: I think we should -- I think, myself, it's
kind of -- I can't answer the question about residenceship. Go
back and ask our people back home and see what they think about
it, bring suggestions back. It's a pretty serious matter. I
don't think we could come up with any answer today.
46
47 MR. EWAN: Let me ask then of the Staff, a time frame;
if making any effect this year, we wouldn't -- if we let it go
now, you won't make any changes for a while, right, on this
50

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particular issue?

2

3 MR. KNAUER: That's correct.

4

5 MR. EWAN: All right. So with that, I guess I'll leave
6 it up to the Council to see what you want to do. Yes, Ralph.

7

8 MR. LOHSE: Well, Mr. Chairman, I think -- personally,
9 I think this is pretty important. And I think there's three
10 areas that -- if we're going to take it back to people and talk
11 to them, there's three areas you need to address. One is the
12 general idea of does a person need a resident hunting license
13 to hunt on Federal land in the State of Alaska. That's the
14 general one.

15

16 MR. BASNAR: You need a what? Say that again.

17

18 MR. LOHSE: Does a person need a resident hunting
19 license

20

21 MR. BASNAR: State resident.

22

23 MR. LOHSE: to subsistence hunt on Federal land
24 in the State of Alaska. Currently, a person can subsistence
25 hunt on Federal land in the State of Alaska with a non-resident
26 hunting license. I totally disapprove of that.

27

28 The second question you need to ask yourself is when we
29 get down to talking about like we did in Unit 13 here, how do
30 you decide whether somebody is -- is that sufficient to decide
31 whether somebody is a resident of the Game Management area that
32 you're discussing? That might be a broader one that we need to
33 look at.

34

35 And the last one to me is the idea that currently under
36 regulations -- because the State of Alaska does not require a
37 subsistence fishing permit, currently under regulations you can
38 subsistence fish on Federal land as a non-resident. Should we
39 have a requirement for a residency requirement in order to
40 obtain a subsistence fishing permit on Federal land? In other
41 words, should a non-resident fisherman be allowed to
42 subsistence fish on Federal land in the State of Alaska?

43

44 Those are three questions I think we need to answer.

45

46 MR. EWAN: All right. The last part of the second one
47 didn't quite get there, Ralph, could you

48

49 MR. LOHSE: Okay. The last part about the subsistence

50

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fishing, you mean?

2

3 MR. EWAN: I think you said something about like
Unit 13, there was not enough something.

5

6 MR. LOHSE: Okay.

7

8 MR. EWAN: Yeah.

9

10 MR. LOHSE: What do -- I was just asking do we need to
come up with a definition of a resident for a Game Management
area, for example. Currently, there's no definition -- or I
think the def- -- there is no requirements to meet any
residency -- there are no residency requirements to meet being
a resident of say Unit 13 or the Kenai Peninsula or something
like that. And -- are there?

17

18 MR. KNAUER: There are but not a time requirement.

19

20 MR. LOHSE: Okay.

21

22 MR. KNAUER: What it said -- under the Federal Program
there is a definition of -- it indicates that an individual
must be a resident. And it says a resident is any person who
has his or her primary, permanent home within Alaska, and
whenever absent from this primary, permanent home has the
intention of returning to it. As you can see, it's somewhat
ambulous.

29

30 MR. LOHSE: Um-hum.

31

32 MR. KNAUER: And there have been instances, although
not many, there have been some instances of abuse.

34

35 MR. LOHSE: Well, see what I'm thinking of,
Mr. Chairman, is we just extended the subsistence season in
Unit 13 for rural residents of Unit 13. Currently, the way
it's written, a person could move to Unit 13, to the rural part
of Unit 13,

40

41 MR. EWAN: And be eligible?

42

43 MR. LOHSE: and I would say the day before the
season opens and be eligible because there's no time limit on
it.

46

47 UNIDENTIFIED VOICE: Um-hum.

48

49 MR. LOHSE: And that's -- again, whether we want to

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address that or not, that does leave it open for abuse.

2

3 MR. EWAN: I agree with you, Ralph. I wouldn't say we
4 should take action today but I think we should discuss it
5 thoroughly if you want to. It's important I think. And is
6 there any legal reason why you can't require length of time in
7- within the area?

8

9 MR. KNAUER: The -- our solicitors have advised us we
10 can probably require a resident -- require a license or require
11 residency in Alaska for a year. We could not be unreasonable
12 in our requirements. In other words, we couldn't make it like
13 two years or three years because the courts have generally
14 ruled in other places that that's somewhat unreasonable. There
15 has never been any discussion about the requirement other than
16 the one possibility that is posed in here for a residency
17 within a unit. But that is certainly within the purview of the
18 Council to suggest if they believe that appropriate.

19

20 UNIDENTIFIED VOICE: He just answered my question.

21

22 MR. EWAN: He answered your question? All right. Any
23 other comments about this? Lee.

24

25 MR. BASNAR: Yeah. I'm totally unprepared to discuss
26 this issue, but one thing that comes to my mind, we'd have to
27 proceed very carefully if we want to talk about establishing
28 residency within a Game Management Unit. We're talking about
29 people from the Native village in Unit 20 moving into Unit 13
30 and being denied the right to subsistence hunt if they haven't
31 established the residency requirement. We don't want to do
32 that, I don't think. Just a comment.

33

34 MR. EWAN: Yes, Ralph.

35

36 MR. LOHSE: Mr. Chairman, that's why I divided it up
37 into three sections. Because from the comments and from the
38 briefing paper there are three things at issue. The first
39 thing at issue, though, is whether somebody should be required
40 to have -- to meet the requirements for a resident hunting
41 license in order to subsistence hunt in the State of Alaska.
42 That, to me, I don't think there should even be a question on.
43 I think a person, in order to subsistence hunt in the State of
44 Alaska, ought to at least be able to meet the requirements of a
45 resident hunter in the State of Alaska. And I would say the
46 same thing for subsistence fishing, that a person ought to at
47 least be able to meet the resident requirements of the State of
48 Alaska as a resident for a resident fishing license in order to
49 subsistence fish.

50

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2 I just highly object to non-residents having
3 subsistence rights because they're in a rural situation. I
4 mean non-residents of the State having subsistence rights
5 because they're in a rural situation over residents of the
6 State of Alaska. I mean that just does not seem right to me at
7 all.

8
9 MR. EWAN: Lee.

10
11 MR. BASNAR: Yeah, I agree with Ralph, I don't like the
12 concept. But I wonder how big a problem it really is. Are we
13 just dealing in concepts here or are we dealing with a real
14 problem?

15
16 MR. LOHSE: They asked for advice.

17
18 MR. KNAUER: There have been situations that have
19 arisen primarily in the roaded areas which most of Southcentral
20 it's more of a problem in Southcentral than in other areas.
21 It's certainly along the Glenn Highway and the Parks Highway
22 where there has been significant road construction, up along
23 the Alaska Highway, where individuals come into work on a road
24 crew or something and may set up a camper in a campground and
25 finding out about this, claim it to be their primary residence.
26 There have also been situations where individuals may have a
27 summer cabin or something in a rural area and live in
28 Fairbanks, Anchorage or elsewhere, and again seeing the
29 benefits, decide to claim that as their primary residence being
30 there for two months, three months.

31
32 MR. BASNAR: I don't see how we can control that. If
33 somebody lives in Anchorage, they ought -- they've already got
34 a resident hunting license. And if they've got a cabin -- I
35 mean, hey, it happens where I live. There's some people that
36 live in Anchorage that come up and have a cabin near where I --
37 you know, it happens. But boy, if we're going to try to
38 restrict the mobility of the American population between
39 geographical spots, we're in trouble.

40
41 MR. EWAN: Maybe we -- excuse me, Lee. Maybe we ought
42 to concentrate on the primary place of residency requirement or
43 the definition here, you know, somewhere down in here.

44
45 MR. KNAUER: It's -- the thing that you're looking for
46 the bottom paragraph on the first page is where the
47 definition of resident

48
49 MR. EWAN: Maybe we should reinforce that a little bit,
50

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if we can. To me, primary place of residence means the place that you really live; you know, it's not the secondary place, it's the primary place. Yes.

4

5 MR. BASNAR: Mr. Chairman, I'd like to suggest that we postpone the discussion of this until our next meeting. Put it on the agenda for the next meeting and have legal counsel available. We're getting into some areas here that -- I agree with what has been said.

10

11 MR. EWAN: Lee, maybe we will end up doing it. But I'd like this opportunity to discuss it as much as we can today because

14

15 MR. BASNAR: If we got the time.

16

17 MR. EWAN: the meetings are so far in-between, we'll forget all about it the next time we bring it up. And let's see if we can make some progress at this meeting. At least, I'll know what you're thinking, I'll know what Ralph's thinking, I'll know what Gary's thinking and everybody is thinking, you know. Go ahead, Gary.

23

24 MR. OSKOLKOFF: Mr. Chairman. I think we have -- to further complicate the issue, if I may, we actually have another problem to throw into this. That is we are dealing with the concept of State residency. We are going to have to deal with the concept of game management residency and give it some type of definition, whether we use the term resident or not is another question that might become quite confusing.

31

32 But there's a third threshold that some people are going to have to jump through and that is community residency, because of cases like the Kenai Peninsula in which C&T determinations were done according to a community. And those communities are going to have to -- as we've discussed in the previous two days, those communities are going to have to have some type of boundaries and then there's going to have to be some type of limitation expressed as to who is a resident of that area and who is not.

41

42 So I think it's a pertinent discussion but I think we are probably not going to resolve certainly the problems of the State residency. We may dive into the Game Management Unit residency and the community residency simply because right now as far as I know I believe with what has been stated there they are wide open fields right now.

48

49 MR. KNAUER: To the best of my knowledge, the

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communities that you're referring to, like Hope, Ninilchik and so on, we don't have a definition on those right now.

3

4 MR. OSKOLKOFF: Okay.

5

6 MR. KNAUER: And to clear up something, Mr. Basnar may have misinterpreted what I was saying. The primary emphasis here is on residency as a whole and whether or not licenses should be required and, if so, what licenses. Not so much the fraudulent situation, although that has occurred, that's primarily a situation that it's our responsibility to -- if we're aware of things like that, to enforce it. So it's primarily the overall residency situation and whether or not licenses should be required, and if so, what.

15

16 MR. EWAN: Let me ask Bill, you or somebody, whether you know is the Federal Subsistence Board going to bring this issue up again? That's what I'm -- I want to make sure that we discuss it fairly thoroughly today, and maybe make some comments that you might use in your determination, if you are going to consider that at the Federal Subsistence Board.

22

23 MR. KNAUER: They will not be bringing this -- this is not an agenda item for April. They are waiting -- they put out the request for information and Council opinion to all of the Regional Councils during this February/March Regional Council time frame, expecting that most Regional Councils would wish to wait and either discuss it at their fall meeting or discuss it among themselves and their communities, and then place a suggestion in their -- or a recommendation in their annual report, one of the two mechanisms.

32

33 So most of the other Councils are proceeding with either something in their annual report or a recommendation to come out of their fall meeting.

36

37 MR. EWAN: All right. Any other comments? I just want to restate that I think this is a very important issue for this Council to give input to the Federal Subsistence Board. And if it's later, it will be later I guess. Lee, I guess you want to maybe make it a specific agenda item maybe for the next meeting or something like that?

43

44 MR. BASNAR: That's my suggestion, Mr. Chairman.

45

46 MR. EWAN: Is there any objection to that course of action then?

48

49 MR. LOHSE: The only comment that I'd make on it,

50

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Mr. Chairman, is that -- and it doesn't sound like anything would get done between now and this hunting season anyhow -- is the fact that it does still leave open the fact that somebody can subsistence hunt in the State of Alaska on a non-resident hunting license at this point in time. And that means like in Unit 13 where we extended the subsistence season on Federal Land, if somebody happens to be in Unit 13 who is a non-resident but is a rural resident with a non-resident hunting license, they can take part in the subsistence hunt. And that's

11

12 MR. EWAN: Is it against the -- some of the factors, right, used in rural preference out of ANILCA?

14

15 MR. LOHSE: No.

16

17 MR. EWAN: I mean it is against

18

19 MR. LOHSE: Well, it is if you go to a Tier II or an 204.

21

22 MR. EWAN: It has to be customary and traditional you would think (ph), right?

24

25 MR. LOHSE: Not under what we just passed in supporting Proposal 14. In order to qualify -- and correct me if I'm wrong. But in order to qualify for a Federal subsistence permit in Unit 13 at this point in time, the only requirement you have to meet is that you are a rural resident of that area, isn't it?

30

31 MR. KNAUER: That's correct.

32

33 MR. LOHSE: So you could technically be a rural resident of that area with a non-resident hunting license and take part in the hunt that we just extended.

36

37 MR. EWAN: I agree with you. I agree with you. I'm saying it's all against the ANILCA factors that (indiscernible interrupted)

40

41 MR. LOHSE: Well, that's why we need to take a position on it.

43

44 MR. EWAN: Yeah.

45

46 MR. BASNAR: We can't stop it for this year.

47

48 MR. OSKOLKOFF: Mr. Chairman. Did Mr. Lohse say that you must be a rural resident of the area, is that the

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terminology you used?

2

3 MR. LOHSE: That's the current requirement for a
4 subsistence permit on Federal land in Unit 13 at this point in
5 time.

6

7 MR. OSKOLKOFF: And when you say area, you mean the
8 unit?

9

10 MR. LOHSE: Unit 13.

11

12 MR. OSKOLKOFF: Yeah. Yeah. Mr. Knauer, what is -- is
13 there a definition that would -- available now that would
14 describe a resident of that area or -- and as Mr. Lohse has
15 said, that being a unit?

16

17 MR. KNAUER: You would have to be a resident of one of
18 those communities that's described in the C&T determination,
19 which is a resident of one of those villages or communities in
20 Unit 13. Currently there is no time requirement to define
21 resident is I think what he is getting at. So an individual
22 would move into Tonsina the day before the season, move his
23 family, his household goods. He has become a rural resident.

24

25 MR. OSKOLKOFF: So there are some criteria that must be
26 met to be considered a resident of that community?

27

28 MR. KNAUER: Right. A person who has his or her
29 primary, permanent home within Alaska and whenever absent from
30 his primary, permanent home has the intention of returning to
31 it. In other words, maybe I as a school teacher move into
32 Glennallen, and it's my intention to --

33

34 MR. OSKOLKOFF: Stay there.

35

36 MR. KNAUER: is to stay there. Now, we know that
37 intentions change, conditions change. But it's my intention
38 when I move there to stay there. I have a job, I have given up
39 my residence wherever it was before. I've moved my family.
40 And I've got -- I now have an Alaska driver's license, which
41 there's no time limit to get. In other words, I don't have to
42 be there for 30 days or six months to get it. I have licensed
43 my cars there. It's the day before the season. I haven't --
44 let's say I haven't been in Alaska for a year, so I'm still
45 required under the State law to hunt with a non-resident
46 license. I can then -- even though I've only been in
47 Glennallen one day, I can go get a subsistence permit.

48

49 MR. OSKOLKOFF: Mr. Chairman, for clarification.

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1
2 MR. EWAN: Yes.
3
4 MR. OSKOLKOFF: And that definition is applied to
5 residents of community, unit area, hunting unit area and the
6 state of Alaska

7
8 MR. LOHSE: Um-hum.
9
10 MR. OSKOLKOFF: presently as you've described it?
11
12 MR. EWAN: I see people nodding yes back there.
13
14 MR. KNAUER: Yes.
15
16 MR. EWAN: Ralph.
17
18 UNIDENTIFIED VOICE: Matter of primary place of
19 residence.
20
21 (Side conversations)
22
23 MR. BRELSFORD: Gary, the key points that are in that
24 definition -- this definition is crafted around Alaskan
25 residents.
26
27 MR. OSKOLKOFF: Um-hum.
28
29 MR. BRELSFORD: But the primary place of residence and
30 intent to return, to treat it as a permanent home, those are
31 widespread in court holdings

32
33 MR. LOHSE: Right.
34
35 MR. BRELSFORD: concerning residency. And so if
36 our question is what constitutes residency in a community for
37 the purposes of the residents of these communities to have C&T
38 eligibility, community residents would be established by a
39 primary, permanent home and an intent to return to that. Those
40 same factors would be pertinent whether we're talking about
41 Alaskan residency or community residency.
42
43 MR. OSKOLKOFF: Thank you. My reason for asking that
44 was clarification for our previous and future discussions in
45 which we would have to deal with the community residency
46 problem on -- and particularly on the Kenai that we agreed to
47 talk to today, that that would shed some light on it.
48
49 The -- one other thing I wanted to add is -- or
50

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question is there is a different set of criteria, is there not, for receiving a Permanent Fund Dividend check in Alaska?

3

4 MR. KNAUER: I would assume so. I am not familiar with all of the exact criteria on that.

6

7 MR. EWAN: Could I ask a question? I did mention it earlier, and that is the primary place of residence, has the Federal Subsistence Board talked about that definition? You know, I said it seemed to me like a primary place of residence is -- means your Number 1 place and not your second cabin down out there. If we can reinforce and say this is the place that this guy lives, would that go? Is there a problem with that? Yeah.

15

16 MR. KNAUER: The secondary home or the cabin is not so much of a concern as is the other discussion that's occurring right now. And

19

20 MR. EWAN: Okay. But I just wonder if that could be reinforced to help, I guess is my question.

22

23 MR. KNAUER: I think the definition that we have in here adequately separates a primary versus a secondary place.

25

26 MR. EWAN: Well, it could help the problem that Ralph described earlier. If the guy has a place -- a permanent home in Connecticut or New York somewhere, that's his permanent place of residence and it's not his -- where he's residing in some cabin out there. So I don't know.

31

32 MR. KNAUER: Individuals do own property in more than one place, especially as they near retirement; it's not uncommon for individuals to purchase property elsewhere. And an individual can declare and establish which one of those properties is their permanent place of residence. Federal law provides for military to retain as a permanent place of residence the place from which they entered the military service, even through they're moving around to various states and locations.

41

42 So the primary place of residence is something that has been subjected to much litigation and much terms of law. But an individual, you know, even though they have lived in, we'll say, New York and still own property there, if they move to Alaska, they can -- the very first day they're in Alaska, they can establish that that is their primary place of residence by doing certain things, which are -- you know, some of these things that are described in here are examples of things that

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indicate their intent. The acquiring of a driver's license, licensing of their vehicle, enrolling their children in schools and so on. But there are a number of things that are examples of that.

5

6 MR. EWAN: All right. I

7

8 MR. OSKOLKOFF: Mr. Chairman, could I ask that at our next meeting we have available to us some analysis from Staff of the attorneys available to the Federal employees regarding the difference between the residency requirements that now exist and any other residency requirements that are available for the State. And one in particular that I'm interested in is the requirement for a -- to be able to receive a Permanent Fund Dividend. It seems as though that particular piece of legislation has been abused both (ph) and litigated substantially, and there's been a lot of comment on it. And I know but I think there may be other available descriptions of what a resident is that maybe we would find more palatable.

20

21 MR. EWAN: Ralph.

22

23 MR. LOHSE: Mr. Chairman. I think that you'll find that the Permanent Fund Dividend requirements pretty well meets the same requirements that it takes to have a resident hunting license in the State of Alaska; 12 months residency. The only addition that I can think of is that you can't be absent for more than 90 days out of the year before.

29

30 To me, the question -- like we've talked about the fact there's more than one question here. But the question that they actually asked for information on was -- and the way I read it, it says right now, you're required to have pertinent State licenses, which leaves it open that you can have the pertinent/non-resident State license. You can be a non-resident of the State of Alaska. To me, the issue at hand is whether that should say pertinent resident Alaska hunting and fishing licenses. And that's all that has to be changed. It changes it between have -- being -- allowing people who are not over residents of the State to take part in subsistence to at least limiting it to people who are residents of the State of Alaska.

43

44 And I would suggest that we direct the Federal Subsistence Management Board or Program to require the pertinent resident hunting or fishing license for the State of Alaska. And I would make that as a motion, if there's a second, that we direct them to do that.

49

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1 MR. OSKOLKOFF: I'll second that motion.

2

3 MR. EWAN: There's a motion second. Further discussion
4 on the motion? The definition of resident, is that adequate?

5

6 MR. LOHSE: Yeah. Because they have to meet that
7 definition in order to get a resident hunting license. This is
8 just for the basic licenses. Right now, they can do it with a
9 non-resident license. I think they should at least be required
10 to have a resident license. The other issues we're going to
11 have to address later.

12

13 MR. EWAN: Ralph, I guess maybe somebody should explain
14 for the record what we're talking about here. What is the
15 resident license requirement right now?

16

17 MR. KNAUER: The State residency requirement for a
18 hunting, fishing or trapping license is 12 months, 12 calendar
19 months.

20

21 MR. EWAN: Lee.

22

23 MR. BASNAR: Mr. Chairman. I still don't quite
24 understand the haste on this, if we're going to address one
25 point of the thing and then table the rest or put the rest on
26 our agenda next fall. We've already been told that the Board
27 is not going to discuss this at the April meeting. I am fully
28 in agreement with Mr. Lohse. I fully agree that we need to
29 have a residency requirement in the State of Alaska in order to
30 be a subsistence user. I have no argument with that. But I
31 still am proceeding here without what I feel to be all of the
32 facts. I'd like to have legal counsel available to answer
33 certain questions. And I would like to discuss this in detail
34 when we have more time. We've got an agenda and a limited time
35 to discuss this. If there were a reason for haste, I would say
36 let's do it. But I don't see that reason.

37

38 MR. EWAN: Lee --

39

40 MR. BASNAR: Let's do it in the fall.

41

42 MR. EWAN:

43 Lee, I believe there is an urgency. We're dealing with a subsistence issue that's affecting lives
44 here in the State of Alaska. I understand what Mr. Lohse is
45 saying, and that is let's try to help the local subsistence
46 hunter/fisherman by giving them the advantage of having the --
47 you know, this residency requirement (indiscernible -
48 interrupted)

49

50

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1 MR. BASNAR: I agree, Mr. Chairman. I agree. And this
 2s important. It is very important. But if the Subsistence
 Board is not going to discuss it at their upcoming meeting,
 4et's go back to our communities, get more input and bring
 5additional information to the Board so that we've got a good,
 6olid foundation and can build a case and then present it to
 7he Board prior to whenever they're going to discuss it.

8

9 MR. OSKOLKOFF: Mr. Chairman. I think that at a
 10nimum, we're -- what we're trying to do is establish a
 11nimum in the time being. We're not limiting future
 12discussion. And the point about whether it's on or off the
 13agenda of the Federal Subsistence Board I think is more reason
 14to pass a motion in the fact that if the Federal Subsistence
 15Board doesn't believe it to be imperative to discuss this
 16almost immediately, they should be propelled by the advice of
 17this Council to put that on their agenda. And therefore, I
 18don't think that we should look away from this issue. I think
 19that we need to look at it very seriously. I think we need to
 20have a very serious discussion on not only this issue but a
 21variety of other issues because they directly impact the
 22subsistence user in the State. But I don't believe that we can
 23follow the Subsistence Board. I believe we have to advise the
 24Subsistence Board, and they should have that advice before they
 25meet.

