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SOUTHCENTRAL SUBSISTENCE  
REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING

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VOLUME I

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March 10, 2004  
Anchorage Hilton  
Anchorage, Alaska

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18 COUNCIL MEMBERS PRESENT:

19

20 Ralph Lohse, Chair

21 Robert Churchill

22 Susan Wells

23 Douglas Blossom

24 R. Greg Encelewski

25 Gilbert Dementi

26 Fred Elvsaas

27 Gloria Stickwan

28 Dean L. Wilson, Jr.

29 James R. Showalter

30 Tom M. Carpenter

31 Harley B. McMahan

32

33 Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

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(Anchorage, Alaska - 03/10/2004)

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(On record)

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CHAIRMAN LOHSE: I'd like to call the  
spring meeting of Southcentral Subsistence Regional  
Advisory Council in session. With that, we'd like to  
have a roll call and establishment of a quorum.

MR. CHURCHILL: Thank you, Mr. Chair.  
Susan Wells.

MS. WELLS: Here.

MR. CHURCHILL: Doug Blossom.

MR. BLOSSOM: Present.

MR. CHURCHILL: Richard Encelewski.

MR. ENCELEWSKI: Present.

MR. CHURCHILL: Gilbert Dementi.

MR. DEMENTI: Here.

MR. CHURCHILL: Fred Elvsaas.

MR. ELVSAAS: Here.

MR. CHURCHILL: Gloria Stickwan.

MS. STICKWAN: Here.

MR. CHURCHILL: Dean Wilson.

MR. WILSON: Here.

MR. CHURCHILL: James Showalter.

MR. SHOWALTER: Here.

MR. CHURCHILL: Ralph Lohse.

CHAIRMAN LOHSE: Here.

MR. CHURCHILL: Tom Carpenter.

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1 MR. CARPENTER: Here.

2

3 MR. CHURCHILL: Harley McMahan.

4

5 MR. McMAHAN: Here.

6

7 MR. CHURCHILL: Sylvia Lange is not  
8 present and Robert Churchill, the secretary, is present.

9

10 CHAIRMAN LOHSE: Thank you, Mr.  
11 Churchill. We have a quorum. So, at this point in time,  
12 I'd like to welcome everybody that's out in the audience  
13 and everybody sitting around the table. I'd like to  
14 start the day with an introduction.

15

16 Donald.

17

18 MR. MIKE: Thank you, Mr. Chair. Donald  
19 Mike, Council coordinator. Before we get started with  
20 introductions I just wanted to remind folks to sign in at  
21 the front desk. For those individuals that wish to  
22 testify we have green cards out on the front desk.  
23 Please fill out your name and address and which view  
24 you're representing, either your own view or representing  
25 an agency. We have coffee in the back in the corner.  
26 The restrooms are out in the hallway.

27

28 For the Council Members, I have a blue  
29 folder that has information that did not make it into the  
30 book, so maybe prior to getting started with business I  
31 can give those to the Council.

32

33 Thank you, Mr. Chair.

34

35 CHAIRMAN LOHSE: Thank you, Donald. With  
36 that, let's start with an introduction. We talked about  
37 it yesterday in our meeting that we need an ethics  
38 disclosure, so we are going to work that right into our  
39 introduction as you introduce yourself. If you have the  
40 little yellow slip that came with it, possibly take  
41 something off of that that fits your situation and  
42 introduce yourself and make your ethics disclosure at the  
43 same time.

44

45 With that, what we'll do is we'll go  
46 around the Council and then we'll just go out through the  
47 audience and just go back and forth down the rows and let  
48 everybody introduce themselves so we all have an idea who  
49 you are. James, would you like to start.

50

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1 MR. SHOWALTER: Yes. My name is James  
2 Showalter. I'm from Kenai/Soldotna area. I am a holder  
3 of a commercial drift fishing salmon permit in the Cook  
4 Inlet. At this time, I don't see any conflict I have.

5  
6 MR. BLOSSOM: My name is Doug Blossom. I  
7 live in Clam Gulch, Alaska. I'm a subsistence user. I'm  
8 a commercial fisherman. I have several salmon permits.  
9 I have a halibut IFQ. I'm a member of the Central  
10 Peninsula Advisory Committee. I'm treasurer of Cook  
11 Inlet Aquaculture. President of Cook Inlet Fisherman's  
12 Fund. Proposal WP04-87 does affect me as a subsistence  
13 user in Unit 15. I'm also chairman of Alaska Tree Farm  
14 Committee.

15  
16 MR. ENCELEWSKI: Hello, my name is Greg  
17 Encelewski. I live in Ninilchik. I do hold a commercial  
18 fishing setnet permit. I setnet in Cook Inlet. One  
19 proposal here, I live in Ninilchik area, No. 87. That  
20 does affect me and I do subsist in that area. Other than  
21 that I have no conflict with anything here.

22  
23 Thank you.

24  
25 MR. McMAHAN: My name is Harley McMahan.  
26 Lifelong resident of Gakona on the Copper River. I  
27 subsistence hunt and fish on Federal lands and waters  
28 under consideration here. I operate a one-man air taxi  
29 as well as doing occasional big game guiding. These two,  
30 plus frequent survey work for agencies monitoring fish  
31 and wildlife stocks, could possibly be viewed as best  
32 financial interest, but, personally, I don't see my  
33 financial connection as having any effect on my opinions  
34 or votes in these proposals.

35  
36 MR. WILSON: My name is Dean Wilson. I  
37 live in the Kenny Lake area. I regularly subsistence  
38 hunt and fish in the Copper River area. Around the  
39 Chitina River area also. I have a commercial business  
40 transporting people up and down the Copper River and I  
41 also own a small tour business there working with some  
42 local vendors. The transporting business that I have  
43 does work with some of the bison hunters. There's a  
44 proposal on the bison hunting. I think it's No. 29 or  
45 something like that. That's it.

46  
47 MR. CHURCHILL: My name is Bob Churchill.  
48 I live in Anchorage, Alaska. I hold and have held a  
49 hunting, trapping and fishing license and exercise those  
50 rights in Southcentral Alaska for an extended period of

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1 time. However, neither myself or my family have any  
2 financial interest in any of the proposals in front of  
3 us.

4

5 CHAIRMAN LOHSE: My name is Ralph Lohse.  
6 I live on the Lakina River on McCarthy Road. I hunt,  
7 fish and trap. I and my family hunt, fish and trap in  
8 the areas that we're going to be considering. I hold a  
9 commercial gillnet license for the Copper River flats. I  
10 have a small halibut IFQ. Some of these proposals that  
11 deal with fur will have a small economic impact on our  
12 family, but not enough that I consider it any kind of  
13 conflict of interest.

14

15 Thank you.

16

17 MR. ELVSAAS: My name is Fred Elvsaas. I  
18 have commercial setnet license for gillnetting in Cook  
19 Inlet. I have a halibut subsistence permit, sport  
20 license, State subsistence. I hunt and fish all my life.  
21 At this time, I don't see any conflicts. I see one  
22 proposal for Unit 15 which might affect me but not  
23 financially. I don't see a conflict at this time with  
24 anything before us.

25

26 Thank you.

27

28 MR. DEMENTI: My name is Gil Dementi. I  
29 live in Cantwell. I subsistence hunt in the Federal  
30 lands under consideration at this meeting. I do not hold  
31 any commercial permits or conduct any business activities  
32 directly affected by any agenda items before the Council.