26

27 MR. EWAN: Thank you, Gary. Other comments?

28

29 MR. LOHSE: Question.

30

31 MR. EWAN: The question's been called for. Would you
 32repeat for me, Ralph, again what

33

34 MR. LOHSE: I would like to use the words that are
 35currently used which is that if you would be willing to read
 36them about the pertinent and just add the fact that it has to
 37be a pertinent resident Alaska hunting or fishing license.

38

39 MR. EWAN: All right. The question's been called for.
 40Everybody understands the motion. All in favor say aye.

41

42 IN UNISON: Aye.

43

44 MR. EWAN: Oppose by the same sign?

45

46 (No opposing responses)

47

48 MR. EWAN: Motion's carried. Yes, Bill.

49

50

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1 MR. KNAUER: Yes. In response to Mr. Oskolkoff, the
Board was postponing any action on that to provide adequate
opportunity for all of the Regional Councils to

4

5 MR. BASNAR: My point.

6

7 MR. KNAUER: query their folks. It was not to
de-emphasize or indicate that it's not a matter of concern, but
to provide adequate opportunity for all of the Regional
Councils to provide their input in whichever manner they chose
to do so.

12

13 MR. EWAN: Lee.

14

15 MR. BASNAR: Yes, Mr. Chairman. I voted in favor of
the motion but I would like to go on record as a being a little
bit uncomfortable in moving as fast as we have, even though I
agree with the issue. But I would like to go back and talk to
the folks at home and have a little bit more time to discuss
issues that are this important.

21

22 MR. OSKOLKOFF: Mr. Chairman. I agree with Mr. Basnar,
and I would suggest that it be placed on our next agenda, and
that we ask the Staff and the attorneys that Mr. Basnar has
indicated in his previous statement to be available at the next
meeting.

27

28 MR. EWAN: Is there any objection to doing this?
Hearing no objection, we have that on our next agenda.

30

31 MR. BASNAR: Break for lunch?

32

33 MR. EWAN: Okay. Did you have any other comments?
Okay. Thank you, Bill. It's been suggested that we take a
break for lunch at this time. Is that all right? And we have
adequate stuff to take care of this afternoon.

37

38 MR. OSKOLKOFF: 1:00 o'clock.

39

40 MR. EWAN: I mean should we -- there's no need to take
care of the stuff and get it out of the way.

42

43 MR. OSKOLKOFF: It'd probably be best to start the
discussion at 1:00 simply because we

45

46 MR. EWAN: We have adequate stuff to take care of this
afternoon, right, to take some time. What I'm wondering is if
we should continue and get it done now. Probably won't have
time. Okay.

50

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1
2 UNIDENTIFIED VOICE: We'll have the Staff here.
3
4 MR. EWAN: Okay. We'll recess. What time is it now?
5
6 MR. OSKOLKOFF: 11:35 I believe.
7
8 MR. EWAN: 11:35.
9
10 MR. OSKOLKOFF: I'd go for 1:00.
11
12 MR. EWAN: We'll return at 1:00 o'clock.
13
14 UNIDENTIFIED VOICE: Okay.
15
16 (Off record)
17
18 (On record)
19
20 MR. EWAN: Call the meeting back to order. I believe
21 ~~We~~ finished what we were doing before lunch, right?
22
23 UNIDENTIFIED VOICE: Yeah.
24
25 MR. EWAN: Are we on new business now?
26
27 MS. EAKON: Yes.
28
29 MR. EWAN: (A).
30
31 MR. OSKOLKOFF: Didn't we want to go back to the
32 Kenai,

33
34 MR. EWAN: Okay.
35
36 MR. OSKOLKOFF: first.
37
38 MS. EAKON: Yes, Mr. Chairman.
39
40 MR. EWAN: (B), you're talking about (B) here?
41
42 MS. EAKON: We are on 8(B), Eastern Interior Regional
43 Council's Factory Trawler Resolution. This is for your
44 information only. It is in your booklets. The Chair of that
45 particular Regional Council wanted it to be distributed to all
46 the other Councils.
47
48 MR. EWAN: It's in the packet?
49
50

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1 MR. BASNAR: What tab?

2

3 MS. EAKON: It's the two pink sheets under 8(B).
 Western Interior also passed that particular resolution, and
 the Federal -- the Regional Director of the United States
 Fish & Wildlife Service did respond to this resolution. And I
 had passed out copies of this response yesterday, it's
 somewhere in your papers; it's a letter dated January 30, 1995.
 And essentially it says that the Department of Interior does
 not have authority to regulate factory trawlers operating in
 the Bering Sea. That particular authority rests among the
 State of Alaska, National Marine Fisheries Service and the
 North Pacific Fishery Management Council. The Fish & Wildlife
 Service sits -- they do have one seat on the National -- I mean
 North Pacific Fishery Management Council but is a non-voting
 member. And Mr. Allen included some fisheries statistics that
 I'm not going to bother to read into the record, you have that
 letter.

19

20 And it's up to you; if you don't want to support such a
 resolution, that's fine. It's -- I brought it mainly because
 Mr. Titus wanted this distributed to the Regional Councils.

23

24 MR. EWAN: All right. Ralph.

25

26 MR. LOHSE: Mr. Chair. As a representative from a unit
 that has concerns in exactly this kind of an area, if there was
 any benefit in us supporting this resolution, I would be more
 than in favor of supporting this resolution and making the
 motion to that effect.

31

32 MR. EWAN: There's a motion made. Are you making a
 motion? You just wanted to comment?

34

35 MR. LOHSE: I will be more than happy to make the
 motion if we feel that there's any benefit in supporting this
 resolution.

38

39 MR. EWAN: Could you explain to me the impact of this
 (undiscernible - interrupted)

41

42 MR. LOHSE: The impact basically of what we're dealing
 with right here is we're dealing with bottom trawlers and their
 impact on salmon stocks and on the environment in general. As
 the fishing community, that directly affects the livelihood of
 the community that we live in. And personally, I would support
 this proposal, too, but from what Helga was saying, I'm not
 sure there's any benefit for us to support it.

49

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1 UNIDENTIFIED VOICE: I was getting ready to make a
2 motion.

3
4 MR. EWAN: I think you have support here to do it.

5
6 MR. LOHSE: I'll make the motion that we support as --
7 you say that at this point in time, Helga, that the letter that
8 we received back is that we really -- that the ar- -- that who
9 it was sent to really had no authority in that area anyhow?

10
11 MS. EAKON: Yes. If there were concerns, they should
12 be addressed to the State of Alaska, and the National Marine
13 Fishery Service and the North Pacific Fishery Management
14 Council.

15
16 MR. LOHSE: Okay. In that case, I won't make a motion.

17
18 MR. EWAN: Okay. But in regard, this Board (ph) is to
19 pass on it. We might as well go onto the next item then.

20
21 MS. EAKON: Continuation of proposals. The next item
22 would be to resume deliberation of the proposals to change
23 wildlife regulations.

24
25 MR. EWAN: Are we

26
27 MS. EAKON: That's what we're on now.

28
29 MR. EWAN: All right. Is this the proper time to take
30 up the Kenai issue?

31
32 MS. EAKON: If you wish to, that's fine. If you wish
33 to do that before you

34
35 UNIDENTIFIED VOICE: It's been tabled for now, so it'd
36 be appropriate.

37
38 MS. EAKON: Okay.

39
40 MR. EWAN: All right. We'll take up the Kenai season
41 and bag limit.

42
43 MR. BASNAR: Which proposal is that?

44
45 MR. EWAN: Which proposal? What's the number of the
46 proposal?

47
48 MR. OSKOLKOFF: We don't have a numbered proposal, this
49 is from the Advisory Council itself.

50

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1
2 MR. BASNAR: Is there some paperwork on it? I missed
3 that first hour yesterday. Was there some paperwork on that?

4
5 MR. OSKOLKOFF: No. It was

6
7 MR. EWAN: This was postponed from the other day.

8
9 MR. OSKOLKOFF: We were discussing enacting a
10 subsistence hunt, moose hunt, on the Kenai Peninsula, and we'd
11 agreed to limit it to the area of 15 rather than dealing with
12 12 and 7 at the same time. And we were involved in several
13 hours of discussion over the last several days in regards to
14 exactly how we would go about doing that, the procedures and
15 whatnot. And I had asked a number of questions, primarily
16 yesterday I believe it was with -- to try and get some idea
17 from Staff as to what would be reasonable and acceptable and
18 within the scope of the law and those types of information.

19
20 But at this time, I'm prepared to suggest a proposed
21 moose hunt for Unit 15. And I assume as there was no direct
22 resolution to some of the questions that we had that as we went
23 along, we would come to some type of agreement on the intent of
24 the Council, and that the Staff would help us flesh that out in
25 the form that would eventually attain regulation.

26
27 If I may continue, Mr. Chairman?

28
29 MR. EWAN: Yes. Um-hum.

30
31 MR. OSKOLKOFF: The hunt would be for those communities
32 which have both been found to be rural by the Board and having
33 customary and traditional use determination by this Advisory
34 Council, and then further, we hope by the Board. And this hunt
35 would be specifically for moose. It would be Units -- in
36 Unit 15, all three subunits, (A), (B) and (C). And I'm
37 suggesting a date of -- in line with our discussions previously
38 on this subject and in line with our discussions regarding
39 moose hunting in Unit 13. I would suggest a start date of
40 September 10th to give a 10 day advantage to resident moose
41 hunters -- subsistence moose hunters in these areas or in these
42 communities to -- excuse me. I'm sorry. Let me back up on
43 this whole thing.

44
45 The suggested date was August 10th through
46 September 20th. The State hunt -- open hunt is from
47 August 20th to September 20th. I believe I'm correct on that.
48 And the State hunt is for -- has a restriction on antler size.
49 And I would suggest that the subsistence hunt not have a

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restriction on antler size but be restricted, for the time being until further analysis can be made, to bulls. That the hunt be for one bull.

4

5 MR. BASNAR: Would you say that again about the antler size?

7

8 MR. OSKOLKOFF: That therefore for the subsistence moose hunt I'm proposing that there be no antler size restrictions.

11

12 MR. EWAN: Okay. The dates, too. Could you repeat the dates again proposed?

14

15 MR. OSKOLKOFF: August 10th through September 20th.

16

17 MR. EWAN: Just one bull?

18

19 MR. OSKOLKOFF: Yes.

20

21 MR. EWAN: Any comments or questions on the proposal?
22e.

23

24 MR. BASNAR: Yes, Mr. Chair. The first thing that comes to my mind is why this didn't come to us in the form of a proposal the same as the Copper River Native Association? What's the reason?

28

29 MR. OSKOLKOFF: The proposal did come to the Federal Subsistence Board I believe in 1991 and has been referred back. I could go through volumes of letters back and forth. It's been volleyed between the -- primarily the Ninilchik Traditional Council and the Chairman of the Subsistence Board for some time. And the latest discussions were primarily -- the first discussions, of course, were on a rural/non-rural funding and the lack thereof. The second discussion was on a lack of a C&T determination. Those were the reasons for denying at the time. There were no other reasons, biological or otherwise, that were stated in the correspondence that I have, and I'm not aware of any. If members of the Staff would care to enlighten us on that, I would appreciate it, if they know of some. But primarily, the holdup was the C&T determination which if the Board follows the advice of this Council there will be for those communities.

45

46 MR. EWAN: Let me ask this then, since Lee is making a issue out of this. Do proposals have to be written, have to be formal?

49

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1 MR. BRELSFORD: Mr. Chairman. I think to help place
 2 this into context, as of September when the request for
 3 proposals for this regulatory year went out, we were still
 4 operating on a set of procedures to conclude the C&T
 5 determinations so that no request for seasons and bag limits
 6 had ever been floated to this Council. Only after November
 7 when some changes occurred in the Staff Committee's guidance
 8 did we get the understanding, the directive, that we should ask
 9 Councils, as they address C&T eligibility, to also address
 10 seasons and bag limits. So that's why no such request or no
 11 such invitation for proposals was in place last September.

12

13 MR. EWAN: How about the answer to my question? Are we
 14 out of line here or are we okay?

15

16 MR. BRELSFORD: No. It would not be improper. The
 17 public notice requirements and the opportunity for public
 18 review will be met based on the C&T eligibility determinations
 19 that you offered and this priority on seasons and bag limits
 20 for moose in Unit 15. This will be before the Board for
 21 adoption, and they will review your recommendation, make a
 22 decision about what will be called a proposed rule and that
 23 will be in the Federal Register Notice and subject to public
 24 review. We'll want to talk before

25

26 MR. EWAN: All right.

27

28 MR. BRELSFORD: we finish about public meetings.
 29 And then there would be a final review. So there is not a
 30 problem in meeting the standards of the proposal.

31

32 MR. EWAN: Okay. Thank you. We'll continue. The
 33 proposal you heard was that -- is for all of Unit 15, is that
 34 correct, or just

35

36 MR. OSKOLKOFF: All of Unit 15 to be hunted by the
 37 communities in question. And I think it might be important for
 38 the Advisory Council to hear a quick discussion on

39

40 MR. EWAN: Community?

41

42 MR. OSKOLKOFF: community. What --

43

44 MR. EWAN: Great.

45

46 MR. OSKOLKOFF: what the term community
 47 actually

48

49 MR. EWAN: That's what I was going to get to here.

50

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Yes.

2

3 MR. OSKOLKOFF: If I could step to the map for a minute
 here. I don't know if that's going to be possible to make me
 that far.

6

7 MR. EWAN: I think -- yeah.

8

9 MR. BRELSFORD: Mr. Chairman, while they're settling
 that, maybe I could

11

12 MR. EWAN: Could I interrupt just a minute to ask
 anybody that has not been introduced here to introduce
 himself, please? Yes.

15

16 MR. OLSON: My name is Warren Olson, I'm an Anchorage
 resident. I've just got some com- -- just an overall general
 concept -- or comment on the participation by the Board Members
 in regards to these proposals.

20

21 MR. EWAN: Okay. Thank you. Okay. Gary.

22

23 MR. OSKOLKOFF: Mr. Chairman. I know it's going to be
 difficult for some of the members of the Council to see the way
 the map is oriented. But if you -- there's also maps in your
 pocket of the Homer non-rural area which is this line that has
 been drawn on the map representing that area of Homer and
 traveling up north as far as Cape Starichkof. And then there
 is also a line which designates the boundary between the Kenai
 and Soldotna non-rural areas and the Kenai rural area, for lack
 of a better term, and also the Ninilchik area.

32

33 My concept of how we should treat this is that the
 Board has made a distinction based on community and use and
 accessibility and where one would, let's say, use a post
 office, use a store, have access to schools and whatnot and use
 that as some of the criteria for deciding where these
 boundaries actually are at this point. I would suggest using a
 39 taking off from their description and using an area along
 the road system between those two boundaries.

41

42 And my intent is to include all ancillary roads and
 those areas around them in those areas. So that essentially
 the Homer -- or the Ninilchik community then, for lack of a
 better way to describe it, would be along the road system which
 where -- primarily where the residences are from around Clam
 Gulch, I believe it's described in your map, south until Cape
 Starichkof. And then the primary road that is used in that
 area that deviates from that -- from the main highway itself is

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the Oil Well Road, that takes off directly from Ninilchik
 itself, which has a number of residents of Ninilchik, for lack
 of a better term, on it also. And I would suggest a
 description that it is my intent to cover this area as much as
 possible in the description of community.

6

7 Further, along with that, is my belief that we could
 use the same type of discussion or the same type of argument on
 the intent to describe the areas of Hope, Cooper Landing and
 their designation between what is a rural area, Kenai rural
 area or Homer rural area and what is actually a community that
 we have determined for C&T.

13

14 MR. EWAN: Any questions or comments?

15

16 MR. LOHSE: Yeah. I kind of wonder if we're not
 putting the cart before the horse, that we found C&T for these
 communities, and we're discussing a season or season extension
 for these communities. It's almost impossible to do that prior
 to discussing what these communities are or where they are, and
 who we're going to be leaving out of it and why we're going to
 be leaving them out of it.

23

24 I guess I have real difficulties with the fact, that as
 Gary and I have talked about before, we have definite, definite
 rural people who live in that area. Some of them who are a lot
 longer residents of the area than some of the people who live
 with inside the community boundaries or -- well, currently
 there are no community boundaries, but what we would probably
 come up with as community boundaries. And how do you deal with
 it I mean how do you deal with them? How do you justify
 putting a hunt in their backyard and leaving them out of it,
 you know?

34

35 MR. OSKOLKOFF: Are you asking me?

36

37 MR. LOHSE: Well, I'm not asking you, I'm asking the
 Council, I guess.

39

40 MR. OSKOLKOFF: Well, just from my opinion, I think
 that what we have here is an imperfect system. The criteria
 that we were us- -- we were given has led us to situations in
 which we feel fairly uncomfortable. And I agree, that is a
 situation I feel very uncomfortable with and I believe needs to
 be revisited in the future and probably be revisited for
 several years to come. The situation is also true of those
 people who happen to be in one of the -- end up in one of the
 non-rural areas who have a long-standing tradition of -- and a
 long-standing dependency upon the subsistence harvest in those

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areas.

2

3 So it is an imperfect system. There are going to be
4 situations where people are going to be disenfranchised. And I
5 think it's our job to keep that to an absolute minimum. And I
6 think as we go along, we will refine the -- our suggestions and
7 regulations and hopefully be more able to meet some of those
8 concerns that the Council has.

9

10 MR. EWAN: Any other comments or questions?

11

12 MR. OSKOLKOFF: One more comment, Mr. Chairman, if I
13 could make it real quickly. It is not my intent at this time,
14 as was discussed in Unit 13, to ask that the Federal land areas
15 of the public lands as we're talking about them now be closed
16 State hunting during their available hunt.

17

18 MR. EWAN: I don't think we asked -- the CRNA proposal
19 didn't ask that did it?

20

21 UNIDENTIFIED VOICE: No.

22

23 MR. EWAN: No.

24

25 MR. OSKOLKOFF: No. I just wanted to clarify that
26 because there was quite a bit of discussion with regards to
27 whether there should be a closure or not. And at this time I
28 firmly believe that there -- the future harvests and the
29 records of those harvests will show that there will be no
30 change -- no significant change or a substantial change I
31 should say of the harvest level but that there will be a shift
32 harvest from some people who have been in a sport situation
33 and to the subsistence hunter and maybe a little less
34 opportunity for the people under the State of Alaska hunt
35 because some of the moose will be taken previous to that.

36

37 MR. EWAN: Lee.

38

39 MR. BASNAR: Mr. Chairman. The thing I'm having
40 difficulty with right now is visualizing what Gary pointed out
41 on the map. I can't see that far on the map I've got here, it
42 doesn't

43

44 UNIDENTIFIED VOICE: It's not detailed.

45

46 MR. BASNAR: I've got to be able to visualize what he's
47 talking about better before I can even comment. Is there some
48 way we can do that?

49

50

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1 MR. BRELSFORD: Other than putting the map -- I mean we
2 could gather around the map or something.

3
4 MR. BASNAR: Whatever it takes but I can't -- you know,
5 these road names and places, the

6
7 MR. BRELSFORD: Yeah, that might be best.

8
9 MR. BASNAR: I don't know anything about those.

10
11 MR. BRELSFORD: If we could actually gather up at the
12 map.

13
14 MR. BASNAR: I can't relate to them.

15
16 MR. BRELSFORD: The penciled in areas correspond to the
17 non-rural area maps that were distributed yesterday. So this
18 is the Homer non-rural area, not eligible for subsistence.
19 This is the Kenai/Soldotna non-rural area also not eligible for
20 subsistence. Between these two lines are the community of
21 Ninilchik or the community and some associated settlements,
22 some residents, and the Homer non-rural areas; these
23 settlements that are just north of Homer or just east of Homer
24 that we've referred to as the Homer non-rural area.

25
26 Gary's suggestion is that we identify as the boundary
27 the difference between these two entity- -- these two
28 settlements or communities would be Ninilchik would fall along
29 the main highway from this line to this line, including any
30 associated tributary roads that run to the east. So all of
31 these settlements, these households, would be seen as using the
32 school district services, the postal service, the commercial
33 services of Ninilchik. All of that would constitute Ninilchik.
34 The Homer non-rural area would be primarily those households
35 following along the Pioneer Road here north and east of Homer,
36 the non-rural Homer, Homer City, and these settlements to the
37 east further out the road beyond McNeil Creek, those would also
38 be in the Homer non-rural area.

39
40 So the eligibility criteria that you've settled on so
41 far in your proposal means that both in -- Cooper Landing and
42 Ninilchik has some eligibility in 15(A) and (B). Seldovia has
43 some eligibility in some of those.

44
45 MR. BASNAR: In (C).

46
47 MR. BRELSFORD: And then in Unit (C), you've got
48 Ninilchik, plus the three south side communities. I may be
49 imprecise on the exact details. But in any case, where we were
50

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stuck was trying to be sure that we understood where Ninilchik was, who was in, who was not. And Gary's recommendation or discussion for the Council's consideration is that on the Highway between these points plus the associated road system (ph), those would constitute Ninilchik residents.

6

7 MR. EWAN: Is there a straight line across, Gary, dividing it or

9

10 MR. OSKOLKOFF: No.

11

12 UNIDENTIFIED VOICE: No.

13

14 MR. BRELSFORD: It may be possible to draw a line somewhere down like this.

16

17 MR. OSKOLKOFF: Yeah. There isn't one available right now but that actually could be done, a meets and bounds description, that would involve ridges and drainages or mountain tops or glaciers or streams, you know, those kind of things could be done. But I believe it was my discussion with the Staff where the -- what we had to do instead of being that specific and drawing those out is we had to convey to them our intent as what we wanted to see there, and that they would be

25

26 is that true, Mr. Brelsford?

27 MR. BRELSFORD: That's correct. I think our hope was that we get the regulatory language ironed out and not take up a whole lot more time here. But if the distinction is fairly clear and the Council's at ease with that, then we would understand your purposes and we would convey that to the Board.

32

33 MR. BASNAR: The question in my mind is couldn't we just come down to the Homer non-rural -- I mean the Homer rural area northern boundary?

36

37 MR. OSKOLKOFF: We

38

39 MR. BASNAR: That doesn't show on that particular map. But would that work? I don't know, I'm just asking the question.

42

43 MR. EWAN: Make it all one community or

44

45 MR. OSKOLKOFF: We could very well -- I don't know. I shouldn't say. But in doing that, you -- what I wanted to say is that you would be including what we had talked about before being the Homer rural area at that point, if you came to that boundary line. And I assume using the same type of logic

50

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that we used to designate the community of Ninilchik and its, as you said, tributary roads, we would assume that the tributary roads which arrive at a point which at the -- on the Highway which is within the Homer non-rural area would then be designated as the Homer rural area. In other words, if it traveled from say Cape Starichkof south and you traveled on a road, a dirt road or what have you, to arrive at your house but you had to travel outside the Homer urban area, for lack of a better term, a non-rural area, and you traveled into the Homer and you traveled into the area beyond that, which is what we're calling the Homer rural area at this point, you would be, in fact, in the Homer rural area according to that definition.

13

14 MR. BASNAR: Well, if you understand what you said,
15 cause I'm lost.

16

17 MR. BRELSFORD: What he's saying is that this Pioneer
18 Road that runs into the Homer non-rural area, the Homer non-
19 digible area would be kind of a tributary. That's what we
20 would understand as the Homer rural area left out at this point
21 of your C&T recommendations.

22

23 MR. LOHSE: So basically what we'd be doing is treating
24 the road system as water shed and all roads that pour into that
25 water shed,

26

27 MR. BRELSFORD: Would be communities on the road.

28

29 MR. LOHSE: technically speaking, are tributaries
30 of it, and the other ones that go into the other mainstream are
31 tributaries kind of.

32

33 MR. OSKOLKOFF: And in my thinking, what I tried to do
34 was try and discern why the Board had included areas like Clam
35 Gulch. And I believe that their logic was is that you could
36 use the services available -- excuse me. Why the Board
37 included areas like Clam Gulch in the Kenai and Soldotna non-
38 rural designation is because they had access to those
39 facilities that were in Kenai and Soldotna. And they were
40 essentially, in some way, denoting that for some reason they
41 thought they had a community of some sort with them, some type
42 of association that they made. And that at that line, that
43 they didn't believe that the people south of there did have
44 that same association. And that's why they marked it at that
45 particular point, not because of the size of the community that
46 was there of Clam Gulch or something like that.

47

48 MR. EWAN: So do we have a line somewhere even

49 --

50

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1 MR. BRELSFORD: The effect

2

3 MR. EWAN: south of Clam Gulch?

4

5 MR. BRELSFORD: To approximate Gary's point, there
6 would be a line somewhere in here,

7

8 MR. EWAN: Right.

9

10 MR. BRELSFORD: from the height of Kachemak Bay
11 to here, roughly south of that line would be out.

12

13 MR. BASNAR: Point Clam Gulch out to me, please.

14

15 MR. BRELSFORD: Sorry. Clam Gulch.

16

17 MR. OSKOLKOFF: No. Clam Gulch is at the top.

18

19 MR. BRELSFORD: I'm sorry, then I'm not following.

20

21 UNIDENTIFIED VOICE: Right here.

22

23 MR. BRELSFORD: I'm sorry, that was Anchor Point that I
24 was talking about.

25

26 MR. OSKOLKOFF: It's also true of the southern border
27 too, so you're correct.

28

29 MR. EWAN: So my question was about the northern
30 boundary.

31

32 MR. BRELSFORD: There -- this is inside the Refuge and
33 a wilderness area, so to our knowledge there's no signif- --
34 residents, no homes in that area. So once you get east of
35 Seldotna, our understanding is this

36

37 MR. EWAN: No. I'm not going by -- I'm just talking
38 about the northern boundary of what we're probably discussing
39 right now. The Ninilchik community. Yeah.

40

41 MR. BRELSFORD: Well, in effect, it would be this area
42 south.

43

44 MR. EWAN: Including Clam Gulch?

45

46 MR. OSKOLKOFF: Excluding.

47

48 MR. BRELSFORD: Excluding Clam Gulch.

49

50

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1 MR. EWAN: That's what I was wondering, where that line
would be.

3

4 MR. OSKOLKOFF: It's just south of Clam Gulch by a
couple miles.

6

7 MR. EWAN: Okay.

8

9 MR. BASNAR: Is that -- are you comfortable leaving
Clam Gulch in its current designation or should they be
included in this new one?

12

13 MR. OSKOLKOFF: They should be included but the Board
hasn't seen fit to give them a rural designation; although, I
think we could now or in the future ask the Board -- advise the
Board to change their designation and include that community.
And I believe that's probably true also of the situation on the
southern border in the fact that some rural area has been
included in the Homer non-rural area.

20

21 MR. BASNAR: Well, are we going to take on the entire
package or pieces of it here? I'm not sure.

23

24 MR. OSKOLKOFF: Well, my suggestion in doing what I
have come up with so far is that the point being that I didn't
want to have to change customary and traditional use findings
at the same time and rural and non-rural designations at the
same time. Working under what we have done so far with the
background information that we have -- the Board has come up
with and that we have come up with through the last couple of
meetings, we would not have to go back and backtrack on that.
We could go ahead with what we have now. And knowing that what
we have that probably everyone would agree it would be
imperfect but as close to what we want to do as we can do under
the constraints we now have before us.

36

37 MR. EWAN: All right. Any more -- other comments,
questions? Ben.

39

40 MR. ROMIG: Yeah. Mr. Chairman?

41

42 MR. EWAN: Yes.

43

44 MR. ROMIG: I guess I'm a little reluctant to, you
know, jump right in and support the proposal as it is right
now, a couple reasons. I know the management down there since
1987, I believe, they've had a spike fork 50 inch better
regulation, and they've just about got it back to where when
they started it, you know, the objective. And I would be more

50

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inclined to -- if we're going to go without an antler restriction to just mirror the State regulation and start up the same day. Or if we were going to leave -- start off earlier, I would think, you know, abiding by the spike fork might be best to -- more biologically sound for the whole area.

6

7 MR. EWAN: Thank you, Ben.

8

9 MR. OSKOLKOFF: Mr. Chairman. It was my intention in suggesting the extra 10 days at the beginning to allow for a more customary and traditional, if you will, type of hunting. And that there are two factors that are in the present hunt that are not similar to what people have done there for many a years. And that is have to deal with the crowds as we discussed, the same situation exists in Unit 13, and also having to discern between the small and large bulls by antler size. I think the set of statistics that you have are pretty similar between what we discussed in Unit 13 and what we -- what the situation is in Unit 15. And I think that we need to be reasonably consistent. I don't think we're going to inundate the area with a great deal more hunters than what previously was out there. And that although their take may be their percentage of take may be higher, the overall effect on the resource will be minimized by the possibility or the less likelihood of attaining a moose through the State hunt.

26

27 MR. EWAN: I see. All right. Next Lee here and then

29

30 MR. BASNAR: What I wanted to do was call on a biologist.

32

33 MR. EWAN: Okay. There's the biologist there.

34

35 MR. WILLIS: I want to turn this program over to our local experts, they've been circling Anchorage for about a half day now to get down here. Now that we have a specific proposal before us, and they have had overnight last night to think about it, I'd like to hear what Ted and Dan have to say about the impacts of what Gary's proposed. I think this would be a good time to put that in.

42

43 MR. EWAN: I don't think there's any objection. Come on up, Ted. You heard the whole proposal, right?

45

46 MR. SPRAKER: Yes, sir.

47

48 MR. EWAN: Okay.

49

50

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1 MR. SPRAKER: Mr. Chairman. First, I'd like to
 2 reiterate what I said yesterday. There's some very complex
 3 answers here, and I'd like to have some time to think about it
 4 and determine how many people would be involved. And I do
 5 agree, as Gary has pointed out, that there would probably be a
 6 great deal of compensatory sort of mortality in that these
 7 hunters normally get a moose anyway. But there may be a
 8 difference because they're going to kill mid-sized bulls that
 9 are these two and three and four year old bulls that we
 10 normally protect. And those are the bulls that allow us to
 11 have this 32 day season because those are the bulls that make
 12 up most of the bull/cow ratio that we have to maintain because
 13 of our management objectives.

14

15 And what I'm concerned with is that over time, since
 16 these mid-sized bulls are usually very easy to see -- it seems
 17 like when I hunt moose on the Kenai, I can always see the
 18 middle sized bulls but I can never find a legal bull. And I
 19 think under that situation that it will make a difference as
 20 far as continuing the general hunt as we have it now. I think
 21 there will be some adjustments made but I can't tell you how
 22 much, whether it's a 10 percent, 30 percent, 50 percent
 23 reduction in the opportunity for the general season. But that
 24 is something we're going to have to take a careful look at,
 25 because like I also mentioned yesterday, we have spent years
 26 trying to maximize hunting opportunity on the Kenai, and we
 27 currently have every surplus moose being used. So we might
 28 have to do some readjustments on general seasons.

29

30 MR. OSKOLKOFF: Mr. Chairman, if I could ask one
 31 question of Mr. Spraker and that is when was it that the
 32 regulation was changed to allow the extra 10 or I believe 12
 33 days to be available in August?

34

35 MR. SPRAKER: It started in the fall of 1993, so we're
 36 going into our third season this fall.

37

38 MR. OSKOLKOFF: And do you feel that if that hunt were
 39 reduced back to its pre-1993 level, that those amount of
 40 animals might be freed up indeed for -- to make up -- to
 41 compensate for the number of animals that you believe might be
 42 taken in a subsistence hunt? I know I'm asking theoretical
 43 questions

44

45 MR. SPRAKER: Yeah.

46

47 MR. OSKOLKOFF: here, and I feel sorry to do that
 48 to you.

49

50

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1 MR. SPRAKER: Yeah.

2

3 MR. OSKOLKOFF: But I have no choice.

4

5 MR. SPRAKER: Well, but I can give you some experience
6 that we have information for, and it's from Unit 7.

7

8 MR. EWAN: Could I ask -- you know something I don't
9 know. The season he's talking about, was when?

10

11 MR. SPRAKER: It's currently August the 20th to
12 September the 20th.

13

14 MR. EWAN: And what was it before?

15

16 MR. SPRAKER: That 1st of September to the 20th of
17 September We added on 12 days in August.

18

19 MR. EWAN: Okay.

20

21 MR. SPRAKER: That's where we are now, a 32 day season.
22 But what I was going to relate to you is that we know from our
23 experience that if you -- for instance, if you reduce the
24 season from say 20 days to 15 days, you normally do not change
25 the harvest very much. All you do is compact those hunters
26 that are going to hunt there anyway into a 15 day period. If
27 you cut that season down to about five days like we did in
28 Unit 13 following the '89/'90 winter, then you really reduce
29 your harvest because you miss out on a weekend or so and guys
30 have to work, and they can't put that five days together
31 somehow to make the hunt.

32

33 So if we cut 12 days off and went back to the
34 September 1 to September 20 season in Unit 15, I doubt that you
35 would see much of a reduction in the overall harvest. Because
36 hunters would still have basically three weeks to put together
37 some sort of hunt. And the average hunting period of time or
38 length of hunt for the Kenai is between four and six days
39 anyway. And what you do is you just crowd the hunters
40 together.

41

42 MR. EWAN: Lee.

43

44 MR. BASNAR: As we did in 13, we adjusted it. How
45 about if you moved it back and closed it say September 10th and
46 give the preference to subsistence hunters with a two week head
47 start where the general hunt is not open, what impact would
48 that have on the population? You're essentially talking the
49 same time, if you follow me,

50

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1
2 MR. SPRAKER: Right.
3
4 MR. BASNAR: backing it up with an earlier
5 preference and closing it a little bit earlier on the tail end
6 of the season.
7
8 MR. SPRAKER: Well, one of the things you're going to
9 do to hunters if you move back to a September opening, you're
10 going to move them because hunters traditionally like to go
11 to places where they can hunt about the 1st of September. That
12 seems like a real popular time in the fall to try to get your
13 moose. So I think if you moved it back to the 10th of
14 September, that may have a pretty dramatic impact on hunter
15 opportunity for the Kenai for the general hunt.
16
17 MR. BASNAR: So they all go to 13, right?
18
19 MR. SPRAKER: They'll go to your area. They'll go to
20 Cantwell and get their moose. Yeah, they like that first part
21 of September to hunt, that's a real popular time.
22
23 MR. BASNAR: Okay. Thank you.
24
25 MR. LOHSE: Mr. Chair.
26
27 MR. EWAN: Yes, Ralph.
28
29 MR. LOHSE: I hate to keep coming back to this all the
30 time, but we compared it a little bit with Unit 13, but there
31 is a big difference between Unit 13 and the Kenai. And that
32 was on Unit 13 we knew who we were talking about, Number 1. We
33 were talking about all of those that were in Unit 13 that had
34 currently been qualified for the subsistence hunt on Federal
35 land. And we also knew how many people that was. We could sit
36 down and look at the residenceship of Unit 13 and figure that
37 out.
38
39 At this point in time, I don't know who and I don't
40 know how many. I mean we have -- before we can do anything,
41 we've got to sit down and define who is qualified and how many
42 people we're talking about. Otherwise, we can't talk about
43 impact or how many there's -- you know, what kind of
44 possibility of increasing or decreasing there is.
45
46 MR. EWAN: Gary.
47
48 MR. OSKOLKOFF: Mr. Chairman, can I suggest that I
49 believe somewhere before in the material that was handed out
50

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there was -- there are population figures for those communities, and maybe we can compare them somewhat.

3

4 UNIDENTIFIED VOICE: That's true.

5

6 MR. BASNAR: Somewhere in this heap.

7

8 UNIDENTIFIED VOICE: Here's the State form but

9

10 MR. ROMIG: Mr. Chairman.

11

12 MR. EWAN: Yes.

13

14 MR. ROMIG: I am going to take off for the doctor.

15

16 MR. EWAN: All right. Ben has a medical appointment.

17

18 MR. ROMIG: Thank you.

19

20 (Mr. Romig departs the proceedings)

21

22 MR. BASNAR: Here's some figures in this, harvest
23 figures. You're talking people.

24

25 (Off record comments)

26

27 MR. BASNAR: This is up north.

28

29 MR. LOHSE: That's in Unit 13.

30

31 MR. BASNAR: Yeah. So I thought maybe it had the rest
32 of it.

33

34 MR. OSKOLKOFF: Mr. Chairman, we may want to get
35 generally the same type of figures that we had for the Unit 13
36 discussion in that we may want to get the harvest figures. And
37 I'm sure we have some type of percentage available, I believe
38 that was already previously discussed, along with the
39 population figure.

40

41 MR. EWAN: Is that possible? Did you hear what Gary
42 was saying?

43

44 MR. WILLIS: Say again, Gary.

45

46 MR. OSKOLKOFF: The harvest figures and the possibility
47 of success for those communities.

48

49 MR. WILLIS: Ted, why don't you slide on up here with

50

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Your harvest figures again. Yeah. I have some figures here. The total -- what we have here is the 1990 census for those communities. And while we were working yesterday, I roughed this out. And it comes to exactly 1500 people in the communities that we're discussing as having proposed C&T. Of course, now that's not the boundaries that Gary is talking about. And I'm not sure how the 1990 census was done. But you know, whether that was municipal boundaries or school districts or whatever. But it comes to 1500 people total .

10

11 MR. EWAN: Is it true for the State?

12

13 MR. WILLIS: The households

14

15 MR. EWAN: I guess it is true. I know it is true. That area we're discussing is much less people, right, than -- is that correct?

18

19 MR. BRELSFORD: This would be the figure for the area that you're discussing. Fifteen hundred people would denote Cooper Landing, Ninilchik Nanwalek, Seldovia and Port Graham; 2500 residents in 1990.

23

24 MR. WILLIS: In 589 households. Total number of moose harvested was 40, reported harvested, out of those communities. But we have no harvest reported at all from Port Graham and Nanwalek, which probably is not correct. So again, reporting is a big problem. That was the harvest that Ted gave us yesterday for those communities.

30

31 MR. EWAN: Any other information that we need here now?

32

33 MR. BASNAR: Well, of the moose harvested that you just gave us, this figure of 40?

35

36 MR. WILLIS: Right.

37

38 MR. BASNAR: Is this total sport hunt and subsistence hunt?

40

41 MR. BRELSFORD: There is no subsistence hunt.

42

43 MR. WILLIS: There's no -- just the one hunt.

44

45 MR. EWAN: Okay. What about the residents there, the people that took these 40 moose, any data on that, where they came from?

48

49 MR. WILLIS: Those -- well, those 40 came from the

50

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residents of those six communities. One, two, three, four, five -- six communities that we're talking about

3

4 MR. BASNAR: Okay.

5

6 MR. WILLIS: has been recommended for C&T by this Council; that is Cooper Landing, Ninilchik, Seldovia, Hope, Port Graham and Nanwalek.

9

10 MR. BASNAR: Okay.

11

12 MR. SPRAKER: Just for clarification, perhaps I read something yesterday that wasn't clear. But in adding these figures up, I actually came up with 36 moose killed in 15 and 4 killed in 7. The residents of Cooper Landing killed no moose in 15, but they did kill three in Unit 7. And the residents of Hope killed zero moose in 15 and one moose in Unit 7.

18

19 MR. EWAN: Okay.

20

21 MR. SPRAKER: Maybe I misspoke yesterday or something.

22

23 MR. WILLIS: I think at the time I was adding that up, we were still talking about 15 and 7 and we hadn't

25

26 MR. SPRAKER: Total.

27

28 MR. WILLIS: narrowed it down to 15 yet. But 1911 stand corrected on that.

30

31 MR. OSKOLKOFF: Did I hear yesterday that the community of Ninilchik took 29?

33

34 MR. SPRAKER: Twenty-nine moose.

35

36 MR. BASNAR: And how many households are in Ninilchik?

37

38 MR. WILLIS: We have 185 at the 1990 census.

39

40 MR. BASNAR: Households?

41

42 MR. WILLIS: Households. And 456 people.

43

44 UNIDENTIFIED VOICE: How many?

45

46 MR. WILLIS: Four hundred and fifty-six people.

47

48 MR. BASNAR: Okay.

49

50

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1 MR. LOHSE: Mr. Chairman.

2

3 MR. EWAN: Yes.

4

5 MR. LOHSE: Just for point of information. When we
6 were dealing with Unit 13, we were dealing with 13 communities
7 for a total of 3,023 people approximately.

8

9 MR. OSKOLKOFF: And are the number of total harvests
10 between 13 and 15 comparable? Would you be able to give us
11 those two figures?

12

13 MR. LOHSE: The number of -- you mean total harvest or
14 harvest by residents?

15

16 MR. OSKOLKOFF: Yes, harvest by residents.

17

18 MR. LOHSE: Okay. If I re- --

19

20 MR. OSKOLKOFF: No, no. No, I'm sorry. Total harvest
21 in those two units is what I need to know.

22

23 MR. LOHSE: What was your total harvest in Unit 15?

24

25 MR. SPRAKER: The total harvest last year was 632
26 bulls.

27

28 MR. LOHSE: Bulls, yeah.

29

30 MR. SPRAKER: And the harvest as of about two weeks ago
31 in 13 was a little over

32

33 MR. LOHSE: Seven hundred and

34

35 MR. SPRAKER: 725.

36

37 MR. LOHSE: 764 is what I think I have.

38

39 MR. SPRAKER: Okay. It's probably been updated since I
40 talked to Tobey last.

41

42 MR. OSKOLKOFF: Could you now give me the figures that
43 Ralph had mentioned in that how many people are

44

45 MR. LOHSE: Would you like me to give it to you, Gary?

46

47 MR. OSKOLKOFF: Yes, if you would, Ralph.

48

49 MR. LOHSE: Okay. I'm looking at Southcentral

50

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population of Unit 13 communities from the 1990 census, and there's 13 communities for a population of 3,023 people. For Households, 1,089 households.

4

5 MR. OSKOLKOFF: And out of those specific households, how many of those local residents of that area were successful in a moose hunt, how many moose were taken by those local residents?

9

10 MR. LOHSE: Last year -- I've got it written down here someplace. But last year, it was 88 out of 706 -- I better look that up -- 760 some moose.

13

14 MR. BASNAR: How pertinent is that to the Kenai situation?

16

17 MR. WILLIS: It's really a very different situation.

18

19 MR. BASNAR: Different terrain.

20

21 MR. WILLIS: It's really a very different situation of the moose population, the configuration of the land, the land area that we're dealing with.

24

25 MR. BASNAR: Exactly.

26

27 MR. WILLIS: The road system. It's really not that comparable. We do now we had 553 people in Unit 13 who applied for permits last year, and that to give us some idea of I guess how many moose hunters -- how many households were interested in moose hunters because there was one permit allowed per household. So if that's of benefit to you.

33

34 MR. EWAN: I'm interested in why

35

36 MR. LOHSE: Well, it was interest -- it was more than interesting to me because we were dealing -- and that's just exactly what he pointed out. We were dealing with an area that has the same kind of road access, hasn't got as much Federal land, has less Federal land, but we had 1,089 households and we ended up with 580 some people applied for subsistence permits. And you said there was one subsistence permit per household was what's allowed. So approximately 50 percent of the people applied for a subsistence permit.

45

46 That means if we took -- or households. That means if we took the Kenai and if we're close at 1500 people and 589 households, we're looking at about 300 subsistence permit applications. I mean if the two would follow. Not they might

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not follow exactly. But if you've got 589 households, you're not looking at more than 589 applications then. And like in Unit 13, it looks like about half the people applied for a subsistence permit -- half the households.

5

6 MR. EWAN: Yeah. I believe it could have a bearing on the impact. Yeah.

8

9 MR. WILLIS: I see where Ralph is going with that. And if you make that assumption that there would be a similarity in the number of people who would be interested in permits, then that's correct. You also -- we've also made a leap that we would have the same kind of Federal registration permit hunt set up that we have in Unit 13 and have for several years. So yeah, I see where you're coming from on that. How good that assumption is, you know,

17

18 MR. LOHSE: Yeah.

19

20 MR. WILLIS: is anybody's guess. But I guess it's a point of reference anyhow. But it would give you -- if we assume 300 moose hunters in that area -- and then Ted could probably take it from there and tell you what he would expect for a harvest out of that number.

25

26 MR. SPRAKER: Mr. Chairman. I'm not exactly sure how I'm going to answer this. But I think it's important that I shed a little local experience on what these hunters might be up against. 'Cause yesterday you asked me the percentage of moose taken on Federal lands compared to State lands and so forth, different subunits. And I pointed out that in 15(C), the Ninilchik area where most of these guys are going to hunt, you know, locally, it was a real high percentage taken off of Federal lands, about 80 some odd percent, 84 percent I think it was off of Federal lands.

36

37 But the point I want to try to make as far as coming up with an idea of how many moose are going to be taken and so forth, I know a lot of these hunters out of Ninilchik. You know, I know them personally and I know them from Advisory Committees now for almost 20 years, and I talk to them on a pretty regular basis. And they're very efficient hunters. And one of the reasons they're efficient, of course, they know the country, they work at it real hard and they have use of ATVs. They have cabins in the Caribou Hills, and they make extensive use of these cabins. They are all on State land or private land, they're not on Federal land, the places they normally hunt. Because they do depend on ATVs either four-wheelers -- I know of one person that has a Nodwell that does real well in

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his camp. Each year they take four or five moose, sometimes more. But they depend on these ATVs and because of that and because you cannot hunt on the Refuge with ATVs, most of their hunting, at least in the last several decades probably, has been off of Federal land.

6

7 So now if you impose a season or you change the opportunity to hunt on Federal land and kind of lighten up the restrictions there and make it longer and any bull and so forth, I'm sure it will attract some hunters to the Federal lands. But they still have quite a distance to go, 15 miles plus, to get there. And some of those hunters may not take advantage of it.

14

15 So it's hard for me to say if you issue 300 tags are these people going to change their traditional hunting and walk into the Refuge to kill this extra moose when they have been very successful in the past killing the moose under the ways they hunt right now. They're very good hunters, they work at 20 hard, and they don't come home till they get their moose.