33

34 MS. WELLS: My name is Susan Wells. I  
35 live in Kenai. I hunt and fish in Unit 15 but not on  
36 Federal lands. I hold a commercial setnet salmon fishing  
37 permit but not in any of the Federal waters under  
38 consideration at this meeting. I do not have any  
39 financial interest directly related to the matters before  
40 the Council and I see no conflict with the proposal that  
41 has to do with Unit 15.

42

43 MR. CARPENTER: My name is Tom Carpenter.  
44 I'm from Cordova. I subsistence hunt, fish and trap on  
45 Federal lands in the Copper River delta. I hold a  
46 commercial fishing permit for the Copper River/Prince  
47 William Sound area. I'm the chair of the Copper  
48 River/Prince William Sound Advisory Committee. I'm also  
49 on the Board of Directors for the Prince William Sound  
50 Aquaculture Corporation. I do not believe I have a

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1 conflict with any of the proposals at this time.

2

3

4 MS. STICKWAN: My name is Gloria  
5 Stickwan. I work as a shareholder lease coordinator for  
6 AHTNA. I help the Committee on subsistence and attend  
7 other meetings on subsistence and I do work on fisheries  
8 monitoring projects maybe two months out of the year. I  
9 don't see any significant financial interest conflict.

9

10 MR. MIKE: Thank you, Mr. Chair. I'm  
11 going to just, for the record, read each individual  
12 Council Member's name into the record. Council Member  
13 James Showalter, Council Member Doug Blossom, Council  
14 Member Greg Encelewski, Council Member Harley McMahan,  
15 Council Member Dean Wilson, Council Member Bob Churchill,  
16 Council Member Bob Lohse, Council Member Fred Elvsaas,  
17 Council Member Gilbert Dementi, Council Member Susan  
18 Wells, Council Member Tom Carpenter and Council Member  
19 Gloria Stickwan do not have any significant financial  
20 interest directly relating to the matters before this  
21 Council at this meeting and may fully participate.

22

23 Thank you, Mr. Chair.

24

25 (Audience introductions not near a  
26 microphone)

27

28 CHAIRMAN LOHSE: With that, I'd like to  
29 welcome everybody and thank everybody for being here.  
30 We'll go on to review and adoption of the agenda.  
31 Council Members, if you will turn to your agenda in front  
32 of you and if there are any corrections or changes.  
33 Donald.

34

35 MR. MIKE: Thank you, Mr. Chair. Before  
36 we get started further into reviewing the agenda, I  
37 handed out a blue folder, as I mentioned this morning,  
38 and I have an updated agenda item that shows that we  
39 inserted for procedures for proposals number four, Inter-  
40 Agency Staff Committee comments.

41

42 CHAIRMAN LOHSE: So, if we look in our  
43 blue folder, we'll find an updated agenda then?

44

45 MR. MIKE: Correct. That's the only  
46 difference between this agenda item and the book. Just  
47 for your information, in your blue folder, on the left  
48 pocket is information services documents that will be  
49 presented probably tomorrow and on the right side there  
50 are some comments on proposals that did not make it into

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1 the books.

2

3 Mr. Chair, Mr. Elijah Waters from BLM  
4 contacted me yesterday and he said he wouldn't be able to  
5 be at this meeting. He's a new father and he can't depart  
6 his residence, so he requested that he would like to be  
7 an agency that provides comments on Proposals Nos. 25, 26  
8 and 27. If it's okay with the Council, we can probably  
9 address those this afternoon and get him on  
10 teleconference.

11

12 Thank you, Mr. Chair.

13

14 CHAIRMAN LOHSE: Thank you, Donald.  
15 Council Members, any changes that you see that you'd like  
16 to make to the agenda. If not, a motion to accept the  
17 agenda is in order.

18

19 MR. CHURCHILL: So moved.

20

21 CHAIRMAN LOHSE: Do I hear a second.

22

23 MS. WELLS: Second.

24

25 CHAIRMAN LOHSE: It's been moved and  
26 seconded that we accept the amended agenda as written.  
27 Any discussion.

28

29 MS. STICKWAN: In our region, we always  
30 start the meeting by praying. So, if you don't mind, if  
31 nobody objects.

32

33 CHAIRMAN LOHSE: I have no objection.  
34 Would you repeat that again.

35

36 MS. STICKWAN: I said we always pray  
37 before we start a meeting in our region. So, if nobody  
38 objects, I'd like to pray.

39

40 CHAIRMAN LOHSE: Thank you, Gloria.

41

42 (Ms. Stickwan says prayer)

43

44 CHAIRMAN LOHSE: Thank you, Gloria. With  
45 that, let's see, we were just on the discussion of the  
46 agenda.

47

48 MR. CHURCHILL: Call the question.

49

50 CHAIRMAN LOHSE: All in favor, signify by

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1 saying aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN LOHSE: All opposed signify by

6 saying nay.

7

8 (No opposing votes)

9

10 CHAIRMAN LOHSE: Motion carries. The  
11 agenda is accepted. At this point in time, we now go to  
12 the Chair's report on the Federal Subsistence meeting.  
13 If you turn to Tab B -- oh, I'm testing Bob to keep me on  
14 track. Review and adoption of the minutes. By this time  
15 I'm sure all the Council Members that were present have  
16 read the minutes. Do I have a motion to accept the  
17 minutes as written.

18

19 MR. CHURCHILL: So moved.

20

21 CHAIRMAN LOHSE: Do I hear a second.

22

23 MR. ELVSAAS: Second.

24

25 CHAIRMAN LOHSE: It's been moved and  
26 seconded to accept the minutes. Do we have any  
27 discussion, any changes or corrections that need to be  
28 made.

29

30 MR. CHURCHILL: Mr. Chairman, for the  
31 newer members, it starts on page seven of your board  
32 book, the minutes.

33

34 (No comments)

35

36 CHAIRMAN LOHSE: Hearing none, the  
37 question is in order.

38

39 MR. CHURCHILL: Call the question.

40

41 CHAIRMAN LOHSE: It's been moved. All in  
42 favor signify by saying aye.

43

44 IN UNISON: Aye.

45

46 CHAIRMAN LOHSE: All opposed signify by

47 saying nay.

48

49 (No opposing votes)

50

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1 CHAIRMAN LOHSE: The minutes of the fall  
2 meeting are accepted.

3

4 MS. STICKWAN: I abstain from voting.

5

6 CHAIRMAN LOHSE: Thank you, Gloria.  
7 Okay. Now, with that, we go on to the Chair's report on  
8 the Federal subsistence meeting and the 805 letter. If  
9 you turn to Tab B, you'll see the 805 letter. This gives  
10 us the actions the Federal Subsistence Board took on the  
11 proposals that we submitted. I don't think I need to go  
12 through any of them. There didn't seem to be anything at  
13 the meeting that was noteworthy or of any big importance  
14 to the Council. So, with that, I will just say that the  
15 report is in Tab B.

16

17 If anybody has any further questions  
18 they'd like to ask me on the board meeting, I'd be happy  
19 to answer, but there wasn't anything out of the ordinary  
20 to deal with, so I don't have much to report. Yes, Bob.

21

22 MR. CHURCHILL: I noticed in another  
23 document here it seemed like you expressed our concern  
24 about the softness of the predator control policy that we  
25 got and I read a lot of diplomacy, but I was really  
26 pleased you brought our position forward on that. Is  
27 there anything else you could expand just a little bit on  
28 that or any sense of it?