21

22 Gary, you know a lot of the guys I'm talking about in Unalakleet.

24

25 MR. OSKOLKOFF: That's correct.

26

27 MR. SPRAKER: And so, you know, I'm sure I'm just offering a whole bag of excuses here. But it's hard for me to say with 300 tags we're going to get 50 moose or we're going to get 40 moose. But I will work on that and discuss it and see if I can come up with something reasonable for you, you know, at some future date.

33

34 MR. WILLIS: I'm almost glad to hear him say that because, you know, I feel really bad not to be able to offer more of the same kind of information. Typically, we would have a couple of months to get this -- you know, to gather information, to talk to people and to try to do an analysis on this thing. And if -- you know, if Ted can enlighten you very much, then I certainly can't add anything to that as far as predicting what the impact of a hunt would be.

42

43 And that's kind of the crux of our problem on this side of the table, you know, we can answer your questions to the best of our ability. But without more time for study, it's really difficult to put any faith in what we tell you. And as a scientist, that really bothers me, because as someone once said, it's better to know nothing than to know what isn't so. And when you're just speculating and guessing at something, it

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makes us as biologists fairly uncomfortable.

2

3 MR. EWAN: Any questions, any comments? I don't know
4 if you're helping me at all, both of you.

5

6 MR. SPRAKER: I don't think we are.

7

8 MR. OSKOLKOFF: Mr. Chairman, if I could offer one
9 comment. I thought about a substantially longer subsistence
10 season originally when I thought about this proposal, because
11 being restricted to that particular period of time is somewhat
12 out of what people prefer to do in some ways. I mean, I spoke
13 to my father last night, and he remembers of course the
14 November hunts and the long period of time he had and when he
15 was a child, and there essentially were no regulations with
16 regard to when. That I took that into account.

17

18 And with yesterday's discussions on Unit 13 and today's
19 discussions and the length of time that was added to the front
20 end of that hunt, in order to assure the subsistence hunter of
21 their reasonable opportunity of being able to take a moose, I
22 felt that in the case of the Ninilchik residents, those who
23 depend upon it more are going to be likely to take pretty good
24 advantage of even a shorter period of time which would be
25 allowed for them up front to accomplish the same task.
26 Although, they have -- their Federal roads are not on the --
27 right on the highway as is the case in Unit 13 where they may
28 be small but they're right -- they're very accessible, and
29 moose constantly filter from non-Federal lands to Federal lands
30 here and can be taken. Their situation is they have to travel
31 further but there are more Federal lands, perhaps, in total.

32

33 I don't think that given that we are keeping the season
34 shorter, the number of total people are less that may be
35 involved in this, that there is going to be any drastic
36 departure from the logic that we used in Unit 13. And
37 therefore, I don't see a detrimental impact of any type to the
38 existing resource in Unit 15. And having heard what the
39 biologists have to say and, you know, with the lack of other
40 evidence to the contrary, I think it would be appropriate to
41 move forward with a hunt in that area.

42

43 And as I say, it would be -- we're looking at one year,
44 we'll meet again before then. We'll have a chance -- the Board
45 will have a chance to review information between now and their
46 meeting. I'm sure that the Staff will supply them with a good
47 deal of information, maybe answering a lot of the questions
48 that we had. The -- there will be a public comment period at
49 which time I'm sure there will be a great deal of public

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comment, judging by the fact that we made the headline of the Anchorage Daily News today. I feel that there will be enough interest and enough public interest that the wisdom of the public and the wisdom of the Board will prevail, and we will not sacrifice the hunting ability of those people who will hunt under the State hunt nor the resource itself.

7

8 MR. EWAN: What?

9

10 MR. JOHN: Mr. Chairman?

11

12 MR. EWAN: Yes.

13

14 MR. JOHN: I'd like to say I support Gary. Why I did this -- I want this is because I was in Juneau back in '91, I can see where they do -- when they had this -- we went down there to try to see if the State would change their constitution their amendment; you know, amend the constitution on subsistent. And I heard testimony from people in that area, Kenai and down in the different area -- villages down there. And I heard them, and I heard their testimony and with urgency. And I never really forgot it, and it stays on my mind. Not only them, but throughout Alaska. But Kenai was really fighting 'cause they were trying to make Kenai a non-subsistent area during that time, which it still is. But I heard testimony from down there, some really -- I really want to have a hunt for the subsistent user, T&C (sic) user down there. And I'd like to say I back Gary's proposal.

29

30 MR. EWAN: All right. Anybody else have any comments?
31 Bob, do you have any comments?

32

33 MR. HENRICHS: I'll go for it. I like what I hear.

34

35 MR. EWAN: Yeah. I don't know what Ben's position is but he's going to be gone for an hour or so. He's got a doctor's appointment. Do you want to continue discussions before we act?

39

40 UNIDENTIFIED VOICE: I think Taylor had a

41

42 MR. EWAN: Taylor, did you have a comment?

43

44 MR. BRELSFORD: Yes, thank you, Mr. Chairman. I think first on a real specific point of clarification as to your intent, Gary. There are a couple of special areas in Units 15(A) and (B), drawing hunts. Two of these occur on Federal lands, the Skilak Loop area is one and the other would be 15(B) East. And as your motion was originally made, it

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would appear that the subsistence hunt would occur in those areas over top of the drawing hunts or some adjustments would plainly be required in the drawing hunts as a result.

4

5 Was that your intention or would you really be intending that the subsistence hunt would occur on the remainder of Unit 15(A), (B) and (C) and leave those drawing permits, those special hunts, alone in those two locations in 15(A) and (B)?

10

11 MR. OSKOLKOFF: I think that I'm -- unless I can be persuaded otherwise, I would believe that the subsistence hunt should be the priority hunt and it should encompass those areas. And if some adjustments have to be made in the permit hunts, that they might be made. I'm not suggesting that necessarily, but that's something to consider in the future. I believe we have -- it's our purview to review the subsistence needs, and we have discussed that, the customary and traditional use, the rural and non-rural designations we're to advise on. And I would hate to start stepping into the other hunts. And that's why I've left the concept of the State being allowed to conduct their hunt on Federal lands alone and not ask that those Federal lands be closed.

24

25 I think that reason will dictate changes, and I don't think we can foresee all the possibilities here, and we should leave those unchanged for the moment.

28

29 MR. EWAN: Ralph.

30

31 MR. OSKOLKOFF: Did I answer your question?

32

33 MR. BRELSFORD: I think so. I'm going to check whether my colleagues understood.

35

36 MR. LOHSE: Mr. Chairman, I'd like to ask Gary a question. As a part of your proposal is no antler restriction, right?

39

40 MR. OSKOLKOFF: That's correct.

41

42 MR. LOHSE: And does that extend for subsistence users after the regular season opens or the regular hunt, the regular State hunt; your season? Basically you're proposing August 10th, the regular hunt opens August 20th, at which time everybody hunting in the regular hunt has antler restrictions. I'd like to just -- I'd just like to get an opinion from the Fish & Game on that as -- or Wildlife Service as to what kind of -- is this going to cau- -- if we don't have a Federal

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7 registration hunt like we have in Unit 13, what kind of
 8 enforcement problems is this going to cause when you've got
 9 some people capable of taking any moose and some people limited
 10 to spike fork 50 unless you have some kind of a registration
 11 hunt of some sort for subsistence so that they have to be
 12 carrying a license that says they can have that?

13
 14 And then, you're going to have to -- how are we going
 15 to work the problem of the fact that -- exactly like what was
 16 thought out before of an awful lot of people from Ninilchik
 17 hunt on State land. How are we going to get across to them
 18 that this -- on State land, spike fork 50 still applies whether
 19 you have a subsistence license or not but on Federal land it
 20 doesn't apply?

21
 22 That's what I was wondering. Is it possible that you
 23 would just want to have your no antler restriction prior to the
 24 opening of the regular season?

25
 26 MR. EWAN: Does somebody want to comment on this?

27
 28 MR. OSKOLKOFF: Well, to answer the question. My
 29 proposal is to have no antler restriction during any of the
 30 time of the hunt. I'm willing to, you know, discuss that
 31 issue. But I think it would change the nature of the hunt
 32 somewhat, and I -- I'm devoid of the ability to -- you know, to
 33 extract the logic of why I would need to change the hunt in the
 34 middle other than the fact that, perhaps, easier regulation or
 35 conserving the resource or something like that. I can't go any
 36 further than that.

37
 38 MR. EWAN: On the question of enforcement here, any
 39 comment on that?

40
 41 MR. SPRAKER: Mr. Chairman, just trying to logically
 42 walk through that one. Clearly, any time you make these
 43 regulations more complex, they're going to be a little more
 44 difficult to enforce. And in talking with Bob Tobey in
 45 Gennallen where this was this case, perhaps still is the case,
 46 he has mentioned during several Staff meetings that there is
 47 some confusion and there are some law enforcement issues that
 48 arise because of this, where one person can hunt a spike fork
 49 and one person next to him can hunt any bull.

50
 51 MR. DOSHIER: Mr. Chairman.

52
 53 MR. EWAN: Yes.

54
 55 MR. DOSHIER: Daniel Doshier. I would anticipate that

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about the only way that this would work on the Refuge would be through the use of a permit that the Refuge would issue to Subsistence users that would identify the fact that they can harvest any bull. Otherwise, it would be a very difficult and confusing situation I believe. And those could be issued out of our Soldotna office. Or at least that's one possible scenario.

8

9 MR. EWAN: All right. Not being near a refuge, I don't know how you -- you go along with the Federal Subsistence Board's regulations pretty much?

12

13 MR. DOZIER: Well, they're Federal land, yeah.

14

15 MR. EWAN: I'm just wondering if you do anything different like the National Parks does. They're a little different from other regulations, right?

18

19 MR. DOZIER: Well, we usually have our hunting seasons, 20, you know, the State seasons used to apply on the Refuge. We do have some special hunts, the trophy moose hunt; the 15(B) East is exclusively on the Refuge. It's managed by the State, and -- since they do the drawing, issue the permits. We faintly manage the Skilak cow hunt. They issue -- or they do their drawing, we issue a special use permit to those people that draw out in that.

27

28 MR. EWAN: Yeah. You brought up an option, I just wondered if you could independently exercise that option is what I guess my quest- -- real question was?

31

32 MR. DOZIER: You mean as

33

34 MR. EWAN: Permit.

35

36 MR. DOZIER: not to issue permits?

37

38 MR. EWAN: Permit. Yes. I mean permit or if not permit, yeah.

40

41 MR. DOZIER: Well, I suppose there probably would be some scenario that we could choose not to issue permits.

43

44 MR. BRELSFORD: I think the question's more simple at this point. You'd have -- issuing permits, permit hunts are -- occur on National Wildlife refuges.

47

48 MR. DOZIER: All the time, it's common.

49

50

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1 MR. BRELSFORD: And that could be used as a strategy,
2 as a basic

3

4 MR. DOZIER: Yes, it could.

5

6 MR. BRELSFORD: strategy here.

7

8 MR. EWAN: Without our input, it could be done by the
9 Refuge people, right?

10

11 MR. BRELSFORD: Well, at Board guidance. If the
12 Federal Subsistence Board

13

14 MR. EWAN: Okay.

15

16 MR. BRELSFORD: choose -- views this as a hunt
17 that ought to be managed through a permit, then the Refuge
18 would implement it in that fashion.

19

20 MR. OSKOLKOFF: Mr. Chairman.

21

22 MR. EWAN: Yes.

23

24 MR. OSKOLKOFF: In my envisioning this proposal, I had
25 assumed that that would be the case, that a permit would be
26 issued. And I would further suggest that they are issued and
27 that they have on them a requirement for reporting be adequate
28 that we will have good information, good clear information
29 of what the exact effect of the hunt has been, and how many
30 people participated and whatnot. And I assume all those
31 records would be kept normally with a permit anyhow. So it
32 wouldn't require something new or developing a whole new system
33 essentially, it would be more like an extension of what you
34 already do.

35

36 MR. DOZIER: The system is there, it's been used. So
37 yeah, it would just be an additional permit.

38

39 MR. HENRICHS: Mr. Chairman.

40

41 MR. EWAN: Yes. There you are. Robert.

42

43 MR. HENRICHS: Yeah. Okay. Gary, you proposed this,
44 right?

45

46 MR. OSKOLKOFF: Yes.

47

48 MR. HENRICHS: Okay. Do you have a projection over how
49 many moose would be taken just on a ballpark figure in the

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subsistence hunt?

2

3 MR. OSKOLKOFF: Really I don't. I don't have an idea
4 of the -- you know, from my point of view, I think the number
5 would be lifted from the 29 that are taken for Ninilchik, in
6 particular, probably in the neighborhood of probably 50 or
7 thereabouts. And you know, it probably doubled and it may even
8 be slightly more or less than that. But like I say, I'm really
9 guessing on that, and I

10

11 MR. HENRICHS: How about you guys?

12

13 MR. DOZIER: Well, I don't know that I have a real good
14 idea of how many. I think what we'll see or what we could
15 possibly see that I would be concerned about would be a shift
16 of where people hunt, if off of Federal lands they're allowed
17 to hunt, you know, spike fork over 50 and it's any bull and you
18 have an earlier opening. I would think there would probably be
19 you know, everybody likes to hunt openings, and I would
20 think we would get a shift of people onto the Refuge for
21 openings, for the early part of the season. And then many of
22 the people, as Ted mentioned earlier, I think that have been
23 successful off the Refuge, a history of hunting, you know, in
24 certain areas, using their ATVs, out of their cabins and so
25 forth, if they weren't successful, I think they probably would
26 go back to home base and hunt out of that area. Given 10 days
27 any bull with, you know, very limited competition.

28

29 It's difficult to say. Bulls don't move a lot at that
30 time of the year, you know, the 10 days before the season now.
31 But we have several miles of roads that could be traveled and
32 people could look for moose and -- you know, early and late.
33 And I think they would be fairly successful. I'd have to think
34 about it a while to come up with numbers.

35

36 MR. HENRICHS: They ought to be fairly successful.

37

38 MR. DOZIER: Some of our very best habitat which is a
39 burn area that is road accessible for several miles, and
40, you know, people could drive along that area and look for
41 those.

42

43 MR. EWAN: It seems like we're talking about a lot of
44 unknowns here and spending a lot of time on that.

45

46 Let me mention one thing that I -- you know, that's in
47 the back of my mind. We're talking about impacts and a lot of
48 talk about negative impact. Myself, I'm kind of thinking of
49 the positive impact is what I'm looking at. And I like that

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idea of allowing these people in the communities that want to have -- want to hunt moose and be successful, that to me is a positive impact for people that really need it and people that we should be watching out for here as a Advisory -- Subsistence Advisory Council. I feel we're getting up against a block when we start talking statistics and possible negative impacts. Nothing that's real certain.

8

9 I don't know. It's just an imaginary line that you have here that if you cross you might be doomed. I don't like that idea. I'd like to -- I like the idea of maybe trying at least. I'd like to go along with Gary as much as possible as I know that all the Council Members supported the Unit 13 hunt extension over there. And basically, this does something similar. And I

16

17 MR. DOZIER: They may (indiscernible) thing.

18

19 MR. EWAN: Yes.

20

21 MR. DOZIER: Certainly it will have some positives and likely will have some negatives to -- or perceived negatives to certain people. We were in the airport this morning in Kenai waiting to fly up here and were approached by some young men from the area and began conversation. And of course, they read the headlines, they were concerned. And one of them happened to be a Kenaitze, and he was concerned about what it was going to do to his hunting opportunities because he does live in the Nikiski area. And you know, his perception, of course, is negative.

31

32 MR. EWAN: Right.

33

34 MR. DOZIER: Because he's going to

35

36 MR. EWAN: All right. Lee.

37

38 MR. BASNAR: Yeah, Mr. Chairman. I think you all know that I'm concerned about us being consistent and in building a pretty good base and gathering all the data that we should. And I feel that in this case, to be consistent with what we did at 13, that we need to support Gary's proposal. I think that would be a consistent move on the part of the Council.

44

45 And I also feel that we've just about drained these people dry of any hard facts. We've milked that cow, there's nothing coming out any more other than speculation. And having said all that, I call for the question.

49

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1 MR. EWAN: The question's been called for. All in
2 favor of the motion -- before we vote, could somebody repeat
3 that motion again?

4

5 MR. OSKOLKOFF: That may not be easy. Taylor, would
6 you like to help me out with this? I have -- did we actually
7 have a motion?

8

9 UNIDENTIFIED VOICE: No.

10

11 UNIDENTIFIED VOICE: I don't think we actually had one
12 seconded did we?

13

14 MR. OSKOLKOFF: No, I don't think so.

15

16 MR. LOHSE: No, we don't have a mo- -- we don't have a
17 motion that's seconded. He made a proposal.

18

19 MR. EWAN: Okay. He made a proposal. I thought he
20 did

21

22 MR. BASNAR: I thought he had a motion, didn't you?

23

24 MR. LOHSE: No.

25

26 MR. OSKOLKOFF: No. I was talking about moving it but
27 never actually did.

28

29 MR. BASNAR: In that case, I don't call for any
30 question.

31

32 MR. EWAN: All right. That's my -- I'd like

33

34 MR. LOHSE: Mr. Chairman.

35

36 MR. EWAN: I thought somebody at the very beginning
37 made a motion.

38

39 MR. BASNAR: I did, too.

40

41 MR. EWAN: I'm sorry, I must -- I'm getting tired too,
42 guess.

43

44 UNIDENTIFIED VOICE: You'll have one shortly.

45

46 MR. EWAN: All right. Ralph.

47

48 MR. LOHSE: Mr. Chairman. I -- since there is no
49 motion on the floor, I would suggest that again in the order of

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Being consistent we advance this as a proposal put forth by our Council to be considered at the October meeting when we can have public input, when we can have public notification that we're thinking of talking about this, and when we can give these experts and everybody else a chance to do what they do for the rest of the proposals they present to us, which is to give us an analysis of what they think the impact of it's going to be and everything else.

9

10 And I could support this as a proposal that we would put forth to be considered in the October meeting. I can't support it the way it is right now simply because we have not sat down and defined -- I mean we still have not drawn that line on the map for the who. We haven't showed compelling interest. We haven't had public input. We haven't had public notification. And we haven't had a chance for in-depth analysis. We've milked these guys for what they know off the top of their head. But it's kind of hard to put people on the spot and not give them the time to do the research that's necessary to really give us something.

21

22 So that's where I would have to stand, and if somebody wants to put it forward on that basis, I will support it.

24

25 MR. OSKOLKOFF: Mr. Chairman.

26

27 MR. EWAN: Yes.

28

29 MR. OSKOLKOFF: First let me speak to that and then I'll make my motion. This concept has been around for a very long time, since the '80s and well beyond that. It has been denied from the State, it has been denied from the Federal Government for so many reasons for so long I can't possibly remember them on both hands. We've had a chance to analyze this from almost every possible angle given the information that we have, and I don't know if the -- although there will be analysis available, there won't be a great deal more information dredged up than I believe than what we have presently.

40

41 The analysis will be available. I believe the Staff is capable of delivering that analysis by the next Subsistence Board meeting for the Board to consider upon considering this proposal. And I would hope that they would be willing to do so. And I think that we would be denying people who do have a compelling need in my opinion, and have expressed that over many years, one more year of their ability to have a customary and traditional hunt.

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1 That being said, I won't belabor that point, but I'll
 2 make the following motion. That the Advisory Council advise
 3 the Subsistence Board that we believe there should be a hunt in
 4 Unit 15(A), (B) and (C) for moose for all rural residents of
 5 the communities that we have described with a C&T determination
 6 in their respective subunits as they're mentioned in our matrix
 7 of who indeed had a C&T determination in those subunits since
 8 we did it by subunits. That this hunt be a -- be from
 9 August 10th to September 20th. That of course it's on Federal
 10 land. That it be a antlered bull hunt with no antler
 11 restriction. And that the -- that there be permits for this
 12 hunt available from the Federal Government previous to the
 13 hunt.

14

15 Are there any more components that I'm missing at this
 16 point?

17

18 MR. EWAN: Could I get the date again? Dates. It
 19 seemed like you changed from

20

21 MR. OSKOLKOFF: August --

22

23 MR. EWAN: the earlier discussion.

24

25 MR. OSKOLKOFF: August 10th

26

27 MR. EWAN: August 20th.

28

29 MR. OSKOLKOFF: through September 20th.

30

31 MR. EWAN: Okay. August 10.

32

33 MR. HENRICHS: I'll second the motion.

34

35 MR. EWAN: There's a motion second. Further discussion
 36 on the motion?

37

38 MR. OSKOLKOFF: I'll call for the question.

39

40 MR. EWAN: The question's been called for. All in
 41 favor of the motion say aye.

42

43 IN UNISON: Aye.

44

45 MR. EWAN: Opposed by the same sign?

46

47 MR. LOHSE: Aye.

48

49 (Mr. Romig was not present for the vote)

50

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1
2 MR. EWAN: The motion is carried.
3
4 MR. BASNAR: Can we take a break?
5
6 MR. EWAN: Take a 10 minute break.
7
8 (Off record)
9
10 (On record)
11
12 (Mr. Romig rejoins the proceedings)
13
14 MR. EWAN: Okay. It's been a long three days, we
15 finally got over the Ninilchik hunt, I guess. Do we have some
16 more comments on that particular issue?
17
18 MR. BRELSFORD: I had just about three points to offer
19 from Mr. Pospahala when he said yesterday afternoon that he
20 wouldn't be able to be here today but he had a couple of points
21 to
22
23 MR. EWAN: Okay.
24
25 MR. BRELSFORD: And these are informational only, they
26 don't require your action at this time.
27
28 I think most of you are aware, and we want to ensure
29 that everybody's current -- if you could pass out the copies of
30 this? In the Purpose Statements establishing the Kenai
31 National Wildlife Refuge in ANILCA -- in all of the national
32 wildlife refuges established under ANILCA except for the Kenai
33 subsistence is named as a specific purpose of the Refuge.
34 On the Kenai -- in the Kenai Wildlife Refuge -- and you'll find
35 this on the top part of the page under Item Number V. The
36 Kenai has a specific purpose which is to provide in a manner
37 compatible with these other purposes opportunities for fish and
38 wildlife oriented recreation.
39
40 We've said many times that the Kenai Peninsula is
41 unique in a lot of respects. In terms of the specifics in the
42 legislation in ANILCA, the Kenai Peninsula does have a specific
43 purpose, providing for recreation as is stated here. All of
44 the other National Wildlife Refuges in Alaska established under
45 ANILCA have a purpose which is to provide for subsistence. And
46 an example of that is on the lower part of the page, it's taken
47 from the Togiak Refuge, and it would be the III part down at
48 the bottom, and it says to provide in a manner consistent with
49 the other purposes the opportunity for continued subsistence
50

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uses by local residents.

2

3 The reason that that's significant here is that the
 Fish & Wildlife Service was sued several years ago by the
 National Audubon Society and others regarding what's called
 compatibility of uses (with purposes on the Refuge. That was
 settled in October of 1993 out of court, it was a settlement
 among the parties. And the Fish & Wildlife Service agreed to
 do a compatibility review before starting any new significant
 program on a refuge.