29

30 CHAIRMAN LOHSE: I still have the same  
31 sense on that policy that I had to start off with, that  
32 it's a policy of no policy. I think we can keep bringing  
33 our concern in that area to their attention, but I really  
34 don't think that there will ever be anything done on it  
35 in the political climate we have in this day and age.  
36 So, from that standpoint, I think it's perfectly  
37 acceptable for us to keep reiterating our ideas on it,  
38 but, at the same time, I think it's perfectly logical for  
39 us to expect not much of a change.

40

41 MR. CHURCHILL: Thank you.

42

43 CHAIRMAN LOHSE: And that's not meant as  
44 derogatory towards any of the people involved in it.  
45 That's just recognizing the political realities of today.

46

47

48 With that, we'll go on to any Council  
49 Members that have anything they'd like to report or bring  
50 to the attention of the Council. Bob.

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1 MR. CHURCHILL: Recently, at the Board of  
2 Game meeting, I testified on behalf of the Anchorage  
3 Advisory Committee, which one of the issues being  
4 discussed was the ungulate populations around Denali Park  
5 and this advisory council has taken the position that we  
6 need to do what we can to enhance both the caribou and  
7 moose population because people just aren't catching  
8 animals at the rate to feed their families. I brought  
9 that position again to the Board. Their chair, Mr.  
10 Fleagle, wanted me to pass on his appreciation for our  
11 involvement with the Board and our support and the  
12 information we've helped them with. So he wanted me to  
13 pass that on directly to you as our chair.

14  
15 CHAIRMAN LOHSE: Thank you, Mr.  
16 Churchill. That's what I was saying. We can keep  
17 reiterating our position to help strengthen other people,  
18 but as far as expecting much to be done, I think we have  
19 to realize that we're in that kind of a situation.

20  
21 With that, any other Council Members have  
22 anything they'd like to report or just bring to the  
23 attention of the Council at this point in time?

24  
25 (No comments)

26  
27 CHAIRMAN LOHSE: Hearing none. We'll go  
28 on to the public testimony. Donald, do we have anybody  
29 signed up for public testimony at this point in time?

30  
31 MR. MIKE: Mr. Chair, I haven't received  
32 any public testimony forms. Thank you.

33  
34 CHAIRMAN LOHSE: Thank you muchly,  
35 Donald. We'll give anybody the opportunity to testify at  
36 any time in this meeting. If anybody would like to  
37 testify to a specific proposal, they can always request  
38 that their testimony be held until that time.

39  
40 Okay. We're going on to wildlife  
41 proposals for the Council's review and recommendation to  
42 the Federal Subsistence Board. We have a basic  
43 presentation procedure for the proposals and your chair  
44 is known for having lapses of memory and skipping some of  
45 them, so I'm asking the secretary at this point in time  
46 to either nudge me quietly, hit me on the head, give me a  
47 poke in the ribs or something to remind me to get back on  
48 track.

49  
50 Our basic procedure for the proposals is

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1 we'll have an introduction of the proposals and analysis  
2 by the Staff. Alaska Department of Fish and Game will  
3 make their comments. Other Federal, State and Tribal  
4 Agencies will make their comments. At that point in  
5 time, the Inter-Agency Staff Committee will make comments  
6 on it and we'll get Fish and Game Advisory Committee  
7 comments, then we'll have a summary of the written public  
8 comments and then we'll allow public testimony on it. At  
9 that point in time, the Regional Council will have  
10 deliberation, recommendation and justification.

11

12 Before the Regional Council can have  
13 deliberation on it we need a motion to put the agenda  
14 item on the table. So, for the sake of speed and the  
15 sake of smoothness, if somebody will make that motion,  
16 whether you agree with the proposal or not, the fact that  
17 you make the motion all it does is put it on the table  
18 for discussion. It's not signifying support of a motion.  
19 So a motion to put it on the table and a second for that  
20 motion will speed things up.

21

22 So, at this point in time, we're going on  
23 to Proposal 01. It's a statewide proposal and we'll have  
24 an introduction and analysis. You can find your  
25 proposals all under Tab C.

26

27 MR. CHURCHILL: Mr. Chairman, I'd like to  
28 move to adopt Proposal WP04-01.

29

30 MR. BLOSSOM: Second.

31

32 CHAIRMAN LOHSE: Bob, I think at this  
33 point in time that would be a little bit ahead of the  
34 game, unless you were indicating that we don't need to  
35 listen to all the data on it.

36

37 MR. ELVSAAS: You didn't clarify that.

38

39 CHAIRMAN LOHSE: Oh, my fault.

40

41 MR. CHURCHILL: I can happily withdraw  
42 and the second probably will too if you want us to wait  
43 until we've received all reports. That would be fine.

44

45 CHAIRMAN LOHSE: I think that would be  
46 better in order.

47

48 MR. CHURCHILL: Not a problem. The maker  
49 withdraws. Does the second.

50

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1 MR. BLOSSOM: That's fine.

2

3 CHAIRMAN LOHSE: I apologize for any  
4 misunderstanding I made. Let's go on to the introduction  
5 of the proposal.

6

7 MR. ARDIZZONE: Good morning, Mr. Chair  
8 and Council Members. My name is Chuck Ardizzone. I'm a  
9 wildlife biologist. I'll run through all the proposals,  
10 but I'll try to keep the briefing quick and to the point.  
11 If you have questions on anything, I'll be glad to answer  
12 them at the end.

13

14 Proposal 04-01 was submitted by Sue  
15 Entsminger of Tok and requests the allowance of  
16 handicraft items made from the fur of brown bear.

17

18 This proposal would allow the sale of  
19 handicraft items made from the fur of brown bear as a  
20 means for subsistence users to have additional cash flow  
21 from hides that are not normally utilized. The proponent  
22 notes that the use of brown bear hides is not available  
23 except for personal use items. This will benefit  
24 subsistence users by allowing them to fully use the bear  
25 hide.

26

27 Just for information sake, there was a  
28 companion proposal submitted to the Board of Game, which  
29 was just recently passed, and would allow the sale of  
30 handicraft items made of brown bear fur.

31

32 There's a wide range of regulations, both  
33 State and Federal, governing the sale of brown bear  
34 parts. These regulations can be found on page 40 to 43.  
35 There's quite a few, so I won't go into them in detail,  
36 but they're there for your reference.

37

38 Biological background. Brown bear range  
39 throughout most of Alaska. Brown bear populations  
40 throughout most of Alaska are generally stable and occupy  
41 all of their historic range. The statewide density of  
42 brown bear normally ranges between seven and 140  
43 individuals per 100 square miles. The 1993 statewide  
44 population estimate of brown bears was between 25,000 and  
45 39,000 bears.

46

47 Brown bears have small litter sizes, long  
48 intervals between successful reproductive events and a  
49 short potential reproductive period which cause low rates  
50 of successful production of brown bear in northern

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1 Alaska, which could be a concern if we get into an over-  
2 harvest situation.

3

4 A little bit of harvest history. Between  
5 1991 and 2000, the average reported statewide brown bear  
6 mortality from hunt killed DLP's, which is defense of  
7 life and property, vehicle collisions, research kill,  
8 illegal take and known natural mortality was 1,296  
9 animals per year.