11

12 So the eligibility -- the subsistence harvest
 opportunities on the Kenai Peninsula would be a new program and
 would be subject to the requirement for a compatibility review.
 Up until recently, we thought the approach adopted in the
 Council might be more narrow and more specific. And at this
 point, Dick has asked -- he wanted to draw to your attention
 the fact that as a signi- -- if -- as a subsistence hunting
 program would take place and sort of get underway on the Kenai
 Wildlife Refuge, a compatibility review, a compatibility
 analysis will have to be done.

22

23 And the question is going to be how to balance a
 subsistence program so that it is compatible with the other
 purposes on the Kenai Refuge, including this purpose of
 providing for recreational opportunities. So I don't think
 there's any predicting exa- -- all the outcomes, we're, you
 know, at the very beginning steps in this. But Dick was very
 anxious that as this program comes on-line and as the
 compatibility review is conducted, he didn't want you to hear
 about it later; he wanted that to be drawn to your attention at
 the present time.

33

34 Daniel Doshier could provide any additional information
 you may have about the compatibility reviews and the
 commitments the Fish & Wildlife Service has undertaken in this
 respect, if you wanted to pursue any additional details on that
 or if I missed anything. Did I get it about right?

39

40 MR. DOSHIER: Yes. I think you covered the major
 points that need to be covered. But we will -- the Refuge will
 have to -- on any activity at this time -- as sort of as part
 of the settlement of this lawsuit, any activity that -- you
 know, we've already looked at all ongoing activities, all
 public uses, commercial uses and so forth of the Refuge and
 either brought those in-line to be compatible or we determined
 that they were already compatible. For those uses that are
 non-compatible or incompatible, we -- those were eliminated or
 changed.

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1
2 And so as we begin to evaluate the potential impacts of
3 this against these purposes, these five purposes for which the
4 refuge was established, you know, that's what it will be
5 compared to or the evaluation will be based on.

6
7 MR. OSKOLKOFF: Mr. Chairman.

8
9 MR. EWAN: Yes.

10
11 MR. OSKOLKOFF: Could I ask what's the time frame for
12 the evaluation? At what point would it start?

13
14 MR. DOSHIER: We'll begin to work on it fairly
15 immediately. And I would anticipate that we will try to have
16 that available to the Board, because I think they will -- in
17 fairness to them, I think they would want to -- an evaluation
18 before they make a decision. You know, it could be that they
19 will -- could choose to alter. I mean as some of our other
20 uses on other refuges were -- at some level of use it's
21 determined to be incompatible but at a lower level of use it
22 may be compatible. So they could, once the evaluation was
23 made, perhaps, adjust use levels and so forth.

24
25 MR. EWAN: Okay.

26
27 MR. OSKOLKOFF: Thank you.

28
29 MR. EWAN: Is that it, do you have more?

30
31 MR. BRELSFORD: That was it, I promise.

32
33 MR. EWAN: Okay. Thank you very much. We have a
34 person waiting to speak from the public. Warren Olson. I
35 believe Mr. Olson's introduced himself earlier.

36
37 MR. OLSON: Mr. Chairman.

38
39 MR. EWAN: Yes.

40
41 MR. OLSON: Members of the Committee. Appreciate your
42 time today. I appreciate your participation. You may be going
43 in a direction that I am certainly not agreeable to, but
44 believe me I've been on these Advisory Boards and in your spot
45 and I appreciate your time very sincerely.

46
47 I don't know what length of time you have been meeting,
48 but evidently you have had meetings in the past. And as we
49 have been told, from my involvement, somebody has to do

50

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Something or take action before that party that's damaged can
 in turn take action of their own.

3

4 I'm a 37 year resident of Alaska. I'm also a
 participant Plaintiff in McDowell II, which is the Federal
 lawsuit. And I feel, as residents within Alaska, that we have
 some responsibilities to our neighbors, whether they be
 directly next door, across town or across the State or whatever
 the case may be. And I think we're into an area here where
 each individual on committees appointed for the purposes of
 allocating fish and game should be very aware that the State
 Constitution does not allow the direction that this Committee
 is going.

14

15 It's very important, and I just handed you a section of
 that Constitution. And the fact is that it calls for equality.
 And we all know that we're equal to start with, but then it
 calls for opportunity being equal. Because the Board doesn't
 pay the same, so the opportunity has to stay the same for each
 Alaskan.

21

22 And what I want to do is deliver to you the McDowell I
 case because you'll find several instances in the McDowell I
 case where this activity is not allowed, to give a preference
 for a person based on residency. Nor is there any other
 reason.

27

28 So I want to make this very brief that now that you
 have taken the action, expect to hear from us again. And once
 again, I do appreciate your involvement and your time, your
 sincerity in working on these issues. But believe me, we're
 also very sincere of protecting our equality, protecting our
 opportunity and our sharing of these resources.

34

35 And a couple notes. Number 1 from the last comment on
 your actions on the Refuge, the Autobon Society was the ones
 that worked very hard to get those viewing areas down there on
 the Refuge so I'm sure they'll be here to see you very shortly.
 And I guess the other comment is I will be distributing to
 each of you and all the Alaskan residents that participate on
 Federal Boards the McDowell I case and how explicit they were
 in the fact that we as residents in respect for each other and
 our responsibilities to each other cannot really participate in
 this activity.

45

46 That's the only comment I've had and -- or I have at
 this time, and I appreciate your time very much.

48

49 MR. EWAN: All right. Thank you very much. Any

50

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Comments? Do you want to sit there a minute in case somebody has a question or anything?

3

4 MR. OLSON: Yes.

5

6 MR. EWAN: Lee.

7

8 MR. BASNAR: Yeah. I'd like just to make a comment and I appreciate your testimony. We're prohibited by the State Constitution from taking the action that we took, but we're required by ANILCA to take the action. We're caught between the Devil and the deep blue sea. Until either the Constitution or ANILCA is changed, we really have no choice.

14

15 MR. OLSON: Well, unofficially, I would say that you've got a bigger response to your neighbors than you have the Federal Government to protect their interests and their equality and access to common property resources.

19

20 MR. EWAN: Just generally speaking about equal rights, what about the limited entry permits, are they equal? I don't get a chance to get a permit.

23

24 MR. OLSON: I think because of the O'Shecheck (ph) case and because of the McDowell I case I think limited entry is in jeopardy. I think if somebody had the intent and the dollars, they could put it in jeopardy.

28

29 MR. EWAN: More generally, you know, on a national level --

31

32 MR. OLSON: Personal -- excuse me.

33

34 MR. EWAN: on a national level, you know, if you're a Veteran, you get a preference. You know, I believe that applies in the State, too. So there are preferences. There are, there's nothing equal -- totally equal here I don't think. I think a lot of people have low income housing, they have special privileges and that's allowed in the State. And I know we're talking about subsistence, a big issue, but all these other issues are nothing.

42

43 MR. OLSON: Um-hum.

44

45 MR. EWAN: I don't know.

46

47 MR. OLSON: Yeah.

48

49 MR. EWAN: Yes, Robert.

50

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1
 2 MR. HENRICHS: Yeah, I just thought I'd bring up, you
 know, where the State Constitution doesn't supersede the
 Federal -- the United State Constitution. And the United
 States Constitution, through ANILCA, tells us to do this. But
 on the same hand, the United States is giving all the black cod
 and halibut away to the people who used them between 1980 and
 1990. They're just giving them to them. You know, they're
 inconsistent. You know, we say we're supposed to be
 consistent, I wish the United States was consistent, you know.

11
 12 MR. OLSON: I'm really very sincere in this, in having
 a desire to stay out of the conversation or the debate over
 subsistence. I've spent a lot of time in it for many, many
 years. We've also -- I think we've milked that particular cow
 beyond its endurance. And I don't have justification myself to
 have a opportunity any more so than anybody else -- any other
 individual in the State. And I certainly don't want to pass
 this on down the future.

20
 21 MR. EWAN: Yeah. I just had to say what I had to say
 about the preferences.

23
 24 MR. OLSON: Yes.

25
 26 MR. EWAN: Equality, you know, that kind of bothers me.
 Somebody tells me we -- we're all equal. It is not all equal.
 Nothing's equal I don't think.

29
 30 MR. OLSON: Yeah.

31
 32 MR. EWAN: Economically, we're not equal.

33
 34 MR. OLSON: But the opportunities have to remain.
 Thank you very much for your time.

36
 37 MR. EWAN: Thank you very much.

38
 39 MR. OLSON: Unless somebody has another thought. Thank
 you.

41
 42 MR. EWAN: Thank you. All right. The next item then I
 guess, we'll go down the agenda. Helga, can you help me. where
 are we at?

45
 46 MS. EAKON: Yes, Mr. Chairman. We are going to resume
 deliberation on proposals beginning with Proposal Number 6,
 Unit 14, black bear to increase harvest limit. And Robert
 Wallis has the lead on this.

50

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1
2 MR. EWAN: Okay. Robert.

3
4 MR. WILLIS: Maybe you'd like to deal with a little
5 easier one for a change. Hopefully this one won't develop
6 quite the controversy that the last ones have.

7
8 We had a number of proposals dealing with bears this
9 year, and they are all -- or four of them are rather similar in
10 that they deal or want to deal with problem bears. And to
11 begin with, Proposal Number 6 which was submitted by Mr. Jeff
12 Pasco of Ninilchik, would increase the harvest limit on black
13 bear in Subunits 14(A) and 14(C) from one to four and would
14 create a matching season and harvest limit for black bear in
15 Subunit 14(B) which does not now have one.

16
17 The reason there is no current season black bear in
18 14(B) is because there's no Federal land in 14(B). And
19 therefore, that point is somewhat moot. There's also the small
20 amount of Federal land -- it was BLM land which previously
21 existed in 14(A) has been selected by the State during 1994.
22 So as a result, the only Federal public land in Unit 14 is in
23 14(C), and so I'll make my comments here on 14(C) even though
24 the proposal itself deals with all three of those subunits.

25
26 ADF&G considers black bear population in 14(C) to be
27 stable at present after some heavy declines that occurred back
28 during the 1980s due to over-harvest. That situation has been
29 pretty well corrected with regulations. And currently, both
30 the number of bears harvested and the percent of females in the
31 harvest, which is a critical aspect, are within permissible
32 levels. There are not a large number of bears in the unit.
33 Probably the highest densities do occur in 14(C), but total 14
34 Unit 14 bear population is estimated between 530 and 1,080.

35
36 The proposal has suggested that increasing the harvest
37 of black bears would increase populations of moose and caribou.
38 There are no caribou in Subunit 14(C) which is what we're
39 dealing with here, and no real biological evidence that bear
40 predation is a serious factor on the moose population in 14.
41 There's been no customary and traditional determinations for
42 black bear in 14, so all Alaska residents are considered to
43 have subsistence priority for black bears in that unit.
44 However, as a practical matter, only the residents of the rural
45 communities in Units 6, 7 and 14(A), which is down on the south
46 end -- or excuse me, 6, 7 and 15(A), which is adjacent to the
47 south end of 14(C) where this small block of Federal land is
48 located, would be close enough to use black bears in Unit 14.

49
50

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1 Our subsistence studies indicate that there are a few
 2 people who use black bears out of the area. The percentage is
 3 fairly low, about two percent of the households in the
 4 communities which are listed as having subsistence priority
 5 tried to harvest black bear during the last few years, the
 6 census from the 1990 study. And from two to eight percent were
 7 successful with a total of only six -- only 16 bears taken by
 8 the three communities down in 15(A) and 6(D) which are adjacent
 9 to this area.

10

11 The sealing records that ADF&G maintains indicates that
 12 the residents of these communities seal a total of 63 black
 13 bears over about a 20 year period, or about a little over three
 14 bears per year during that period. And none of those harvests
 15 occurred in Unit 14. So it would not appear that harvest of
 16 black bears is a major component of the subsistence community
 17 in this area.

18

19 There are several factors that have to be considered
 20 here. Probably first of all is we do not have a large
 21 population of black bears in Unit 14. The best available
 22 population data indicates that hunting regulations are
 23 maintaining populations within permissible levels. The whole
 24 area of this proposal is that there are too many black bears in
 25 Unit 14, and that their numbers need to be reduced by
 26 increasing the harvest limit.

27

28 First of all, it doesn't make biological sense to
 29 increase the harvest limit to try to reduce the population when
 30 the population is already being harvested at the maximum
 31 sustainable rates, and it's just been brought back up to those
 32 levels within the last few years. And the Federal Subsistence
 33 Board has also previously ruled on a couple of different
 34 occasions, last April and the April before, that reducing the
 35 population of one species to increase the population of another
 36 species or for the purpose of nuisance control is not
 37 considered to be a subsistence activity. And the Board has
 38 previously ruled that this is not something that they would
 39 deal with, it falls under the purview of the State.

40

41 Helga, did we have any public comments on that
 42 proposal?

43

44 MS. EAKON: Yes. The Program received two public
 45 written comments in opposition to this proposal. First of all,
 46 the Alaska Department of Fish & Game opposed this. They
 47 believe that there's no Federal public lands in 14(B) and
 48 14(A), it's inaccessible. And they believe that it's
 49 inappropriate to create subsistence regulations for controlling

50

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So-called problem animals.

2

3 The Alaska Wildlife Alliance here in Anchorage opposed.
4 They said that there's no evidence that bears are limiting
5 ungulate populations in this unit. Allowing such an
6 exponential (ph) increase sets a dangerous precedent.

7

8 MR. EWAN: Is that it, Robert?

9

10 MR. WILLIS: That's it.

11

12 MR. EWAN: Thank you. Any -- what is the wish of the
13 Council on this proposal?

14

15 MR. BASNAR: Move to adopt.

16

17 MR. EWAN: We have a motion to adopt, is there a
18 second?

19

20 MR. OSKOLKOFF: Second.

21

22 MR. EWAN: Motion second. Further discussion on the
23 motion. Yes, Lee.

24

25 MR. BASNAR: Yeah. I wonder if Mr. Pasco who is from
26 Unalchik -- is he a guide I wonder or is there some commercial
27 use of bears or moose or caribou by that individual?

28

29 MR. OSKOLKOFF: I know Mr. Pasco personally, and I
30 believe he is a real estate agent and does salmon and halibut
31 guiding during the summer. I haven't talked to him about this
32 specific proposal, and I really don't know, you know, what he
33 was after. He hasn't been able to give that information to me
34 I really can't enlighten you on that.

35

36 MR. EWAN: Ralph.

37

38 MR. LOHSE: I would like to know what the problem bears
39 are and what they're a problem to. Are there many communities
40 in 14 that -- are there any communities in 14 that are having
41 problems with bears?

42

43 MR. OSKOLKOFF: Well

44

45 MR. WILLIS: I can give some DLP data, Ralph, on that.
46 During -- the most recent we have is for the 1992/'93 season,
47 the '93/'94 hasn't been compiled yet by the State. And during
48 that period of time, there were five bears killed in defense of
49 life and property and there was one road kill. Looking back

50

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Over the past seven years, I averaged the data from those years and found that an average of only one bear per year was killed as a DLP in Unit 14(A) and two bears per year in Unit 14(C). So I'd have to say that DLP bears would not be a serious problem if they're averaging only two per year in that subunit.

6
7 MR. LOHSE: However, the last year you have data for, they almost doubled.

9
10 MR. WILLIS: Well, from one to two.

11
12 MR. LOHSE: I thought it went from four to five.

13
14 MR. WILLIS: I'm sorry, yeah. There was a gap in there. Well, '92/'93 was five, that was in all of Unit 14. And let's see, the average was three per year for the seven years prior. I don't know if you'd consider that a significant factor or not. Percentage-wise I guess it's 40 percent but it's only two bears.

20
21 MR. LOHSE: Percentage-wise it's 66 percent now.

22
23 MR. EWAN: All right. Any further discussion on the motion? Questions or anything? Yes, Lee.

25
26 MR. BASNAR: Well, the person that submitted this proposal indicates that this has -- the desired effect is to increase the moose and caribou populations of which there are 20 harvestable caribou in that area anyway. And as Mr. Willis has stated, the harvesting of one species to increase another species isn't really in conformance with subsistence regulations. So I don't feel that I could support his proposal.

34
35 MR. EWAN: I would speak against the motion. I drive up and down that highway that traverses this unit I guess pretty much, and I haven't seen a bear. In how many years I've drove that road, I haven't seen one bear yet, brown or black bear. So I don't know what he's talking about, those problem bears. I haven't heard anybody. I stop along the road and talk to a lot of people on the way, I haven't heard anybody say that I'm having a problem with a bear or anything.

43
44 MR. OSKOLKOFF: Question.

45
46 MR. EWAN: The question's been called for on the motion. All in favor say aye.

48
49 MR. LOHSE: Aye.

50

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MR. EWAN: All opposed by the same sign?

IN UNISON: Aye.

MR. LOHSE: I would withdraw my aye on the first one.

MR. EWAN: All right. The motion was not passed.
Proposal 7.

MR. LOHSE: I was not thinking.

MR. WILLIS: The next two proposals, Proposal 7 and 8, are essentially the same proposal as Number 6. Proposal 7 was submitted by Mr. Steven Tilbury and Proposal 8 again by Mr. Jeff Pasco both of whom are from Ninilchik. Mr. Tilbury's proposal would increase the limit of black bears from three bears to five, and Mr. Pasco's from three bears to four. These proposals are identical in all other respects and involve the same issues. I'm not sure why the difference in the limit, possibly the bears are bothering Mr. Pasco 20 percent less than they are Mr. Tilbury.

We're in Unit 15 now as opposed to 14. And Unit 15 black bear population is considered to be stable. There is some decline due to human development and because the moose population is declining rather slowing because of habitat changes. The total population is roughly 2,000 bears as best as ADF&G can estimate it.

There's been a great deal of interest in black bear hunting down there that's developed over the last few years and the harvest has just about doubled during the period from 1987 to 1991. And it has exceeded their management objective for the years '89 to '91. The harvest in 1992 for Unit 15 was 168 bears, and the percent of females is at or very near the maximum allowable also.

The number of bears reported killed in defense of life and property has remained pretty stable in Unit 15 for the past six years, averaging less than one per year in Unit 15(A) and 42(B) and one per year in Unit 15(C). There's a difference in regulations.

The ADF&G had requested the Board to reduce the harvest limit from three bears to one last year, I believe it was, and the Board did not go that far but they did change the regulations to limit the harvest limit to one bear in the spring and one bear in the fall. And the current Federal

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regulation is the same as it was prior to that, it's three bears per year with no closed season. And the State season is also year round but there is a one bear limit for each of the spring and fall periods.

5

6 The situation is the same. We have -- the proposal proponent indicates there's a problem with bears, which I have not been able to discern in looking at the available data. And again, we have a situation where with the current harvest season and bag limit, there's no indication that people in the subsistence communities are not being able to shoot enough bears to eat. Again, it's a proposal designed to reduce one species which is considered a nuisance species for the purpose of increasing other species. So the situation is the same as in number -- in Unit 6 -- or Unit 14.

16

17 Since Ted Spraker's here -- I guess he's still here. He is not still here. Rats. I was going to get on him because I called him at least 10 times during the winter trying to get the latest data on DLPs in that unit and could not catch up with him a single time. He was always out in the field enjoying himself, and I resent that because I was stuck behind a desk.

24

25 I believe that's all I have. Helga.

26

27 MS. EAKON: Two written oppositions. Once again, the Alaska Department of Fish & Game believes it's inappropriate to create subsistence regulations for controlling problem bears.

30

31 Alaska Wildlife Alliance of Anchorage, Alaska echoed that concern. They said the stated goal of this proposal is bear control which is not within the mandate or purposes of the program.

35

36 MR. EWAN: Lee.

37

38 MR. BASNAR: Move to adopt.

39

40 MR. EWAN: There's a motion to adopt.

41

42 MR. OSKOLKOFF: Second.

43

44 MR. EWAN: Motion's second. Further -- yes, Robert.

45

46 MR. HENRICHS: I'm just curious. I seem to have read a lot about there being a big black market for bear gall bladders in the Orient. And I'm wondering if there's a lot of poaching going on and things that aren't reported. I'm just curious

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about that.

2

3 MR. WILLIS: Illegal kill's a pretty hard thing to get
 4 feel for. You're correct about the market, the big market,
 5 for gall bladders in the Orient. There is some of that that
 6 goes on that we're aware of. Someone makes a case occasionally
 7 against somebody but I don't know the extent of it, Robert, and
 8 I don't think anyone else does either really. You alwa- --
 9 when you see a proposal like this, you always wonder if someone
 10 wants to shoot four or five black bears per year. There's a
 11 limit to how many black bears even somebody with a big family
 12 can eat. And because of this illegal market in bear parts,
 13 that always crosses my mind when I see one of these proposals.
 14 But obviously, you can't or shouldn't let that affect your
 15 analysis since you don't have any concrete proof.

16

17 MR. EWAN: Lee.

18

19 MR. BASNAR: Mr. Chairman. Three bears I think is
 20 adequate based on the commentary we've received over the past
 21 two or three days. If someone is using bears for subsistence
 22 purposes, I think three certainly appears to be adequate. I
 23 see no need to raise it to five. Therefore, I cannot support
 24 either Proposal 7 or Proposal 8.

25

26 MR. EWAN: This motion's dealing with Proposal 7,
 27 right? Your motion was to Proposal 7, right?

28

29 MR. BASNAR: It was because 7 is the larger of the two,
 30 and I think it would render the other one moot if we were to
 31 vote this one down.

32

33 MR. EWAN: All right. Further discussion on the
 34 motion. Comments?

35

36 MR. OSKOLKOFF: Mr. Chairman, for the record, I know
 37 both these gentlemen. And I'm aware of the situation in the
 38 area, and I'm absolutely certain there is no -- even an inkling
 39 of an intention to suggest that there is any other use of these
 40 bears but -- or a problem with these bears than what has been
 41 suggested here. But I don't believe that we are -- it is under
 42 the purview of the Board and, therefore, it seems to be a
 43 little out of our realm to deal with this, therefore I'm going
 44 to vote against the motion.

45

46 MR. EWAN: Okay. Any further discussion? Does
 47 somebody have their hand up? I'm sorry. I didn't see you.

48

49 MR. CASEY: I have

50

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1
2 MR. EWAN: You have to come up to the mike here and
3 state your name for the record.

4
5 MR. CASEY: Yes. My name is Edward Casey, and I
6 represent the Tlingit/Haida Tribes of Anchorage. And we're not
7 in the region I guess under your protection as to our rights to
8 go out here and be able to hunt or fish for any of these
9 resources here. But my question is where does this research
10 come in about these animals And are there other researches
11 done on the amount of animals and wildlife in the area to
12 contradict this one research? I mean we're going on one
13 person's research and it could be just the Fish & Wildlife
14 Service or the Fish & Game Service, I don't know who or where
15 they get this information of all these abundance of black bear
16 or other resource on our -- on this area. Has there been
17 any

18
19 MR. EWAN: I believe what this Council is relying on is
20 the information gathered by the Federal Fish & Wildlife Service
21 and the State combined. There's no -- we have both -- access
22 to both the agency's information. That's what we -- in fact,
23 this is what Bob up here is

24
25 MR. CASEY: But like

26
27 MR. EWAN: providing us with, the information.

28
29 MR. CASEY: most of the researches done is done
30 on animals that have already been killed, and that's a dead
31 number. Those numbers are no longer in the picture, they're
32 not there any more. And I was wondering how they could justify
33 how many are left out there if they've killed 20 and there was
34 40 to begin with, there's still 20 left. Now, I mean I know
35 they reproduced, but who's to say where this reproduction comes
36 from and where do they get these numbers?

37
38 MR. EWAN: I'll let Robert answer this question maybe.

39
40 MR. WILLIS: Both the -- the Federal lands down there
41 at the Kenai National Wildlife Refuge, and we have a staff, the
42 U.S. Fish & Wildlife Service Staff on the Refuge. And then
43 there's the Alaska Department of Fish & Game biologist who also
44 works the State lands as well as the Refuge lands. There is no
45 one else doing research. Occasionally, a University study is
46 done, and we look at that data. We look at the State's data.
47 We look at our own Fish & Wildlife Service data. This includes
48 both -- not only the harvest data but census data on the number
49 of bears, the productivity, how many cubs are produced per

50

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female bear. So it's not totally based on dead animals.

2

3 And we use -- in presenting our information -- the
4 information that I present to this Council is all the
5 information that's available from all sources. And this
6 Council itself is also a source of information to us. These
7 are local people that bring with them to this room local
8 knowledge which they give to me. In addition to the knowledge
9 which I give to them, they give knowledge to me. Their
10 knowledge is incorporated with mine and then presented to the
11 Federal Subsistence Board who makes a decision based on all
12 that knowledge.

13

14 MR. EWAN: Could I interrupt here? Maybe you can get
15 that information from Mr. Willis or somebody privately?

16

17 MR. CASEY: One more question.

18

19 MR. EWAN: We've got a motion that we've got to deal
20 with.

21

22 MR. CASEY: Yes.

23

24 MR. EWAN: Okay.

25

26 MR. CASEY: One more question here. Is this theory?
27 his information theory on the reproduction of those animals?

28

29 MR. WILLIS: No, sir, it is not theory. It is actual
30 --

31

32 MR. CASEY: You went down and counted the cubs?

33

34 MR. WILLIS: That's correct.

35

36 MR. CASEY: All right. I have no further questions.

37

38 MR. EWAN: Okay.

39

40 MR. CASEY: I want to see that data myself.

41

42 MR. EWAN: Okay. Any further discussion on the motion
43 before I

44

45 MR. BASNAR: Call for the question.

46

47 MR. EWAN: call for the question? There's a call
48 for the question. All in favor of this motion say aye.

49

50

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1 (No supporting responses)

2

3 MR. EWAN: Oppose by the same sign?

4

5 IN UNISON: Aye.

6

7 MR. EWAN: Okay. The motion does not pass. The next
 8 proposal is 8, I guess, is that correct? Very similar. If we
 9 can just have a quick

10

11 MR. WILLIS: The information I presented was for 7 and
 12 8 together, because there was -- the only difference was the
 13 one bear limit. So you can go ahead and deal with that one.

14

15 MR. EWAN: Mr. Basnar.

16

17 MR. BASNAR: Mr. Chair, I think that we can take no
 18 action on Proposal 8 and so note for the Board in that Proposal
 19 our vote on that would incorporate Proposal 8 since it was a
 20 lesser number.

21

22 MR. EWAN: Is that adequate? All right. There is no
 23 action on Proposal 8. We'll just move onto Proposal 9 then.

24

25 MR. WILLIS: Proposal 9 is very similar in that it's
 26 another proposal to reduce the number of brown bears because
 27 there's -- it's again submitted by Mr. Jeff Pasco of Ninilchik.
 28 This is for brown bears in Unit 14. Mr. Pasco wants to modify
 29 the current hunting regulations which allow the harvest of one
 30 bear every four years to allow the harvest of one bear every
 31 year.

32

33 First of all, again, there's no Federal public land in
 34 Unit 14(B), and the small amount which was -- existed in 14(A)
 35 was selected by the State last year. As a result, the only
 36 Federal land in 14(C) -- is left is in 14(C), and that's
 37 principally within the Chugach National Forest down on the
 38 southern end.

39

40 Unit 14 has a very low density of brown bears,
 41 especially compared to some of the surrounding units. A big
 42 reason for this of course is development. Brown bears and
 43 development simply don't go well together. And Unit 14 is the
 44 most heavily developed unit that we have. The best guess total
 45 estimate by ADF&G for the entire unit is 212 bears.

46

47 There hasn't been a legally taken brown bear during the
 48 hunting season in Unit 14(C) since the 1986/'87 season. And
 49 the D- -- the number of DLPs has not varied significantly,

50

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again, during 1992/'93 which is the last year for which data has been compiled.

3

4 Let's see. There were four bears killed in defense of life and property during '92/'93. Let's see if I can find -- I guess I don't have an average here. Here is it. That's the average harvest. Again, there are no caribou in that area. Bear harvest on moose populations is considered to be insignificant. And I was unable to find any evidence of a big increase in the number of DLPs which would support Mr. Pasco's conjecture.

12

13 One other factor operating here, in addition to the fact that the Board has previously stated that this is not a subsistence activity, we found out after this proposal came out that there is a no subsistence for brown bear in Unit 14(C), which pretty much negates the whole thing. But the fact that the proposal was already in the book and had been sent out is the reason that we're going to go ahead and present it here and get action on it by the Board.

21

22 Helga?

23

24 MS. EAKON: Two written oppositions, once again, Alaska Department of Fish & Game and the Alaska Wildlife; reasons -- for exactly the same reasons that they proffered for Proposal 8.

28

29 MR. EWAN: What's the desire of the Council on this?

30

31 MR. BASNAR: Move to adopt.

32

33 MR. EWAN: There's a motion to adopt.

34

35 MR. OSKOLKOFF: Second.

36

37 MR. EWAN: Motion second. Is there

38

39 MR. LOHSE: Question.

40

41 MR. EWAN: further discussion? The question's been called. All in favor of the motion signify by saying aye.

43

44 (No supporting responses)

45

46 MR. EWAN: Opposed by the same sign?

47

48 IN UNISON: Aye.

49

50

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1 MR. EWAN: The motion does not carry. Proposal 10.

2

3 MR. WILLIS: Proposal Number 10 deals with caribou in
Unit 13, this is the Nelchina Herd. This proposal was
Submitted by the Bureau of Land Management. It would lengthen
the fall season for caribou in Unit 13 by 10 days, extending
the closing date from September the 20th to September the 30th.
The season opens on August the 10th, and that opening would
remain unchanged.

10

11 Caribou seasons have varied quite a bit through the
years in Unit 13 with -- as the herd has increased and
decreased. The earlier -- some of the longer hunts extended
from early to mid-August to the end of September and beyond.
And some years, there's also been fall and winter seasons held.
And harvest limits have varied from one to four animals during
that period. During 1970 -- or beginning in 1972, the fall
season was terminated on September the 20th, and the winter
season was eliminated. Now, this was in response to reduced
populations and increased hunting pressure. With the exception
of 1986 when the fall season was September 10 to September 30,
fall hunts have terminated on September 20th for each year.
And that's true up through the 1994 seasons.

24

25 The winter season for subsistence hunters was
reinstated in 1981, and we continue to have a winter season
for subsistence use. Beginning in 1977, the State initiated a
permit system to limit participation in that hunt. The number
of permits have varied significantly from as low as 750 that
first year to 6,500 last year. Under the Federal Subsistence
Regulations on Federal public lands two caribou per year are
allowed under this Federal registration permit.

33

34 As we discussed in -- when we were talking about the
issue in Unit 13, we have a very small percentage of Federal
land in that unit. That totals about 10 percent, and about --
that's about 350 square miles, and it's spread out. Well, you
still have your maps I guess from Unit 13. It consists of the
Trans-Alaska Pipeline Corridor and portions of the Scenic River
Corridors, and except for the portion which lies within Denali
Park. This is a dramatic reduction over the last years from
what was available previously for Federal land and subsistence
hunters.

44

45 The Nelchina Herd is in excellent condition. In fact,
it's reached about 47,000 animals and may be at the point of
over-grazing its range. The ADF&G harvest goal was 40,000
animals. In the last few years, the population's been growing
about 11 to 12 percent. and the harvest has not reached the

50

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harvest goal during any of that period of time. Almost all the harvest which takes place takes place along the highways, which increases the importance of Federal land because that's where most of the Federal lands lie.

5

6 You had a table presented to you and also a bar graph showing the time of the year that most of the harvest takes place. And this is important because this particular proposal, as allowed (ph) at extending a season to the end of the month in order to allow harvest when the caribou are crossing the Richardson Highway. It's interesting to note that most of the harvest takes place during the middle part of the season currently or has for the last several years.

14

15 We did the bar graph from 1987 to 1991. And during that period very little of the harvest took place during that last week of the season. But last year for some reason, the caribou crossed much later than they have in the past. And for that reason it was only during the last few days that caribou were available for harvest. And this was what precipitated this proposal by the Bureau of Land Management to increase the season length.

23

24 People in the Copper River Basin obviously have used caribou for many years. There's no question about the subsistence use down there. There's very -- a very high percentage of people who try to hunt -- who hunt caribou. And the success rate is also high in some communities. And the harvest levels have varied from down to one caribou taken by Gold Creek in '86 up to a hundred taken by Copper Center in 1987. So use of the Nelchina Herd is very high, interest is very high in harvesting that herd.

33

34 There is one potential problem that you have to deal with when you have a situation where a lot of the hunting occurs alongside a public highway and during the period of time when the animals are crossing that highway. And this is the firing line situation. This is a problem that's been mentioned to us by several people, and it's happened in the past. It's something that the Alaska Department of Fish & Game has tried to avoid by setting seasons.

42

43 And you have a situation where everybody finds out when the caribou are on the road. Everybody rushes out there and they start shooting from the road and down the road, killing animals on the shoulders, dragging them up and field dressing them and leaving gut piles on the highway shoulders. And this is obviously a severe safety problem. It's a terrible public relations problem if you're driving down the highway and you

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have large gut piles lying everywhere and actually blood in the road to the point where it becomes slippery at times as has been reported to me. And because of that, it probably would be wise to consider a no hunting zone on either side of the highway, if a proposal such as this is supported by the Council.

7

8 So in summary, from a biological standpoint, there's no real reason not to extend the season 10 days. The herd is growing. It's at the point of exceeding its range and some additional harvest would probably be beneficial. On the other hand, we have only the one year when the caribou have waited until very late to cross the road, and as biologists we're reluctant to start bouncing seasons back and forth based on what happens one year when the past years indicate that something else is the normal situation.

17

18 So in summary, there's no biological reason not to grant this extension; however, if it is supported, we feel that the Council should give consideration to a no hunting zone from a quarter mile to a half mile in width on either side of the Richardson Highway to prevent the situation of people shooting from the road and on the road and leaving gut piles and so forth on the shoulders.

25

26 MR. EWAN: What's the wish -- did you have letters?

27

28 MR. BASNAR: Yeah, I bet Helga might.

29

30 MS. EAKON: One written opposition to this from the Alaska Department of Fish & Game. They're concerned about -- that the substantial portion of the herd uses a migration corridor along the Richardson Highway between Sourdough and Paxson Lake during September 20 through the 30th, which coincides with the onset of the rut and winter migrations. They're concerned about the unsafe firing line situation. They're concerned that this roadside slaughter causes a negative image of both subsistence and sport hunting. And they believe that the existing season is four and a half months long and is, therefore, providing ample opportunity for anyone to take the caribou that they need.

42

43 MR. LOHSE: Mr. Chairman.

44

45 MR. EWAN: Yes, Ralph.

46

47 MR. LOHSE: Can I ask a question? Basically, we're talking about Federal land here, right?

49

50

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1 MR. WILLIS: That's correct.
2
3 MR. LOHSE: This extension is only on Federal land?
4
5 MR. WILLIS: Right.
6
7 MR. LOHSE: And at the same time, you were suggesting
8 that we have a roadside corridor closure. Most of the Federal
9 land is along the road, and if you had a half mile closure, you
10 would basically close off most of the Federal land wouldn't
11 you?
12
13 MR. WILLIS: The corridor varies from two to six miles
14 wide.
15
16 MR. LOHSE: Okay.
17
18 MR. WILLIS: So no, I don't think that would be a
19 significant problem, Ralph.
20
21 MR. LOHSE: Okay.
22
23 MR. EWAN: I do. I wouldn't walk half a mile. Lee.
24
25 MR. BASNAR: Roy, are you telling me that a subsistence
26 hunter won't walk a quarter of a mile to shoot a caribou?
27
28 Yeah. Mr. Chairman, I don't have any problem with the
29 proposal except I wonder how -- it says Unit 13 in its
30 entirety. We have a little herd of caribou over in the
31 Cantwell area that wander in and out of the Denali Park
32 addition. At some point, biologists are going to have to
33 recognize, admit and treat this herd as a separate herd, not
34 part of the Nelchina Herd. And I think the Emergency Closure
35 this winter backs up what I say.
36
37 So I would -- my question I guess -- maybe the Park
38 servi- -- well, they're not here. But if this extension is
39 granted for all caribou in 13, does that mean that they can be
40 hunted later in the season inside Denali National Park?
41 There's no other Federal land on the eastern side -- or western
42 side I mean.
43
44 MR. WILLIS: The proposal just says caribou in Unit 13.
45 This -- or specifies the Nelchina Herd. But your point's well
46 taken. That would -- that might require some additional
47 consideration. I wanted to look again at exactly what was
48 said. It just says Unit 13 caribou, two caribou by Federal
49 registration permit only. Is that -- I think that's the
50

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situation with the herd that you're speaking of. I mean, the current regulation -- it's considered as part of the Nelchina Herd now isn't it?

4

5 MR. BASNAR: It is. It's treated

6

7 MR. WILLIS: Yeah.

8

9 MR. BASNAR: as part of the Nelchina

10

11 MR. WILLIS: Yes.

12

13 MR. BASNAR: Herd but it's recognized that it is

14 ~~not~~.

15

16 MR. WILLIS: Uh-huh.

17

18 MR. BASNAR: So the recognition and treatment are in opposition to each other.

20

21 MR. WILLIS: Would there be a problem with that herd, during this particular time period that we're talking about, this 10 day extension?

24

25 MR. BASNAR: I need some biological input

26

27 MR. WILLIS: Um-hum.

28

29 MR. BASNAR: to see whether or not there --

30

31 MR. WILLIS: Okay.

32

33 MR. BASNAR: there would be a problem. I don't

34 ~~know~~.

35

36 MR. WILLIS: I don't have anything to give you, Lee, because, you know, I didn't really consider that. This proposal is aimed specifically at this -- at the Denal- -- or excuse me, the Nelchina Herd crossing the Richardson Highway.

40

41 MR. BASNAR: I understand that.

42

43 MR. WILLIS: And

44

45 MR. BASNAR: Yeah. And I support it. But I --

46

47 MR. WILLIS: So

48

49 MR. BASNAR: I would tend to support the

50

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proposal. What I -- it encompasses a herd that it actually
 didn't intend to encompass, I think.

3

4 MR. WILLIS: That may well be the case. That's
 something I'll look into. That's all I can tell you right now.

6

7 I probably should also point out that Proposal
 Number 11 also deals with season change for Nelchina caribou.
 And it also -- which would -- the same situation exists. Roy,
 would you like me to say something about that at this point or
 do you want to deal with this proposal first and go onto the
 second?

13

14 MR. EWAN: Would that be on

15

16 MR. WILLIS: We have two proposals for season changes
 for the same caribou herd. Probably it would be best for me to
 go ahead and present Number 11.

19

20 MR. EWAN: Let's do one at a time, how is that, or is
 that -- are they assembled together?

22

23 MR. WILLIS: No, that's fine. They're quite different
 in what they require so there's no problem in dealing with them
 separately. I just thought I'd mention it.

26

27 MR. EWAN: Okay. Are we ready to make a motion then?

28

29 MR. OSKOLKOFF: Move to adopt.

30

31 MR. EWAN: There's a motion to adopt, is there a
 second?

33

34 MR. BASNAR: Second.

35

36 MR. EWAN: Motion's second. Any further discussion on
 this motion?

38

39 MR. LOHSE: Mr. Chairman.

40

41 MR. EWAN: Yes.

42

43 MR. LOHSE: If we adopt this motion, there's no reason
 to go onto Proposal 11 because we'll have answered the
 questions in Proposal 11. We'll have set a different season.

46

47 MR. EWAN: I didn't know that.

48

49 MR. LOHSE: Yeah. 'Cause all -- the only difference

50

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Between this proposal and Proposal 11 is Proposal 11 goes to September 30th but starts on August 20th, this one starts on August 10th, and this one has a January to March season, and this one over here does not have a January to March season. But if we would adopt Proposal 10, we've set a longer bag -- a longer season than is available in Proposal 11.

7

8 MR. WILLIS: That's correct.

9

10 MR. EWAN: So maybe we should discuss 11 if there's any effect. It doesn't have

12

13 MR. WILLIS: Okay. Proposal 11 which was submitted by Mr. Myron Lockridge of Glennallen would change the season dates from August 10 to September 20 to August 20 to September 30. It would be the same length season but it would start 10 days later and it would also -- Mr. Lockridge's proposal would also eliminate the winter season completely. And his reasoning was that he prefers to hunt caribou in the fall and shoot both of those caribou in the fall rather than in the winter.

21

22 MR. EWAN: So the season is basically what changes here, nothing else?

24

25 MR. WILLIS: Right.

26

27 MR. EWAN: That's what I wanted to get at. Are we ready to make a motion or did we already?

29

30 MR. LOHSE: We already did.

31

32 MR. EWAN: Yes. We -- there's a motion, a second, we're discussing the motion. Yes, right.

34

35 MR. BASNAR: Yeah. I would support Proposal 10 but I would like to note for the Board that I feel that the intent is the Nelchina Caribou Herd and that the Board might want to consider -- I don't want to amend this and exclude a small band of caribou based on zero biological input. I don't dare do that. But I would like to point out to the Board and to Mr. Willis that that is a consideration that probably should be looked at; otherwise, I do support the proposal.

43

44 MR. EWAN: Any other comments?

45

46 MR. LOHSE: Question.

47

48 MR. EWAN: The question's been called for. All in favor of the motion say aye.

50

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1
2 IN UNISON: Aye.
3
4 MR. EWAN: Opposed by the same sign?
5
6 (No opposing responses)
7
8 MR. EWAN: Okay. Motion's carried, proposal to adopt.
9
10 MR. LOHSE: Mr. Chairman.
11
12 MR. EWAN: Yes.
13
14 MR. LOHSE: I have to catch an airplane by 5:00 o'clock
15 tonight. We have some Cordova proposals coming up, and if we
16 could, I'd like to go through those real fast and

17
18 MR. EWAN: Can you give us a number?
19
20 MR. LOHSE: Yeah. Number 12 deals with -- it's the
21 same proposal that we dealt with at the last meeting on goats.
22 It basically comes from the U.S. Forest Service, and it points
23 out that same decline in goats that we dealt with last time.
24 And it's asking for

25
26 MR. EWAN: 12 would be the next (indiscernible -
27 interrupted)

28
29 MR. LOHSE: 12 is one of them and there's -- yeah, 12's
30 the next one and then there's a couple more. And if we
31 could

32
33 MR. EWAN: Well, let's get up to 12 then.
34
35 MR. WILLIS: As Ralph said, Proposal 12 would simply
36 put in place a continuing closure to replace the Emergency
37 Closure which was dealt with last year. The situation is that
38 in this particular hunt area, the population of goats has
39 declined severely over the last several years to the point
40 where ADF&G has suggested an Emergency Closure last year. And
41 the State hunt has been closed on this area, the sport hunt's
42 been closed for several years already. The population has
43 continued to decline. There's been no subsistence harvest on
44 that area for the last couple of years, and there are other
45 areas available where the local people can hunt goats.

46
47 The Council was presented this during the November
48 meeting and elected to support the Emergency Closure to close
49 this past hunting season through the end of January. So what
50

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this proposal would do would simply close the season again for the coming year, and then it'll be looked at each year in the same manner until the goats have recovered to the point that we have a harvestable surplus.

5

6 MR. LOHSE: I make a motion we accept Proposal 12.

7

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

9

10 MR. BASNAR: Second.

11

12 MR. EWAN: That's a motion second. Further discussion on the motion? I do have a quick question. I recall us talking about this a little bit at some meeting in the past.

15

16 MR. LOHSE: Um-hum.

17

18 MR. EWAN: There's no information about what's causing the decline, right?

20

21 MR. WILLIS: That's correct.

22

23 MR. EWAN: Any further discussion on the motion?

24

25 MR. BASNAR: Well, I think we probably should put on the record we are concerned about the health of the herd, and obviously you can't subsist on an animal that no longer exists. So I think it just makes good management sense to

29

30 MS. EAKON: The Alaska Department of Fish & Game supported this proposal.

32

33 MR. BASNAR: So you know, based on biological data, I think we probably should support this proposal, and I intend to do so. Question.

36

37 MR. EWAN: The question's been called for. All in favor of this motion say aye.

39

40 IN UNISON: Aye.

41

42 MR. EWAN: Opposed by the same sign?

43

44 (No opposing responses)

45

46 MR. EWAN: Motion carried.

47

48 MR. LOHSE: Proposal 16 is the next one.

49

50

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1 MR. EWAN: Which one is the next one? That you want to
skip over some?

3

4 MR. LOHSE: We did Proposal 13, 14 and 15, we dealt
with that; that was the moose hunt. So Proposal 16, 17 and 18
deal with the Cordova area.

7

8 MS. EAKON: Proposal 16 was submitted by the Forest
Service, and it would change the regulation governing coyote
hunting in Unit 6 from a year round season with no harvest
limit to a September 1st through April 30th season with a
harvest limit of two coyotes. The Forest Service, Cordova
Ranger District considered coyotes to be abundant and the
populations to be stable in Unit 6, with the possible exception
in east -- the eastern Unit 6 where they appear to be declining
due to displacement by increasing wolf populations. There are
no data available on the current harvests.

18

19 The preliminary Staff conclusions say that the proposed
regulatory change will have no biological impact on the coyote
population in the subunit. The present regulation was adopted
from a State regulation put in place during the late 1980s in
an attempt to control coyote depredation on the Copper River
Delta Dusky Canada goose population. The regulation has had no
impact on either coyote populations or depredation on the
Canada goose population. And the Forest Service believes that
the regulatory changes benefit the subsistence user in that it
would simplify Federal subsistence regulations by making them
consistent with the State regulations.

30

31 MR. EWAN: Okay. Any public letters or anything,
input?

33

34 MS. EAKON: There was one letter of support -- I'm
sorry -- two letters of support. The Alaska Department of
Fish & Game supports this. The Alaska Wildlife Alliance of
Anchorage, Alaska supports this as well.

38

39 MR. EWAN: What is the wish of the Board on this
proposal?

41

42 MR. HENRICHS: Mr. Chairman.

43

44 MR. EWAN: Yes.

45

46 MR. HENRICHS: It looks to me like that main reason
that there -- they want this is it makes regulations easier for
subsistence users to understand and be in compliance. I don't
know, if a guy's a subsistence user, he can read, I'm sure he

50

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can understand it. I'm going to -- no. You know, instead of
 just changing it for the sake of changing it, you know.

3
 4 MR. EWAN: Lee had his hand up here.