10

11 Effects of the proposal. Adopting the  
12 proposal to legalize the sale of handicraft articles from  
13 the fur of brown bear would increase economic  
14 opportunities available for rural residents, principally  
15 in the creation of handicrafts. It's not known how many  
16 people take advantage of this, but obviously there's a  
17 few or we wouldn't have this proposal on the table.  
18 Handicrafts made from brown bear fur have significant  
19 economic value and are sold at high prices. The proposed  
20 commercialization of handicrafts made from brown bear fur  
21 could lead to an increase in demand and harvest of some  
22 bear populations, possibly to the point of over-harvest.

23

24

25 Many portions of interior Alaska have  
26 naturally low but stable brown bear populations. Brown  
27 bear population numbers are much smaller than black bear  
28 population numbers and are carefully managed with low  
29 harvest rates and strict reporting requirements. The  
30 sustainable yield of brown bear is low and except under  
31 special circumstances in limited areas, regulations  
32 should be conservative to avoid over-exploitation.

33

34 Because of the large economic incentive  
35 involved in the trade of some brown bear parts, this  
36 proposal has the potential to lead to an increase in  
37 illegal trafficking of brown bear hides from endangered  
38 populations outside of Alaska.

39

40 Also of significant concern is the fact  
41 that the sale of brown bear fur or handicrafts made from  
42 brown bear fur is culturally taboo for many Native people  
43 in portions of Alaska. Adopting this proposal would also  
44 further confound the mixture of international, Federal,  
45 State and provincial regulations, creating enforcement  
46 difficulties along with administrative and legal  
47 challenges.

48

49 A large illegal market for brown bear  
50 parts does exist. Of particular concern to law

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1 enforcement officials is the illegal sale of bear  
2 gallbladders and paws. Allowing the sale of handicrafts  
3 made from brown bear fur might provide increased illegal  
4 harvests and economic incentives that may lead to the  
5 wasting of some bear parts, such as the meat.

6

7                   The preliminary conclusion would be to  
8 oppose this proposal. Are there any questions.

9

10                   CHAIRMAN LOHSE: Mr. Churchill.

11

12                   MR. CHURCHILL: I find it kind of  
13 interesting that the general statement seems to be that  
14 the brown bear populations are stable, but yet anecdotal  
15 information and unit-specific information seems to be  
16 that in quite a few areas in the state they're actually  
17 growing. I notice the data that's referenced is fairly  
18 old, 10-12 years old, in terms of any of the studies.  
19 Any response to that?

20

21                   MR. ARDIZZONE: I would have to agree  
22 within certain areas brown bear populations are  
23 increasing, but I think the general blanket statement was  
24 that they're just stable. I didn't write this, but as  
25 far as I know, I would have to agree with you.

26

27                   MR. CHURCHILL: The information I've had,  
28 particularly in talking to Bob Tobey myself, particularly  
29 brown bear populations in GMU 13, which I think would  
30 probably extend over to 11 and 12 as well, they actually  
31 have increased steadily over the last five or six years.  
32 Is that pretty much your sense of it?

33

34                   MR. ARDIZZONE: I think you're correct.  
35 I believe in a number of areas around the state the bear  
36 populations have increased.

37

38                   MR. CHURCHILL: Follow up. The other  
39 piece of it is that given the bag limits we have now,  
40 we're not even close to approaching bag limits that we  
41 have now on brown bears. Is that also correct?

42

43                   MR. ARDIZZONE: That's my understanding.  
44 There's ample bag limits that aren't being met in a  
45 number of areas.

46

47                   MR. CHURCHILL: So I guess I'm kind of  
48 struggling that if we have an abundance of bears, we have  
49 bag limits that aren't being met, I'm not sure I have the  
50 same concern about adding a piece where people who are

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1 catching bears now would be able to use that pelt in a  
2 variety of ways. Given the values, it would be their  
3 choice. I'm not sure in our region that general concern  
4 would hold true.

5  
6 CHAIRMAN LOHSE: Thank you, Mr.  
7 Churchill. Doug, did you have something you'd like to  
8 ask or say?

9  
10 MR. BLOSSOM: Yeah. Would you please  
11 reiterate the State of Alaska's position now. Didn't  
12 they just pass a thing on brown bear?

13  
14 MR. ARDIZZONE: That's correct. It's my  
15 understanding that  
16 the companion proposal that was sent to the Board of Game  
17 just passed, so handicrafts made from the fur of brown  
18 bears would be allowed to be sold.

19  
20 MR. BLOSSOM: And that was statewide?

21  
22 MR. ARDIZZONE: I believe so.

23  
24 CHAIRMAN LOHSE: Thank you, Doug. Thank  
25 you, Chuck. Some of those questions we might want to ask  
26 the Department of Fish and Game when they get up there  
27 too to get clarification on what the State did.

28  
29 I read through the justification and  
30 everything on this, Chuck, and what I come up with is  
31 it's not so much a concern about the population of brown  
32 bears, but it's concern about the possible increase in  
33 illegal activities, which is an enforcement problem. I  
34 know that we jump on that quite frequently ahead of time.  
35 I don't know if I'm speaking out of turn or not. I don't  
36 see a real problem with it simply because of the fact  
37 that I know what it costs to get a brown bear hide  
38 tanned. It makes awful expensive fur to cut up into  
39 handicrafts if you have somebody commercially tan a brown  
40 bear hide. For some reason it costs a lot more per  
41 square foot than it costs to have anything else tanned.

42  
43 But I do see the problem where somebody  
44 could get in trouble just crossing Federal lines, you  
45 know, crossing into Canada and things like that, with  
46 stuff that was unwittingly -- with things that are under  
47 CITES that haven't been declared. So the potential  
48 actually is for the buyer to have problems more than it  
49 is for somebody that's doing something in the state.

50

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1 Any other questions for Chuck. Tom.

2

3

4 MR. CARPENTER: Yeah, I just had a  
5 question in regards to the other Regional Councils around  
6 the state that have taken this problem before them. Can  
7 you just give me a background as to what their position  
8 is, seeing that it is a statewide proposal?

8

9

10 MR. ARDIZZONE: I can't speak for all the  
11 Councils, but I do know some Councils supported, some  
12 Councils opposed it and some Councils feel that if they  
13 want to have it in their region, they should be the ones  
14 proposing it. They don't want to have a statewide and I  
15 think that's one of the reasons some Councils opposed it.  
16 I can't go region by region.

16

17

18 CHAIRMAN LOHSE: Donald, do you have

18

19 anything on that?

19

20

21 MR. MIKE: Yes, Mr. Chair. The Eastern  
22 Interior Regional Advisory Council on Proposal No. 1,  
23 they supported the proposal and their justification was  
24 they wanted to be able to use brown bears taken for  
25 subsistence uses to their fullest extent. They did not  
26 feel that selling brown bear fur would be detrimental to  
27 brown bear populations, so that wouldn't be a law  
28 enforcement problem. The Council stated that other  
29 wildlife furs are currently sold from fur bearers and  
30 other game animals. They also say that hunting guides  
31 are allowed to make thousands of dollars for taking  
32 someone out to shoot a brown bear and they would like to  
33 allow subsistence-taken bears to be fully utilized.

33

34

35 Thank you, Mr. Chair. That's from the  
36 Eastern Interior Advisory Council.

36

37

38 CHAIRMAN LOHSE: Thank you, Donald.  
39 That's from our neighboring Advisory Council that we have  
40 the occasional proposal that we share with because we  
41 have overlapping areas. Any other comments or questions.  
42 James.

42

43

44 MR. SHOWALTER: Yes. On the  
45 justification here it refers to may and could and that's  
46 just a future outlook. I can't see where that should  
47 have any effect on the proposal because, at present,  
48 there's a statewide legal or to be legal on brown bear  
49 hides for handicraft. Just looking in the future, that  
50 isn't making any outlaws of the existing hunters. So I'm  
51 afraid right now, the way I see it, I'll have to go along

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1 with the proposal.

2

3

Thank you.

4

5 CHAIRMAN LOHSE: Thank you, James. Yeah,  
6 we have that problem. We do always look at a lot of may  
7 and shoulds and may and shoulds do have an effect on it.  
8 What we really should do is we should actually see what's  
9 happening and I kind of agree with you there. Dean.

10

11 MR. WILSON: Yeah. The way this is  
12 written, the proposal, along with the Federal laws that  
13 are out there right now, this would also coincide with  
14 consumption of every bear. So it's not just going to  
15 take the fur and using it as gifts and selling them or  
16 whatever without consumption of the bear, correct?

17

18 MR. ARDIZZONE: I suppose someone could,  
19 under this regulation, harvest a bear just for the fur  
20 and not consume it. It is a concern, but I think in  
21 general the proponent is already harvesting bears and she  
22 just wanted to make use of the hide.

23

24 CHAIRMAN LOHSE: Tom.

25

26 MR. CARPENTER: I think that's an  
27 interesting point that Dean just made because depending  
28 on which part of the state you're from, coastal brown  
29 bears typically aren't harvested for the meat as a lot of  
30 them up north in the Interior are. I think questions  
31 like that bring up situations that I think proposals like  
32 this should be dealt with more on an area by area or  
33 region by region basis just based on some of the cultural  
34 differences that each region has. So just a point to  
35 bring up that I don't believe necessarily that -- I would  
36 guesstimate that in the Southcentral Region on the coast  
37 that probably 75 percent or greater of the bears are not  
38 harvested for their meat.

39

40 CHAIRMAN LOHSE: Tom, I think I would  
41 agree with you, but I think under Federal subsistence  
42 take the meat has to be salvaged. You can take them  
43 under State law for the hide, but under Federal  
44 subsistence take I believe the law -- I mean you have to  
45 take it for meat and it tells you what kind of meat has  
46 to be salvaged out of it.

47

48

Chuck, am I right?

49

50 MR. ARDIZZONE: Mr. Chair, that's what

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1 Mr. Knauer just told me, that you do have to harvest the  
2 edible meat.

3

4 CHAIRMAN LOHSE: So that applies in the  
5 coastal areas and every place else also. Gilbert.

6

7 MR. DEMENTI: In Denali Park, I think any  
8 wild game you take, big game, bears, moose, caribou, you  
9 have to use for food. So, I don't know. I think I'd  
10 oppose this myself.

11

12 CHAIRMAN LOHSE: Thank you, Gilbert.  
13 With that, do we have any other questions for Chuck? I'm  
14 going to say something to Tom. I think they're missing a  
15 big bet when they don't eat one of those brown bears. We  
16 took one right off the spawning grounds that smelled to  
17 high Heaven. Hung the thing up, butchered the thing up  
18 and it was the mildest meat you can ask for.

19

20 Anyhow, any other questions for Chuck?  
21 Harley.

22

23 MR. McMAHAN: I don't know if this is the  
24 place to start asking these questions or if we're going  
25 to discuss this later.

26

27 CHAIRMAN LOHSE: If they deal with Chuck.

28

29 MR. McMAHAN: I would just ask the  
30 question whether and where this information comes from  
31 that bear numbers are increasing in Unit 13 in  
32 particular.

33

34 MR. ARDIZZONE: I don't have any current  
35 data, but our numbers usually come from Fish and Game,  
36 the area biologist and they keep pretty accurate numbers.

37

38 MR. McMAHAN: Well, being involved in the  
39 census and counts myself, I would have to question  
40 whether that was true or not maybe in the past five  
41 years. I don't know that that trend is true anymore.  
42 I'd just say that now.

43

44 CHAIRMAN LOHSE: That's exactly the kind  
45 of information that we're sitting on the Council here to  
46 give, you know, things that we know personally, too. So  
47 that kind of information is definitely needed on the  
48 table. Any other questions for Chuck.

49

50 (No comments)

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1 CHAIRMAN LOHSE: With that we'll go on to  
2 the Alaska Department of Fish and Game comments. Terry,  
3 did I hear you say you are the new liaison to the Board  
4 or are you just liaison to us here?

5  
6 MR. HAYNES: Just as an introduction  
7 again, my name is Terry Haynes. I'm with the Alaska  
8 Department of Fish and Game Wildlife Conservation  
9 Division. I represent the department at the Federal  
10 Board meetings. How that role will change with the  
11 addition of the State liaison, non-voting liaison to the  
12 Board, I'm not sure, but that will get worked out this  
13 spring.

14  
15 Regarding Proposal No. 01, on page 49 of  
16 the Council book, part of the department's comments on  
17 this proposal are presented. These comments were prepared  
18 and submitted before the Board of Game took action on  
19 companion proposal several days ago, so I'm not going to  
20 read these comments because at this point in time the  
21 department has no position on the Federal proposal.

22  
23 As has been mentioned, the Board of Game  
24 adopted a proposal that authorizes the sale of handicraft  
25 items made from brown bear fur statewide. You might want  
26 to get some feedback from Office of Subsistence  
27 Management staff as to whether the Federal Board needs to  
28 adopt a similar proposal to provide the same allowances  
29 on Federal lands if that's of interest to the Council.

30  
31 One concern we have is that the Federal  
32 regulations currently include fur in with the definition  
33 for hides and skins. Under that Federal definition, claws  
34 are part of the fur. So, our interpretation is that if  
35 the Federal Board adopted this proposal, it would  
36 authorize the sale of brown bear claws and we would  
37 strongly oppose that.

38  
39 The State regulation has a different  
40 definition for fur. Claws are not part of the fur in the  
41 State definition. I know some of this is kind of  
42 administrative and technical business, but it is an  
43 important distinction between Federal and State  
44 definitions in this case. So while we have no position  
45 on this proposal at this time, we would have opposition  
46 to the Federal Board adopting it unless there was a  
47 change made to the definition of fur in the Federal  
48 regulations.

49  
50 CHAIRMAN LOHSE: Doug, questions for

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1 Terry.

2

3

4 MR. BLOSSOM: Mr. Chairman. Because the  
5 State has adopted a regulation that makes brown bear fur  
6 saleable, the only place that it wouldn't be now, as I  
7 understand it, is in the subsistence hunts. So how in  
8 the world are we going to differentiate when we buy an  
9 artifact that's got brown bear fur whether it was a  
10 subsistence hunt or a State hunt? Am I right in what I'm  
11 hearing?

11

12

13 MR. HAYNES: Mr. Chairman. The State  
14 regulations apply on all lands in Alaska unless they're  
15 superseded by the Federal subsistence regulations or  
16 other restrictions are imposed. So it's our  
17 interpretation that the State regulations just adopted by  
18 the Board of Game would apply to Federal public lands  
19 unless there were specific closures to non-Federally-  
20 qualified users on those lands. But it may be useful to  
21 get some additional feedback on that question from other  
22 Federal staff.

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CHAIRMAN LOHSE: Doug, any follow up.