5
 6 MR. BASNAR: Yeah. What is the current State season
 right now?

8
 9 MS. EAKON: The State regulations in 1991 to match the
 regulations in other subunits in Unit 6 and the rest of the
 State.

12
 13 MR. LOHSE: Yeah. But with this, too, hunting seasons.

14
 15 MS. EAKON: The current State season is September 1
 through April 30th.

17
 18 MR. BASNAR: Okay. So this is aligning the Federal
 season with the State season,

20
 21 MS. EAKON: Yes.

22
 23 MR. BASNAR: essentially is what it's done?

24
 25 MS. EAKON: Um-hum.

26
 27 MR. BASNAR: There's no real bearing on the resource or
 anything else.

29
 30 MR. EWAN: Ralph.

31
 32 MR. LOHSE: Mr. Chairman. I have to agree with Robert
 on it, that there's no biological reason not to have coyote
 hunting on it exactly like it says, it's had no effect on
 either the coyotes or on what it was supposed to do, which was
 to have an effect on the Canadian geese. Therefore, there's no
 biological reason to shut the season down. And so I won't
 support this proposal either but I make a motion we accept this
 proposal.

40
 41 MR. EWAN: Is there a second?

42
 43 MR. OSKOLKOFF: I'll second it.

44
 45 MR. EWAN: There's a motion second to accept the
 proposal. Any further discussion on the motion?

47
 48 MR. HENRICHS: Question.

49
 50

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

3

4 (No supporting responses)

5

6 MR. EWAN: All opposed by the same sign?

7

8 IN UNISON: Aye.

9

10 MR. EWAN: Okay. The motion is not passed.

11

12 MS. EAKON: Proposal 17, once again submitted by the
 13 Forest Service, would close the red fox hunting season in
 14 Unit 6. Federal public lands comprise approximately 85 percent
 15 of Unit 6. The Chugach National Forest controls 65 percent,
 16 the BLM about 15 percent, and Wrangell/St. Elias National
 17 Park & Preserve about 5 percent.

18

19 Red fox occur rarely in Unit 6, the last significant
 20 harvest was reported in 1972 in Subunit 6(C). The Forest
 21 Service believes that there is currently no resident
 22 harvestable red fox population in Unit 6. There has been no
 23 reported harvest by hunting since the State closed the hunting
 24 season in 1990. No red fox have been reported harvested by
 25 trappers since 1978. The State closed Unit 6 to red fox
 26 hunting in 1990, shortly after the Federal Program began.

27

28 And the preliminary Staff conclusions are that adoption
 29 of this proposed regulation change is expected to have no
 30 impact on the red fox population. However, it would align
 31 Federal and State regulations.

32

33 We had two letters of support in favor of this
 34 proposal, the Alaska Department of Fish & Game and, once again,
 35 the Alaska Wildlife Alliance of Anchorage, Alaska.

36

37 MR. EWAN: Ralph.

38

39 MR. LOHSE: Mr. Chair, while the proposed reasoning
 40 again is to align them with State regulations, there is a
 41 difference between Proposal 17 and Proposal 18 from
 42 Proposal 16. 16 which dealt with coyotes dealt with something
 43 that was in abundance. 17 deals with red foxes, which like it
 44 says we just haven't had any around since 1976, and that
 45 includes from my friends who trap. Proposal 18 deals with lynx
 46 which we've had very few around. And so I think there's a
 47 difference.

48

49 I'll make a motion that we accept Proposal 17, and I

50

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intend to support it simply because there is a biological
reason, there are no red foxes.

3

4 MR. BASNAR: Second.

5

6 MR. EWAN: There's a motion second to adopt Proposal --
7 I guess it's adopt.

8

9 MR. LOHSE: 17, yeah.

10

11 MR. EWAN: Yeah. Proposal 17. I'm just trying to
12 think of the right word, we're adopting, right? Yeah. Yes.

13

14 MS. EAKON: Recommending adoption of.

15

16 MR. OSKOLKOFF: Mr. Chairman.

17

18 MR. EWAN: That's what I thought, recommending adoption
19 of to the Federal Subsistence Board

20

21 MS. EAKON: Yes.

22

23 MR. EWAN: really. Yes. Okay. Yes, Gary.

24

25 MR. OSKOLKOFF: Under the conclusions it says while
26 hunting was not a factor in their decline, it makes little
27 sense for hunting. Is there a reason for their decline other
28 than hunting? Is there trapping in that area? Is there some
29 other use, some other -- I mean is there -- you know, is there
30 some other reason that they are on the decline there that

31

32 MR. LOHSE: Yes.

33

34 MR. OSKOLKOFF: you've come up with?

35

36 MR. WILLIS: It's called the coyote.

37

38 MR. LOHSE: Yes, that's exactly what it's saying.

39

40 MR. OSKOLKOFF: Okay.

41

42 MR. WILLIS: The coyotes have spread into that area in
43 recent years, and they're simply a more efficient predator.
44 They're larger and can out-compete the red fox for the
45 available resources, as well as killing these red foxes on
46 occasion.

47

48 MR. OSKOLKOFF: Thank you.

49

50

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1 MR. EWAN: Any further discussion on the motion?

2

3 MR. HENRICHS: Mr. Chairman.

4

5 MR. EWAN: Yes.

6

7 MR. HENRICHS: Yeah. You know red foxes, one of the
 8 reasons that the trappers don't get them is they're pretty
 9 inaccessible, you know, they're -- where they hang out, too,
 10 you know. It's -- I don't think they ever trapped a lot of red
 11 fox down there to start with. You know, maybe they did when
 12 they had fox farms or something. But where they hang out isn't
 13 where people go or even trappers go a lot, you know. It's -- I
 14 don't know, I'd have to think about this. And I'm not

15

16 MR. LOHSE: Mr. Chairman.

17

18 MR. EWAN: Yes, Ralph.

19

20 MR. LOHSE: Not to disagree with Robert on that, but my
 21 father-in-law's been the fur buyer in Cordova for many, many
 22 years. He also -- him and Jimmy Webber and a lot of the old-
 23 timers that used to do the trapping did catch a lot of red
 24 foxes back in the '60s, early '70s, before the movement of the
 25 votes into the area. Red fox just have been extremely rare.
 26 And that includes people who go a long ways over onto the
 27 other side of the Copper River with snowmachines, up the Copper
 28 towards the Bremner, pretty much all over the flats.

29

30 We've actually had a lot of trapping pressure --
 31 recreational trapping pressure and other trapping pressure in
 32 the Cordova area in the last eight or nine years. And there
 33 just aren't any red fox available at this point in time, and I
 34 think you'd find that by talking to people that fly airplanes,
 35 so. But there are a lot of coyotes.

36

37 So I'm not sure where you're talking about, Robert,
 38 where they would be. Because

39

40 MR. HENRICHS: They're not on the road system.

41

42 MR. LOHSE: They're not on the road system and they're
 43 not down on the Dunes and they're not over on the other side of
 44 the Copper River. So

45

46 MR. EWAN: I don't have a map here but how much Federal
 47 land are we talking about here now?

48

49 MR. LOHSE: Most.

50

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1
2 MS. EAKON: Eighty-five percent.
3
4 MR. EWAN: Pardon?
5
6 UNIDENTIFIED VOICE: Most of it.
7
8 MR. LOHSE: Yeah.
9
10 UNIDENTIFIED VOICE: Yeah.
11
12 MS. EAKON: Eighty-five percent
13
14 MR. EWAN: Okay.
15
16 MS. EAKON: of Unit 6 is Federal public land.
17
18 MR. EWAN: Gary.
19
20 MR. OSKOLKOFF: One more question, maybe it's answered
21 in here somewhere and I'm not seeing it. What -- how many
22 boxes were harvested under this regulation in the last year or
23 two?
24
25 MR. LOHSE: None.
26
27 MS. EAKON: None.
28
29 MR. OSKOLKOFF: So really, we're talking -- I don't
30 expect somebody's going to run out there next year and start
31 shooting them if they simply don't exist and everything. So
32 we're really talking something that really doesn't do anything,
33 at this particular point.
34
35 MR. LOHSE: Right.
36
37 MR. EWAN: If there's none, there's none.
38
39 MR. BASNAR: It makes no sense to have a hunting season
40 on something when there isn't a harvestable surplus to hunt.
41 It may be all in the realm of semantics or appearance or
42 whatever, but nonetheless, it certainly is of no detriment to
43 the subsistence user in that situation and might be of some
44 benefit in the eyes of outside parties.
45
46 MR. EWAN: Did somebody already ask about the State
47 regulations? It has no open season hunt.
48
49 MR. WILLIS: Right.
50

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1
2 MS. EAKON: No open season.
3
4 MR. LOHSE: Call for the question.
5
6 MR. EWAN: The question's been called for. All in
7 favor of the motion signify by saying aye.
8
9 IN UNISON: Aye.
10
11 MR. EWAN: Opposed by the same sign?
12
13 MR. HENRICHS: Aye.
14
15 MR. EWAN: I believe the motion passed, I heard at
16 least two and one.
17
18 MR. LOHSE: Mr. Chairman, I would like to point out
19 something on both these regulations, they do not apply to
20 trapping, they only apply to hunting. Both Proposal 17 and 18
21 has no effect on trapping seasons, it's only applied to
22 hunting, sport hunting or subsistence hunting.
23
24 MR. EWAN: All right. Is there another Cordova
25 proposal?
26
27 MS. EAKON: Yeah.
28
29 MR. BASNAR: 18.
30
31 MR. LOHSE: Proposal

32
33 MS. EAKON: Proposal 18. Proposal 18, once again
34 submitted by the U.S. Department of Agriculture & Forest
35 Service, would close the hunting season for lynx in Unit 6.
36 And the preliminary Staff conclusions are that lynx occur
37 rarely in Unit 6. While hunting is not a factor in their low
38 numbers, it makes little sense to have a hunting season for
39 them when no harvestable surplus exists. Adoption of this
40 proposed regulatory change is expected to have no impact on the
41 lynx population. However, it would align Federal and State
42 regulations.
43
44 And the program received, once again, a letter of
45 support from the Alaska Department of Fish & Game and once
46 again from the Alaska Wildlife Alliance of Anchorage.
47
48 MR. EWAN: Does anybody want to make a motion?
49
50

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1 MR. LOHSE: I make the motion we adopt Proposal 18.
2
3 MR. EWAN: Is there a second?
4
5 MR. BASNAR: I'll second.
6
7 MR. EWAN: Motion second. Is there further discussion
8 on the motion?
9
10 MR. OSKOLKOFF: Just a question. Is -- this sounds
11 like exactly the same situation, is this the same situation?
12
13 MR. LOHSE: This is the same situation. And again, it
14 does not affect the incidental take during trapping season if
15 somebody traps one.
16
17 MR. BASNAR: Call for the question.
18
19 MR. EWAN: The question's been called for. All in
20 favor of the motion signify by saying aye.
21
22 IN UNISON: Aye.
23
24 MR. EWAN: Opposed by the same sign?
25
26 (No opposing responses)
27
28 MR. EWAN: The motion's carried.
29
30 MR. LOHSE: Mr. Chairman.
31
32 MR. EWAN: Yes.
33
34 MR. LOHSE: I would like to be excused. I have an
35 airplane to catch at 5:00 o'clock and I've still got to go get
36 my stuff. I would like to make one comment before I leave.
37 One of the things that we're going to deal with is the NARC
38 proposal, and the only reason -- I will state that if I was
39 here, I would be in opposition to it simply because I do not
40 believe in giving the Federal Government any more control over
41 anybody's land than they already have. And I think in the
42 future, as -- if politics change on the Federal level, I think
43 even the Native population will wish that they did not have
44 Federal control of their land.
45
46 I prefer to see control of private property remain in
47 private property and State land remain in State instead of
48 Federal. With that, I'll leave your discussion up to that to
49 yourselves.
50

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1
2 MR. EWAN: Okay. Thank you.
3
4 (Mr. Lohse departs from the proceedings)
5
6 MR. BASNAR: Maybe we ought to take a break.
7
8 MR. EWAN: Okay. Let's take a short break, a five
9 minute break.
10
11 (Off record)
12
13 (On record)
14
15 MR. EWAN: Call the meeting back to order. We're
16 missing two members or is Ben still here?
17
18 MR. HENRICHS: Ben's still here. We just passed him in
19 the elevator, he'll be back in a few minutes I'm sure.
20
21 MR. EWAN: Okay. We'll proceed with proposal -- the
22 next one is

23
24 MS. EAKON: Proposal 52.
25
26 MR. EWAN: Okay.
27
28 MS. EAKON: Proposal 52 submitted by the Stevens
29 Village Council would allow the taking of caribou and moose
30 from a boat or a stationary snowmachine in Unit 25. For the
31 convenience of those in the audience, I enlarged the current
32 Federal Subsistence Management regulations associated with
33 taking wildlife from motorized vehicles.
34
35 There. This is a complex set of regulations. The
36 result of incremental changes that have occurred over time as
37 proposals for exceptions were adopted by the State Board of
38 Game prior to 1991 and thereafter by the Federal Subsistence
39 Board. Adoption of this proposal would provide yet another
40 exception.
41
42 And the Staff believes that the Board should consider
43 changes that would accommodate customary subsistence practices
44 on a statewide basis or, at least, on a much more general basis
45 than just in Unit 25 just for moose and caribou and just for
46 boats and snowmachines. Therefore, the preliminary Staff
47 conclusions -- and they are also enlarged for your viewing
48 here to your immediate left. The Staff believes that
49 consideration should be given to substantially widening the
50

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scope of this proposal to include all motorized vehicles, other species in other areas of the State.

3

4 The Forest Service should consider evaluating and clarifying the existing prohibition on the use of boats in Units 1 through 5. The Staff believes that the other Regional Councils should have opportunity to deliberate this proposal prior to the April Board meeting. And in the meantime, the Office of Subsistence Management will further assess ramifications of broadening the scope of this proposal. If doing so appears to be appropriate, the Staff Committee should recommend a modification at its March meeting.

13

14 However, on the other hand, if you accept this proposal as written, adoption of this proposal would not effect the health of the caribou or moose populations in Unit 25 and would provide for customary practices. Shooting from a motor driven boat while under power can, by definition, occur only on navigable waters, which in Unit 25 are not under Federal jurisdiction.

21

22 I should point out that the Bristol Bay Regional Council did not consider this. It was not in their booklet. And I don't know to what extent the other Regional Councils have studied this particular proposal.

26

27 The office received two written letters of opposition to Proposal 52. The first from the Alaska Department of Fish & Game states that this proposal does not present evidence that the regulation change is needed throughout Unit 25 or is even desired by Unit 25 residents outside of Stevens Village. As such, it would not cause a biological problem, but such an expansive change in the subsistence hunting regs over such a wide region could result in law enforcement problems. The Alaska Wildlife Alliance is opposed to the use of motorized vehicles for the pursuit of wildlife for subsistence or sport purposes.

38

39 MR. EWAN: All right. This is just for our comments, right? It says right here, yeah.

41

42 MS. EAKON: Yeah.

43

44 MR. EWAN: The proposals are included here for review and comment by Southcentral Council.

46

47 MS. EAKON: Yes. This is for your comment.

48

49 MR. EWAN: Yeah. Not for action.

50

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1
2 MS. EAKON: Not -- no, not for action, just what do you
3 feel about this particular -- in view of the already -- the
4 existing Federal Subsistence Management regulations associated
5 with motorized vehicles.

6
7 MR. EWAN: All right. Do we have any comments on this
8 proposal?

9
10 MR. OSKOLKOFF: Mr. Chairman, I have a comment. Not
11 being from that area, I feel kind of odd about commenting on it
12 without hearing more comment from those people. But I believe
13 that in general the subsistence hunters and fishermen are at a
14 would be at a rather distinct advantage if they're not
15 allowed to enjoy some of the advantages that are given to their
16 counterparts in the sport hunting and fishing industries. And
17 therefore, I'm inclined to think that this proposal would
18 probably be the appropriate direction to head in. As far as
19 the particulars, I haven't had time to digest them.

20
21 But I think we could probably do with some analysis of
22 what the problems might be in Unit 25 as described by I believe
23 was Fish & Game

24
25 MS. EAKON: Yes.

26
27 MR. OSKOLKOFF: who opposed this. If they could
28 give us more of a description, it would help me out better to
29 understand what the problems might be.

30
31 MR. EWAN: Is there anybody in the audience or anybody
32 here have knowledge of that particular area we're talking
33 about? No. Lee.

34
35 MR. BASNAR: I don't have any knowledge of the area,
36 but I don't see as how that area differs greatly from other
37 areas of similar latitude and terrain. So I don't see why it
38 should get any particular advantage. That regulation on the
39 wall looks pretty reasonable to me, I don't have any problem
40 with that regulation. I know what happens in the sport hunt
41 when there's nobody looking, they go out there and harass
42 animals with snowmachines and shoot them from snowmachines.
43 It's illegal but it's done. And I just wanted to ask Gary what
44 he meant by the sport hunt advantage or something. I didn't
45 quite follow you on that one.

46
47 MR. OSKOLKOFF: What I was describing is that -- and
48 it's not emphasized perhaps as well in this particular case --
49 that some -- there are some factions who believe that those
50

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people who want to use a subsistence resource should use it in a manner consistent with what existed previous to the domination by the Western culture. And that's what I was speaking to. I just wanted to bring that point out that I think we -- these regulations as they're put forth and we see them on the wall, they're probably the appropriate way to go and probably the appropriate way in 25.

8

9 Knowing what I know now I would -- if we were voting on the proposal, I would vote in favor of this proposal. But I would think that those people responsible for voting on this proposal would probably want the same information that I would.

13

14 MR. EWAN: Any other comments? Yes. Fred.

15

16 MR. JOHN: I would vote in favor of this proposal because I believe that, you know, tradition change. We used to use dog team, now we use snowmachine and canoe and now the motor boat, you know. And it makes it a little easier to get the animal that we subsist on. And I don't think -- I don't see anything wrong with that. And I like that up there, what you got up there, it seems like it's pretty -- it's real good. And but I would be in favor of this, vote on it now.

24

25 MR. EWAN: I just want to comment that I think -- I know more committees will probably be asking for a similar change for their communities down the road. I think these proposals ought to be considered on a case-by-case basis is what I really want to say. Just to start thinking broadly and just opening it up all over the place, that kind of troubles me a little bit.

32

33 MS. EAKON: The exact wording of the proposed regulation as proffered by Stevens Village Council would be to add a paragraph stating: Snowmachines and motor driven boats may be used to take caribou and moose in Unit 25 during established seasons; however, shooting from a snowmachine in motion is prohibited.

39

40 UNIDENTIFIED VOICE: They're probably doing it anyway.

41

42 MR. OSKOLKOFF: That's about all I had to say.

43

44 MR. EWAN: Pardon?

45

46 MR. OSKOLKOFF: I think that's all we had to say, and there's no other comments.

48

49 MR. EWAN: That's it, I guess. That's all the

50

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Comments

2

3 MS. EAKON: Okay.

4

5 MR. EWAN: we have. Yes.

6

7 MS. EAKON: I will give these to the Coordinator for
 8 that particular Regional Council.

9

10 MR. EWAN: That's all the proposals?

11

12 MS. EAKON: We have one more and Robert Willis is the
 13 lead on Proposal 57.

14

15 MR. EWAN: Are we picking on the Mentasta Herd? Before
 16 you start the comments, Fred John said the other day -- he's
 17 from Mentasta, he said those Mentasta Herd should be only for
 18 Mentasta Village.

19

20 MR. WILLIS: Duly noted. Well, I guess the job of
 21 describing the situation with the Mentasta Herd is considerably
 22 easier since the Park Service did an excellent job of
 23 presenting the situation, along with their proposed plan,
 24 yesterday. So I'll just briefly summarize to say that the
 25 Mentasta Herd started into a severe decline some years ago and
 26 that decline is continuing. The hunting season's been closed
 27 for several years.

28

29 The most recent data indicates that there's about 770
 30 animals left in the herd. Happily, the decline has slowed;
 31 they're still going down but -- although we don't have any data
 32 for 1993, but in 1994, the descent was only about 10 percent.
 33 So that's a hopeful sign. But even with this slight
 34 improvement and the fact that the ratio of cows to calves came
 35 up to 11 calves per 100 cows, we're still in the downward
 36 trend. And you'll recall from the plan that the management
 37 objective was to reach a population of 2,000 adult caribou and
 38 80 calves within that group before allowing hunting.

39

40 We went through who had the customary and traditional
 41 use of that herd, so I won't go through that again. We talked
 42 about the fact that the lower Ahtna Tribe has -- does not have
 43 good access to other caribou herds. They do have some access
 44 to the Nelchina Herd under the State hunt.

45

46 This proposal would allow the harvest of animals of
 47 either sex. I should point that out. And we feel strongly
 48 that any harvest of cows from this herd would have a direct
 49 impact on the reproductive potential and would, therefore, be

50

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directly additive to this current high mortality that's going on.

3

4 In theory, a small harvest of bulls, no more than two percent of the population, might be possible without significantly impacting reproduction. But on the other hand, it's also theoretically true that during the wintertime when they're subject to wolf predation, the bulls act as a predator buffer for the cows. The bulls tend to suffer a higher rate of predation. And if you did remove -- deliberately removed some bulls from the herd through hunting, then you would expose more cows to predation during the winter months.

13

14 We also discussed the fact that because of the mixing with the Nelchina Herd, opening a hunt specifically targeting the Mentasta Herd would have a significant impact on the ability to conduct that winter hunt over in Unit 12. You have to have a map which showed where the overlap occurred, I believe. A fall hunt for the Mentasta Herd would be occurring before this -- any of this mixing occurred, so any animals taken out of that would all be Mentasta animals during a fall hunt.

23

24 Our conclusion was that because of the severe decline in the population and the continuing decline in the population that the herd should be protected to the greatest extent possible if we're going to try to maintain it as a distinct herd. And that if Mentasta animals are targeted, as this proposal calls for, then it's very likely that the number taken would require that the larger Nelchina hunt over in Unit 12 would have to be curtailed or possibly eliminated, at least seriously reduced.

33

34 And I believe we had a few public comments, did we not, Helga?

36

37 MS. EAKON: Yes. The program received two letters in opposition to this proposal. The first one is by the Alaska Department of Fish & Game. They believe that the herd is now only at about 25 percent of the 1985 population level and appears to be declining and, therefore, any targeted harvest is inappropriate. Federal subsistence hunters that would qualify to hunt Mentasta caribou in Unit 11 would in nearly all cases be eligible to hunt for Nelchina caribou in adjoining Unit 13 under both State and Federal subsistence seasons. And they believe that adoption of this proposal would put the Nelchina caribou in Unit 12 in jeopardy.

48

49 The Upper Tanana, Forty Mile Fish & Game Advisory

50

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Committee in Tok opposed this proposal based on the Mentasta Herd's current size and trend, the quota is much too high. Any Bag limit should be bulls only and restricted to one percent of the herd to reduce the possibility of causing a rapid decline in the bull to cow ratio.