Harley.

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CHAIRMAN LOHSE: Terry.

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CHAIRMAN LOHSE: Thank you, Harley. Any  
follow up on that. Terry, one question. State law is  
superseded in national parks, isn't it? I mean State law  
does not apply in national parks, so subsistence take of  
bears in national parks would not be covered by State  
law.

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1 MR. HAYNES: That's correct. There are  
2 specific provisions as to who is allowed to hunt in  
3 national park areas. I believe there are already  
4 provisions in the National Park Service regulations that  
5 allow use of brown bear fur.

6  
7 CHAIRMAN LOHSE: Mr. Churchill.

8  
9 MR. CHURCHILL: Thank you. I hadn't  
10 thought of this when I read it, but it says -- I'm  
11 looking on page 39. It specifically says grizzly bear.  
12 Generally, in our working documents, when we talk about  
13 grizzlies, we're really talking about interior bears  
14 rather than the coastal brown bear. Given the biology,  
15 there isn't any real significant difference. I'm just  
16 wondering if the proposer is trying to limit this to the  
17 interior bears where it seems a bit more common they're  
18 taken for food.

19  
20 Terry, do you think that would be  
21 restrictive or would we be applying this to all brown  
22 bear? Any thoughts?

23  
24 CHAIRMAN LOHSE: Terry.

25  
26 MR. HAYNES: I think somewhere I saw a  
27 letter from the proponent clarifying what her intent was  
28 and perhaps one of the Council Members has information on  
29 that.

30  
31 CHAIRMAN LOHSE: Susan.

32  
33 MS. WELLS: Yeah, there is a letter in  
34 the blue folder that Donald gave us and she does  
35 differentiate between the two.

36  
37 CHAIRMAN LOHSE: Susan, could you give us  
38 the differentiation that she uses in there.

39  
40 MS. WELLS: Mr. Chair, she writes, "I  
41 spoke with people in southeast Alaska regarding this  
42 issue. I originally requested this proposal for the sale  
43 of grizzly bear fur for handicraft. The proposal was  
44 written in the proposal book for the sale of brown bear  
45 handicraft in Federal and brown/grizzly in the State  
46 proposal booklet. I realize that brown and grizzly are  
47 managed as one species and understand that the proposal  
48 words were changed to brown bear and not grizzly. I am  
49 requesting that my proposal be the sale of the mountain  
50 grizzly and not the coastal brown bear fur made into

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1 handicraft."

2

3

CHAIRMAN LOHSE: Thank you, Susan. So  
4 her original intention was basically grizzly, not coastal  
5 brown bear.

6

7

Terry, you said that there's currently  
8 regulations that allow the sale of brown/grizzly fur in  
9 national parks as part of handicrafts. So then with the  
10 State regulation that's just been passed, all areas of  
11 the state would be covered by regulation allowing such a  
12 practice then.

13

14

MR. HAYNES: Well, unless there was some  
15 other provision in Federal regulations that limited the  
16 application of State regulations to Federal lands in  
17 particular areas. But, otherwise, yes, the State  
18 regulation that was adopted applies statewide. No  
19 distinction was made between coastal areas and interior  
20 areas.

21

22

CHAIRMAN LOHSE: Now State regulation I  
23 know applies on Forest Service lands, on preserve lands.  
24 It applies on wildlife refuges also, doesn't it?

25

26

MR. HAYNES: Yes, Mr. Chairman.

27

28

CHAIRMAN LOHSE: Can you think of any  
29 specific things other than National Park Service lands or  
30 any other kind of situations where it wouldn't apply?

31

32

MR. HAYNES: Mr. Chairman, I think I  
33 would defer to Federal Staff to provide information on  
34 how this might play out on Federal public lands. I don't  
35 know that I would be able to give you a definitive  
36 answer.

37

38

CHAIRMAN LOHSE: Thank you, Terry. Tom.

39

40

MR. CARPENTER: Yes. I just had one  
41 question just to clarify. You said that the Board of  
42 Game at the recent meeting that just passed allows for  
43 the sale of the fur but not the parts or the claws, am I  
44 correct?

45

46

MR. HAYNES: That's correct.

47

48

MR. CARPENTER: Okay. Thank you.

49

50

CHAIRMAN LOHSE: Terry, I don't know if

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1 you can answer this question or not. You said that the  
2 Federal one would then allow the sale of claws. I know  
3 that there's a market for paws and gallbladders, but in  
4 our current reproduction market where you can buy all the  
5 reproduced grizzly claws that you can't tell the  
6 difference from real ones, is there really any market  
7 left for grizzly claws?

8

9 MR. HAYNES: Mr. Chairman, my  
10 understanding is they do have some value in Canada. I  
11 haven't talked to anybody specifically about the  
12 implications of authorizing the sale of bear parts. Once  
13 you open the door to the sale of bear parts, I think you  
14 do create some potentially serious issues and that has to  
15 be thought through pretty carefully. This would be, our  
16 interpretation of the Federal regulations, if this  
17 proposal was adopted, there would be one vehicle there to  
18 allow the sale of brown bear claws and we don't think  
19 that's a good idea at this time.

20

21 CHAIRMAN LOHSE: Didn't the Fish and Game  
22 just have a big sting operation or just break a large  
23 ring that was selling bear parts?

24

25 MR. HAYNES: Mr. Chairman, I think there  
26 was a week or two ago in the paper an article about a  
27 bust.

28

29 CHAIRMAN LOHSE: Bob.

30

31 MR. CHURCHILL: Yeah, as long as we're  
32 into that subject, as I remember we were dealing with  
33 less than 10 bears. They were all black bears, weren't  
34 they, on an island in Prince William Sound?

35

36 MR. HAYNES: Mr. Chairman, I don't have  
37 any of the details with me right now.

38

39 MR. CHURCHILL: Yeah, I think that was  
40 the case. We were dealing with fairly small numbers.

41

42 CHAIRMAN LOHSE: Any other questions for  
43 Terry.

44

45 (No comments)

46

47 CHAIRMAN LOHSE: Thank you, Terry.

48

49 MR. HAYNES: Thank you, Mr. Chairman.

50

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1 CHAIRMAN LOHSE: Do we have any other  
2 Federal, State or Tribal Agencies that would like to  
3 speak to this proposal?

4

5 MR. BOS: Mr. Chair, Greg Bos, Fish and  
6 Wildlife Service Staff Committee member. Presentation of  
7 comments by the Staff Committee is a new element to the  
8 procedure that you follow on considering proposals. I'd  
9 like to take just a minute for the benefit of the new  
10 Council members and even some of you folks that have been  
11 around a while as to how this came about.

12

13 As a result of concerns raised by the  
14 Regional Councils about the role of the Inter-Agency  
15 Staff Committee in relation to the Regional Councils, the  
16 Federal Board requested a review of the role of Staff  
17 Committee and the results of that review were presented  
18 to the Councils last year.

19

20 One outcome of that review was to  
21 increase the involvement of the Staff Committee with the  
22 Regional Advisory Councils. A part of that increased  
23 involvement is to provide Staff Committee perspectives on  
24 proposals that come before you.

25

26 There has been confusion in the past by  
27 the Regional Councils as to what constitutes Staff  
28 recommendation. In the Federal program, there are two  
29 levels of Staff involvement. One is the Office of  
30 Subsistence Management technical staff. They're the  
31 folks that prepare the analyses and give you the  
32 presentations on the proposals.

33

34 The second level is that of the Inter-  
35 Agency Staff Committee. That committee is composed of  
36 one or two members from each of the member agencies of  
37 the Federal Board. Individually, we advise or respective  
38 board members on subsistence issues and proposals. As a  
39 group, we make a formal recommendation to the Federal  
40 board when it takes up the proposals in the spring.

41

42 Before the Regional Advisory Councils  
43 meet to deliberate proposals, the Staff Committee reviews  
44 the analyses that have been prepared by the Office of  
45 Subsistence Management and identifies important points or  
46 concerns or questions that we feel should be brought to  
47 your attention when you consider the proposals.

48

49 Of course, after the Regional Advisory  
50 Council meetings are completed, the Staff Committee

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1 reviews the results of the recommendations of the  
2 Regional Councils, the analysis prepared by the Office of  
3 Subsistence Management, any other public input and  
4 develops its own recommendations to the Federal Board.  
5 Most of the time the recommendations from the Staff  
6 Committee support the Regional Council recommendations.  
7 So I or Steve Kessler from the Forest Service, as a Staff  
8 Committee member, will be presenting points on some of  
9 these proposals where we feel it's important to do so.

10

11 In the case of the proposal before you  
12 now on the sale of handicrafts made from brown bear fur,  
13 I think most of the points I wanted to bring to you have  
14 already been raised. One important one was the  
15 distinction about the difference between State and  
16 Federal regulations defining fur and the inclusion or not  
17 inclusion of claws in that. That concern relates to the  
18 biological concern. If you have a sufficient economic  
19 incentive to increase harvest of bears prior to the State  
20 taking its action, there was concern that allowing sale  
21 of brown bear fur handicrafts, if it included the sale of  
22 claws, might constitute a sufficient economic incentive  
23 to increase harvest and jeopardize some bear populations.

24

25 If the Board moves to adopt this  
26 proposal, we may consider redefining fur in the Federal  
27 regulations to exclude claws. As you know, in addition  
28 to the definition of fur, there's a definition of what  
29 handicraft means and that's an article made from, in this  
30 case, the fur of the bear that involves some alteration  
31 by sewing or, depending on the article, changing its  
32 appearance to significantly increase the value of the  
33 article over the natural value of the raw product.

34

35 In the case of brown bears, there would  
36 be a concern, for example, if we retain the claws as part  
37 of the fur that conceivably someone could sell a brown  
38 bear rug, which would have a very high value, as a  
39 handicraft because it could meet the definition of  
40 handicraft that's in the regulations. It involves the  
41 sewing of a pad, other alterations, maybe some kind of  
42 artwork on it to qualify it as a handicraft. So we want  
43 to be very careful about the regulations we do adopt that  
44 don't expand the opportunities for economic exploitation  
45 of bears under the provisions for handicraft sale.

46

47 Before the State took action on their  
48 proposal to allow sale of handicrafts made from brown  
49 bear fur, we had some concerns about enforcement not only  
50 because of the difference that could arise between State

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1 and Federal regulations, but also related to CITES,  
2 exportation and conservation of bears on an international  
3 scale. Many of those concerns at least relating to the  
4 difference between State and Federal regulations would go  
5 away now that the State has taken its action.

6

7 We still remain somewhat concerned about  
8 the effects on international trade in bear parts. Again,  
9 depending on how we define fur and whether it includes  
10 claws or not and just the nature of the handicraft  
11 article.

12

13 I think that's most of the points I  
14 wanted to raise. I could respond to a couple points that  
15 you were discussing previously and that is there are some  
16 areas in the state where the harvest for subsistence is  
17 not allowed in some national parks that are closed to  
18 subsistence use. But, as Mr. Haynes explained, under the  
19 new State regulation, Federally-eligible subsistence  
20 users could take bears under State regulations even if  
21 the Federal program does not adopt this regulation.

22

23 CHAIRMAN LOHSE: Thank you. Doug,  
24 question.

25

26 MR. BLOSSOM: Mr. Chairman. Sir, is  
27 there any Federal hunting of bears that isn't already  
28 allowed in State regulations? Is there a special hunt  
29 anywhere for brown bear or grizzly bear that isn't  
30 already covered by State laws?

31

32 MR. BOS: Mr. Chair. Yes, there are in  
33 some areas, some special hunts for bears that are not  
34 allowed under State regulations. There are some  
35 ceremonial hunts for bears. There's a hunt in the Lake  
36 Clark National Park and Preserve area in the Nondalton  
37 area that is a special permitted hunt that's not  
38 available under State regulations. One out in the Alaska  
39 Peninsula, Aleutians area, Unimak Island. Otherwise I  
40 think the Federal regulations are very close to those of  
41 the State.

42

43 CHAIRMAN LOHSE: Thank you. Tom.

44

45 MR. CARPENTER: Just a question. I was  
46 looking through the subsistence harvest of wildlife book  
47 here and maybe you can give me an idea as to in Unit 6,  
48 7, 14(A)(B)(C), 15(A)(B)(C) and 16. There's currently no  
49 open Federal season for brown bears, is that correct?

50

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1 MR. BOS: I guess I'd have to look at the  
2 regulation book, but in those areas where there is no  
3 Federal subsistence season for brown bears, it's most  
4 likely areas where the Board has determined that there is  
5 no subsistence use, C&T use of brown bears in those  
6 areas.

7  
8 CHAIRMAN LOHSE: Couldn't it also be that  
9 there's just no Federal land in those areas, Federal  
10 units? I mean that would be one reason not to have a  
11 hunt there.

12  
13 MR. BOS: Yes, Mr. Chair, that would be  
14 one reason, but there's not many units that have no  
15 Federal lands. Unit 14(A), I think, is one of those  
16 units that has very little, if any, Federal land. And  
17 Unit 20(B), I think, has very little.

18  
19 CHAIRMAN LOHSE: Thank you. Tom.

20  
21 MR. CARPENTER: Just a follow up. I  
22 guess what I'm looking at here is when these regulations  
23 were originally written, they basically copied what the  
24 State had in place already. That's been quite a few  
25 years now. I guess just a point to make is that the  
26 reason that there is still no Federal season is either  
27 nobody has come forward and asked for a C&T determination  
28 for those areas for brown bears or at the time that the  
29 proposals were copied from State to Federal regulations  
30 that no one deemed it necessary at the time. Am I  
31 correct?

32  
33 MR. BOS: That's correct. The Federal  
34 program adopted the State's regulations at the inception  
35 of the Federal program in 1990. In the case of Unit 6,  
36 for example, the Cordova area, the Board adopted the  
37 finding that C&T use of brown bears did not occur in Unit  
38 6. In order to have a Federal subsistence season, a  
39 proposal would need to come forward and a C&T use  
40 determination would need to be made before a season could  
41 be established.

42  
43 CHAIRMAN LOHSE: Thank you. James.

44  
45 MR. SHOWALTER: Yes. You keep hitting on  
46 bear parts, but then also you kick back on sale of claws.  
47 On existing Federal law I see here in Section 803.25(a)  
48 it gives a definition the external covering with claws  
49 attached. So, the way I'm reading this, bear claws are  
50 saleable. Correct me if I'm wrong in reading this.

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1 MR. BOS: Mr. Chair. If the Federal  
2 Board adopted this proposal to allow the sale of brown  
3 bear fur made into articles of handicraft, under our  
4 present regulations, as you just read, it would allow the  
5 inclusion of claws as long as the article meets the  
6 definition of a handicraft item.