6

7 MR. EWAN: Okay. What is the

8

9 MR. BASNAR: Move to adopt.

10

11 MR. EWAN: There's a motion to adopt

12

13 UNIDENTIFIED VOICE: Second.

14

15 MR. BASNAR: Support, whatever the right word is.

16

17 MR. EWAN: Proposal 57. Are we -- yeah, this is for adoption. There's a second. Discussion? Lee.

19

20 MR. BASNAR: Yeah, Mr. Chairman. I feel that the Mentasta Herd is something we want to keep. And it appears there's some good biological justification to oppose this particular proposal. We don't want to see that herd get down beyond that. It's already in what they call a predator pit. And there is the opportunity for these people to hunt the Nelchina Herd during the winter season, we already have that option. There's a hunt there for the Nelchina Herd in the fall and then a break, and then a hunt again in January till March. And the Nelchina Herd is healthy, and that's a good resource to exploit and to use.

31

32 And so I would tend to not support this proposal based on biological data presented to us.

34

35 MR. EWAN: Any other discussion?

36

37 MR. OSKOLKOFF: Mr. Chairman.

38

39 MR. JOHN: I think we did it yesterday or the day before.

41

42 MR. BASNAR: That's correct.

43

44 MR. JOHN: Did we?

45

46 MR. BASNAR: That's correct.

47

48 MR. JOHN: We did a proposal on -- for caribou. There was some

50

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1
2 MR. EWAN: The National Park proposal, yeah. It's
3 similar.

4
5 MR. JOHN: And we passed that on 13?
6

7 MR. BASNAR: For the one season, yeah. We're only
8 talking about one season.

9
10 (Side conversations)
11

12 MR. EWAN: Did you have something to say?
13

14 MR. OSKOLKOFF: Mr. Chairman, I wonder above where it
15 said proposal -- on Proposal 52, it said Proposals 52 and 57
16 are -- primarily effect subsistence users in the Eastern
17 Interior Region section but also impacts subsistence users in
18 the Southcentral Region. The two proposals are included here
19 for review and comment by the Southcentral Regional Council.
20 -- is that indeed the case or was that a misprint, that
21 they're more here for review and comment than they are for
22 adoption?
23

24 MR. BRELSFORD: I think the linkage here, Gary, is that
25 the proposal originated on behalf of some villages that do come
26 from the region under your jurisdiction. And some of those
27 communities have C&T eligibility in neighboring units which are
28 generally under the jurisdiction of the Eastern Interior
29 Council. So the Board will, in reviewing particularly Proposal
30 Number 57, ask for the recommendation of the Eastern Interior
31 Council and the recommendation of the Southcentral Council. So
32 particularly in this case, I think it would be worthwhile if
33 you have a consensus or a viewpoint to make it known.
34

35 MR. OSKOLKOFF: More so than Proposal 52 would have?
36

37 MR. BRELSFORD: That's correct. I think the geographic
38 reach is much greater in the case of Unit 25.
39

40 MR. WILLIS: I think maybe Fred might have been
41 referring to the management plan that the Council endorsed
42 yesterday. We've been on and off of this thing so many times
43 I'm losing track myself. But I assume that's what he's
44 referring to. The Park Service did present the management plan
45 and the Board endorsed that.
46

47 MR. OSKOLKOFF: Mr. Chairman. Is there -- is this a
48 Tier II situation at this point or are we beyond that in the
49 fact that it's closed?
50

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1
2 MR. WILLIS: It's closed, it has been closed for
3 several years now.
4
5 MR. OSKOLKOFF: Is there availability for the people
6 from Copper River through a Tier II application and an
7 individual permit basis or
8
9 MR. WILLIS: Are you speaking of the -- for the
10 Mentasta Herd?
11
12 MR. OSKOLKOFF: Yes.
13
14 MR. WILLIS: There's no -- there is currently no
15 opportunity to hunt the Mentasta Herd by anyone. They can hunt
16 the Nelchina Herd.
17
18 MR. OSKOLKOFF: Are there other -- are there any other
19 hunts of the Mentasta Herd, sport
20
21 MR. WILLIS: No.
22
23 MR. OSKOLKOFF: or otherwise?
24
25 MR. WILLIS: No.
26
27 MR. EWAN: What Lee is saying, there is a Mentasta
28 Hunt.
29
30 MR. BASNAR: No. No season.
31
32 MR. EWAN: Didn't you say -- you said have an
33 opportunity.
34
35 MR. BASNAR: No.
36
37 MR. EWAN: Okay. Okay. Okay.
38
39 MR. BASNAR: I'm talking about the Nelchina Herd. I
40 may have misspoken myself but I meant Nelchina.
41
42 MR. EWAN: No. You said it correct. Any other
43 discussion on the motion?
44
45 MR. OSKOLKOFF: Just one thing. I agree with
46 Mr. Basnar, this -- it may not be appropriate to open this
47 season even for the 29 animals. But I'm always concerned in
48 the case of a particular group of animals that are in a
49 situation which there can't -- that they may be in a situation
50

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that would allow them to not be hunted or taken for a long enough period of time that the customs of these villages wouldn't be able to be passed on. And I'll just pass that concern onto the Board and the Staff.

5

6 MR. EWAN: On comments, I just want to say I think we talked the other day about the reason for the decline. And maybe we ought to get on the record here something about the predator and the effect that they're having on this particular herd we're talking about.

11

12 MR. WILLIS: I could speak to that to some degree, Roy. The -- it's in the nature of caribou herds to increase to the point where they start to impact their range, and then they start into a decline which can be rather sharp or sometimes rather prolonged. Because of the very slow growth of the plants that the caribou feed on, once they have caused damage to their range, it takes a long time for it to come back. When a herd is healthy, predation has little effect on it. But when it drops to a level where it's very low and the habitat is -- the habitat may be the initial cause for the decline, but when it gets to that low level, then if you have sufficient predators in the area, they can keep that herd at a fairly low level and cause it to take longer for it to come back than it would under conditions where there were not as many predators or perhaps only one predator. In a situation like Unit 13 where you have both wolves and bears which prey on caribou, the effect is greater than if you had only one or the other one.

29

30 Most animals have a threshold level -- population level that once they reach it, predation can no longer keep the population down. And this is what we usually find with caribou that after a decline, even though predation may hold them at a low level for a while, they will eventually climb back out of that predator pit. The -- when that'll happen we can't say. The Mentasta Herd is -- has dropped significantly, it's at a very low level now.

38

39 However, as I mentioned to you privately yesterday I think, I'm encouraged by the fact that production has increased slightly and the rate of drop has decreased somewhat. And these may be early signs that the bottom is very near, and we'll see this increase take place very soon.

44

45 So to summarize, I guess, it's very likely that range deterioration was the cause of the initial decline in the herd. The predators are certainly helping to keep that population at a low level, possibly steepening the decline. But it's very likely also that once the range is recovered and the population

50

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is at a level that the range can support, then the herd will begin to increase again in spite of the predation factor.

3

4 MR. EWAN: Okay. Thanks. Any other comments?

5

6 MR. OSKOLKOFF: Just one more. I think that we need to, in the future, discuss the need to have some type of -- some level of a hunt to continue customs and traditions. And when we're in a major decline like this, which has been ongoing for a number of years, I think that it might be wise to consider what number -- I see the number 18 bulls was theorized at one time having the possibility of not having a significant impact on the reproductive potential. And then there was a however to that. And I think that there might be, perhaps, a slight number at which we could feel comfortable so that the knowledge of the Mentasta Herd wouldn't have to skip a generation or a significant period of time in one's growing up that they wouldn't have a good knowledge of the Mentasta Herd as compared to the Nelchina Herd. I just pass that on for information right now.

21

22 MR. BASNAR: Question. Question.

23

24 MR. EWAN: The question's been called for. All in favor of the motion signify by saying aye.

26

27 (No supporting responses)

28

29 MR. EWAN: Opposed by the same sign?

30

31 IN UNISON: Aye.

32

33 MR. EWAN: Okay. The proposal is voted down. There is no more proposals, right?

35

36 MR. WILLIS: That's the bottom of the barrel.

37

38 MR. EWAN: Okay. The next thing then (indiscernible) the NARC petition.

40

41 MR. BRELSFORD: I didn't get the vote, the last vote. It was rejected by a vote of

43

44 MR. EWAN: Unanimous.

45

46 MR. BRELSFORD: Unanimous.

47

48 MR. EWAN: Um-hum.

49

50

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1 MS. EAKON: Okay.

2

3 MR. BRELSFORD: Thank you, Mr. Chairman. In view of
 4 the time, we'll be very quick on the NARC petition. The
 5 technical language is in front of you, and the purpose in
 6 briefing today is to ensure that you have an opportunity to
 7 submit your comments individually or as a Council by April 3rd,
 8 which is the closure date. This should be in the back of the
 9 books.

10

11 MS. EAKON: Actually, Taylor and Mr. Chair, I had asked
 12 Bill Knauer to present this petition.

13

14 MR. KNAUER: Your petition looks like this. This was a
 15 petition that was submitted by the Northwest Arctic Regional
 16 Council along with a number of other villages and Councils and
 17 groups. And it requested, from the Secretary, two things. It
 18 requested that a -- that the Secretary develop a rule that
 19 would extend Federal subsistence management authority to
 20 hunting and fishing off of public lands. And that's the
 21 situation that Mr. Lohse was addressing and also Mr. Basnar was
 22 addressing in the Denali Park area.

23

24 The second thing, it asked that the rule -- that the
 25 Secretary promulgate a rule that would place selected but not
 26 yet conveyed lands within the purview of the program, selected
 27 by the State, selected by the Native corporations. And both of
 28 those things are also under litigation currently. So the
 29 Secretaries (ph) are asking the public to provide any comments
 30 on the issues or possibly how this -- how the Secretary should
 31 implement or not implement this request by these petitioners.
 32 And as Mr. Brelsford stated, the comment period ends April 3rd.
 33 You can comment either as a group in -- by motion and
 34 commendation now, you can comment as individuals or both.

35

36 MR. BRELSFORD: Bill, I think you might want to point
 37 out that the extension to non-Federal lands is

38

39 MR. EWAN: Comments?

40

41 MR. BRELSFORD: only in the case of

42

43 MR. KNAUER: Yeah. The -- I would like to point out
 44 that the extension that relates to non-Federal lands is only
 45 for hunting and fishing and only to the extent that it would
 46 interfere with the subsistence priority on Federal lands.

47

48 MR. EWAN: All right. Any comments? Lee.

49

50

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1 MR. BASNAR: Yes, Mr. Chairman. We -- I'll reiterate I
 2 guess my statement of the other day. At the SRC meeting at
 3 Denali, we addressed this petition. And we agree that there
 4 does need to be some Federal authority to administer the
 5 resource on those lands that have been selected by, for
 6 example, Native corporations or State selected lands within
 7 Federal conservation units. And I want to emphasize that. We
 8 support it within Federal conservation units.

9
 10 And we do not support this -- and we're probably
 11 dusting with windmills, but we do not support the Federal
 12 jurisdiction extending onto private or non-public lands. I
 13 realize the Katie John case is in litigation and we're probably
 14 just talking for the sake of talking. But we've had enough
 15 Federal interference into our private lives, and we feel this
 16 is just opening the door. It's probably going to happen in
 17 spite of us, but we are opposed to it from that point. But we
 18 still do support half of this petition but not the entire
 19 petition.

20
 21 MR. OSKOLKOFF: Mr. Chairman. I would like to go on
 22 record as supporting the petition. I feel that -- and I think
 23 it's the feeling of the petitioners that many times rules or
 24 laws are made that are supposed to be a particular advantage or
 25 might a wrong that has occurred. And for whatever reason,
 26 those rules or laws are not implemented, and therefore the
 27 wrong is never righted. I think that there has been a
 28 situation that has occurred for many years in this State, and
 29 this petition speaks to that and hopes to resolve the problem.
 30 I agree that I am not interested in more Federal intervention.
 31 I am not interested in any State intervention for that matter.
 32 -- from my personal point of view and from the tribal point
 33 of view, we see a great deal of what's going on here as
 34 intervention in our governments that existed for thousands of
 35 years.

36
 37 So it's something that may, in fact, in the future come
 38 back to haunt us in some way, but I think it's -- we deal with
 39 a problem in linear time, and we have to deal with the problem
 40 that's here now. We will deal with the situation, perhaps,
 41 that it might create in the future. And this country being
 42 what it is and operating on the system that it does of
 43 democracy, I'm sure the people will -- if they see a dire need
 44 for change will change it.

45
 46 I should also state that I am a member of the Board of
 47 the Alaska Federation of Natives and a member of the Board of
 48 the Alaska Intertribal Council. And so I've had a great deal
 49 of time to wrestle with this issue. And for those reasons that
 50

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1 I've stated, I truly have to support this petition.

2

3 MR. EWAN: Any other comments?

4

5 MR. JOHN: Yeah.

6

7 MR. EWAN: Fred.

8

9 MR. JOHN: I'd like to -- I'm Fred. And I'd like to
 say I support this document because the State does not
 recognize, has not been a friend, is against village
 government, and is against subsistent, the life -- the way of
 life the way we live in our village. And the Native -- has not
 been really friendly towards us. And like Gary said, I -- I'm
 for the Federal Government. They have been more for our way of
 life and has protected us, which the State haven't. And I'm
 for this.

18

19 MR. EWAN: Any other comments?

20

21 MR. HENRICHS: Yeah, Mr. Chairman. I agree with Gary
 and Fred. The State has never been a friend of any of the
 corporations or the tribes. And we'd be better off with
 Federal Government. So as much as I hate to say that.

25

26 MR. EWAN: Yeah. I believe it's pretty much the
 general consensus, even though you don't hear a lot of regional
 corporations espousing that. But generally across the state,
 they, I believe, have talked about the subsistence issue long
 enough. They've tried all the options to get rural preference
 in the State, you know, the Constitution changed to allow that
 under the State regulation, but we haven't succeeded.
 Generally, in the State of Alaska we see things like this. The
 Republican makeup in both House and the Senate right now. We
 don't see any hope of getting anything passed with -- if the
 history, you know, bears out what's going to happen if future
 Republicans oppose any rural preference issue. So getting any
 rural preference legislation past the legislature doesn't look
 very promising at this time.

40

41 Taking all these things into consideration, I think I
 speak for at least the majority of the Natives, I think that
 they go along with this petition. I think that -- or we don't
 have that many options. I think the Federal Government will
 probably treat the Native people a little fairer than the State
 has been treating us, because we're mandated by law to do --
 give preference. And I believe I support the petition.

48

49 MR. BASNAR: Roy, I guess since you brought up the word

50

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"Native" and said you had -- that the majority of Natives support this, being a non-Native I think I can safely say that in my area, the majority of non-Natives do not support this. But I thought we, as a Council, were addressing Native as well as non-Native in a rural subsistence environment. I didn't think we were going to be discussing Native versus non-Native.

7

8 MR. EWAN: I'm not saying they're versus anybody. I'm just saying Natives support it. And since I'm a Native, I represent a Native group.

11

12 MR. BASNAR: Okay.

13

14 MR. OSKOLKOFF: As Gary does and others, you know.

15

16 MR. OSKOLKOFF: Is -- Mr. Chairman, are we expected to do anything beyond voicing our opinions which we've already done?

19

20 MR. JOHN: I think these are individual opinions that we speak. I don't think we speak as a whole, right?

22

23 MR. OSKOLKOFF: That's what my question is.

24

25 MR. JOHN: Yeah.

26

27 MR. KNAUER: Thus far, what I have heard are individual opinions representing individuals or background groups that you represent. This Council may choose to make a motion. This Council may choose to leave it at that and convey individual comments to the Federal Subsistence Board for transmittal to the Secretary. It's at the desire of the Council.

33

34 MR. EWAN: What is the desire of the Council?

35

36 MR. JOHN: I say leave it at that.

37

38 MR. EWAN: We have made our comments. If that's sufficient, then we'll just leave it at that.

40

41 MS. EAKON: Do you want me to type up your comments for the record and pass this onto the Board or what?

43

44 MR. EWAN: I would probably summarize it.

45

46 MS. EAKON: Just

47

48 MR. EWAN: This being the end of the day, third day, I don't think we had all of our thoughts in good order.

50

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1
2 MS. EAKON: I mean later on.
3
4 MR. EWAN: Summarize our comments.
5
6 MS. EAKON: Summarize them, okay. There's only one
more agenda item and that's where do you want to meet next time
in the fall? It's going to be sometime during the month of
October, once again.
10
11 (Off record comments)
12
13 MS. EAKON: Yeah, Nanwalek.
14
15 MR. BASNAR: I think Anchorage is

17 MR. JOHN: Call of the Chair.
18
19 MR. BASNAR: convenient.
20
21 MR. EWAN: Hum?
22
23 MR. JOHN: Call of the Chair.
24
25 MR. EWAN: Well, wherever that you think -- place.
Have you got any dates suggested?
27
28 MS. EAKON: The window starts October 1st and ends
November 4th, the window for Council meetings.
30
31 MR. EWAN: I think I said at one time AFN, if we could
maybe have it a little before that to save me making two trips
during October. If we just wanted to have it in October.
34
35 MS. EAKON: Either before AFN or right after AFN?
36
37 MR. EWAN: Yes.
38
39 MS. EAKON: Okay.
40
41 MR. EWAN: I don't know which -- would be my
preference.
43
44 MR. OSKOLKOFF: Mr. Chairman. Is there a chance that
we're going to be discussing C&T determinations or any other
critical factor that may be occurring within the Southcentral
Area that we may want to meet there instead as opposed to
Anchorage?
49
50

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1 MR. BRELSFORD: By October, the Board will have made
2 every effort to conclude the C&T eligibility determinations and
3 to implement that decision. I think consistent with Ralph's
4 interest in getting new proposals to implement on other species
5 and so on, that would start in the October meeting. But I
6 think the decisions that you've treated yesterday and today,
7 those should have reached closure by this summer.

8

9 MR. HENRICHS: I know you guys had one in Soldotna a
10 while back.

11

12 MR. EWAN: Kenai.

13

14 MR. HENRICHS: Kenai?

15

16 MR. OSKOLKOFF: Soldotna.

17

18 MR. EWAN: The last -- yeah.

19

20 MR. HENRICHS: Soldotna, yeah. And you know, Anchorage
21 is fine but I feel that it's not a bad idea to move it around
22 the region either because while people may not have come to the
23 one in Soldotna, that doesn't mean in other areas they would
24 not come if they -- you know, they have easier access. And
25 then you'd get a feel for what's going on, too. Of course the
26 best would enter into it, but it's just a thought.

27

28 MS. EAKON: Ralph had -- at one point in a private
29 discussion with me, had thought it would be good to have a
30 meeting in Cordova at some point.

31

32 MR. EWAN: I'll go along with the majority. I don't
33 particularly care to go to Cordova.

34

35 MR. JOHN: I always -- myself, I always like to have
36 the meeting out in a rural area. I know last -- the last
37 meeting hardly anybody showed. But I think we should continue
38 to do that. I mean that's my suggestion.

39

40 MR. HENRICHS: All from Natives or something, you know.
41 You know, have one in Anchorage, then have it somewhere in the
42 region just so people could have a chance to come to it.
43 Cause I think if it was in Cordova, I think more than two
44 people'll show up. It might be more than you want.

45

46 MR. OSKOLKOFF: Could I ask real quickly why are we not
47 having a meeting until October? It seems like

48

49 MS. EAKON: Bill, can you help me on that? It's the

50

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calendar in the process of the Subpart D regulations.

2

3 MR. OSKOLKOFF: If it's static, I guess we don't need
4 to discuss it.

5

6 MR. KNAUER: Normally, what we do is the Councils meet
7 at least twice a year. Because C&T has been on your agenda for
8 some time, that's why you have had some extra meetings. But
9 the other two meetings -- or the two regular meetings are
10 generally timed to coincide first off with the opening or
11 shortly after the opening of the proposal period, the call for
12 proposals, which also is an opportunity to deal with other
13 matters. And then the second meeting is generally in the
14 February time frame to deal with developing the recommendations
15 of the proposals. So

16

17 MR. OSKOLKOFF: Okay. Thank you.

18

19 MR. JOHN: February in the Copper Center area.

20

21 MR. EWAN: Fred's suggesting Copper Center.

22

23 MR. JOHN: And after

24

25 MR. EWAN: Robert suggested Cordova, is that right?

26

27 MR. JOHN: No. I was just going to say maybe later on
28 the Copper River area.

29

30 MR. EWAN: Yeah.

31

32 MR. JOHN: After Cordova.

33

34 MS. EAKON: Cordova?

35

36 MR. HENRICHS: Cordova sounds good to me.

37

38 MR. EWAN: Any objection to Cordova?

39

40 MR. OSKOLKOFF: I'd rather go by ferry than plane,
41 though.

42

43 (Off record comments)

44

45 MR. OSKOLKOFF: That's fine with me.

46

47 MR. BASNAR: I feel that money is a consideration as
48 well as the access for the public to us. And I thought we'd
49 pretty well concluded, after we went to Soldotna, that hey,

50

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this was a terrible expenditure of time, effort and money and very little results. I realize that Soldotna doesn't represent the rest of the State or the rest of the communities. I would suggest perhaps we try it one more time and if Cordova's the place to go, fine. But if we don't get a better response than that, I will be opposed to go- -- to moving this expensive staff out there; hotels, that's an awful lot of money. And we've got to save some money in this country somewhere.

9

10 MR. EWAN: Robert.

11

12 MR. HENRICHS: The meetings might go faster if you're not in Anchorage either. You could have a after dinner session.

15

16 MR. BASNAR: I tell you after eight hours of this, I don't need any more in one day.

18

19 MR. EWAN: All right. We'll leave it to the call of the Chair then or -- we don't have a specific date? My preference -- what's wrong with my -- well, then it should be a little further away from the AFN date then if we're talking about Cordova so that they don't have a conflict here.

24

25 MS. EAKON: Maybe the last week in the window.

26

27 MR. EWAN: November?

28

29 MS. EAKON: Um-hum. November 1, 2, 3 or something like that, in the mid-week.

31

32 MR. HENRICHS: If they don't open king crab. No, I'm just kidding.

34

35 MR. EWAN: Yeah. Let's

36

37 MS. EAKON: Okay.

38

39 MR. EWAN: It's okay, just as

40

41 MS. EAKON: Okay.

42

43 MR. EWAN: long as it's within that window there somewhere.

45

46 MS. EAKON: Okay.

47

48 MR. EWAN: Bill, did you have anything else? Okay.

49

50

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1 MR. BASNAR: Move to adjourn.
2
3 MR. EWAN: There's a motion to adjourn.
4
5 MR. OSKOLKOFF: I second it.
6
7 MR. EWAN: There's a motion second. Further discussion
8 on the motion? If not, all in favor say aye.
9
10 IN UNISON: Aye.
11
12 MR. EWAN: Opposed?
13
14 (No opposing responses)
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16 MR. EWAN: Motion carried.
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(Off record)

(END OF 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 282 through 424 contain a full, true and correct Transcript of the Southcentral Subsistence Regional Advisory Council, Volume III, meeting taken electronically by Joseph Kolasinski on the 2nd day of March, 1995, beginning at the hour of 9:00 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.

DATED at Anchorage, Alaska, this 10th day of March, 1995.

REBECCA NELMS
Notary Public in and for Alaska
My Commission Expires: 10/10/98

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