7

8 CHAIRMAN LOHSE: Mr. Churchill.

9

10 MR. CHURCHILL: Thanks, Greg. Did you  
11 guys do any research into the catalogs currently  
12 available where you can buy these items now and look at  
13 the cost or see what kind of a market that's created?

14

15 MR. BOS: I don't believe that the Staff  
16 at the Office of Subsistence Management researched that  
17 under this proposal. Two years ago there was a proposal  
18 before the Board that would have reclassified brown bears  
19 and black bears as fur bearers, which would then have  
20 allowed sale of raw parts of bears. The Board rejected  
21 that proposal, but as part of that analysis the author of  
22 that analysis did a fair amount of research into the  
23 market value of both black and brown bear parts and the  
24 jurisdictions both in Canada and the United States where  
25 some sale is allowed. As I recall, in talking to some  
26 dealers in jurisdictions where sale is legal, the value  
27 of brown bear claws was \$30 a piece.

28

29 MR. CHURCHILL: Thank you. I mean that  
30 kind of confirms my experience. They're available and  
31 certainly a little bit spendy but not exorbitant. I  
32 guess I don't show the same concern that the adoption of  
33 this would create a huge market in brown bear hide.  
34 Thanks.

35

36 CHAIRMAN LOHSE: Any other questions.

37 Gloria.

38

39 MS. STICKWAN: We asked for the  
40 population for brown bears statewide. So far we haven't  
41 gotten any information on that and it would be hard for  
42 me to make a decision without that information on a  
43 statewide basis. And we haven't differentiated between  
44 brown bear and grizzly and I do believe there is a  
45 difference between brown bear and grizzly, so we need to  
46 decide. Is it just for grizzly or is it for statewide  
47 and the definition of claws.

48

49 I'm not going to vote yes until I get the  
50 population information for each of the units.

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1 CHAIRMAN LOHSE: Thank you, Gloria.

2

3 MR. BOS: Mr. Chair. That's a fairly  
4 challenging question, Gloria. We do not have bear  
5 population estimates on a unit basis or even statewide.  
6 Let me correct that. There was more of a guesstimate, if  
7 you will, of brown bear populations statewide based on  
8 extrapolations from a number of bear censuses that the  
9 Department of Fish and Game had conducted in various  
10 parts of the state. I'm not sure of the total number.  
11 It's something on the order of 40 to 50,000 bears  
12 statewide and I can be corrected by the State  
13 representative if that's in error. As you know, bear  
14 populations are very difficult to estimate. A variety of  
15 techniques are used to try to estimate numbers. It's a  
16 very imperfect science at best.

17

18 The short answer is we do not have good  
19 population numbers. We rely more on harvest statistics  
20 and the characteristics of the harvests obtained through  
21 the sealing of bear, aging of harvested bears and the sex  
22 ration in the harvest to evaluate the trend in bear  
23 populations in areas to see that a healthy sex ratio is  
24 maintained.

25

26 CHAIRMAN LOHSE: Thank you. Any other  
27 questions. I've got a question and I've got a comment.  
28 The purpose of this proposal is to expand economic  
29 opportunities, so the problem in this one is how to  
30 expand the economic opportunities without hurting the  
31 resource. This proposal should expand economic  
32 opportunities because that's what it's written for. Now,  
33 if we can do the same thing without impacting the  
34 resource, then we're within the realm of subsistence.

35

36 It's kind of interesting to me because I  
37 started thinking about what you were saying about rugs  
38 and taxidermy actually meets the qualifications of a  
39 handicraft. If you've got a taxidermist that is also a  
40 rural resident and a subsistence user, they could  
41 actually do taxidermy on a brown bear rug and it would  
42 meet all the definitions of a handicraft unless we put  
43 some kind of regulations in there that said the  
44 handicraft in the case of brown bear can use no more than  
45 let's say one quarter of the fur of the bear or something  
46 like that because there is a value for rugs.

47

48 When it comes to claws, it's interesting  
49 that they can get \$30 a piece for a single claw because  
50 \$2.50 will buy you a reproduction. I bet I could throw

00030

1 six of them on the table here and most people would have  
2 a hard time telling which one was the real one and which  
3 one was the fake one real fast. But I know there are  
4 people that want the real thing. That does make a  
5 difference though if the claws can be allowed and if  
6 taxidermy can be applied to the brown bear hide,  
7 instantly it becomes much more valuable than any other  
8 source of handicraft that you could make out of a brown  
9 bear hide. I think we'd have to be real careful not to  
10 allow something like that.

11

12 MR. BOS: One of the things that you may  
13 want to consider and I think the Federal Board may  
14 consider is whether or not it's the purpose of Title VIII  
15 to increase economic opportunities for subsistence users.  
16 The language of Title VIII is to continue C&T uses of  
17 subsistence and the question is whether the sale of brown  
18 bear fur, whether or not it's made into handicrafts, ever  
19 was a C&T subsistence use. There is an exception, I  
20 think, for fur bearers, which was recognized, the  
21 economic utilization of that resource was recognized in  
22 the legislative history of ANILCA, but the primary  
23 purpose is to continue existing or former uses, but not  
24 to create economic utilization of a resource.

25

26 CHAIRMAN LOHSE: Thank you muchly for  
27 that clarification. Any other questions.

28

29 (No comments)

30

31 CHAIRMAN LOHSE: Thank you. Back when I  
32 asked for other tribal and agency comments, I saw one of  
33 the tribal leaders back there had his hand up. Wilson  
34 Justin, were you going to speak as a tribal?

35

36 MR. JUSTIN: Good morning. I'm Wilson  
37 Justin with Mount Sanford Tribal Consortium. I work in  
38 another field that's not exactly related to the  
39 subsistence field, but I'm often chosen to represent  
40 subsistence interests in the region because of my long  
41 familiarity. I was not intending to speak on the issue  
42 of brown bear proposal. I was intending to speak on the  
43 sheep issue, but there were many comments here made that  
44 I thought would bear some follow-up comments on a  
45 cultural basis and perhaps on some background basis.

46

47 My family is actually second generation  
48 big game guides. Brown, grizzly bears and sheep were our  
49 primary products back in the '40s, '50s, '60s, '70s and  
50 mid-'80s. So I work in familiarity with brown bears on a

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1 professional basis and also on a cultural basis and as  
2 somebody who lives in Unit 12, next to the impacted  
3 areas.

4

5                   The first thing I'd like to comment on is  
6 the issue of the parts of the bear that may be for sale.  
7 My family has spent many, many years saying this publicly  
8 and privately, but the sale of parts of bears is an  
9 underground, illegal activity and it's organized. It has  
10 nothing to do with opportunistic activities, which is  
11 what subsistence is all about. The two rarely meets.  
12 So, when the agencies come up here and say this may open  
13 a door for massive slaughter of brown bears, I'm over-  
14 using the word, but that's the implication I get when I  
15 hear the agencies talk about parts.

16

17                   My professional background has always  
18 told me that a person who is known to be honest and  
19 upright and outstanding citizen will never be approached,  
20 ever, under any condition for the sale of parts for any  
21 kind of animals, irregardless of whether it's bears, sea  
22 otters or whatever. When you're talking about sale of  
23 parts, you're talking specifically about a criminal  
24 activity that's underground of that market organized  
25 activity and has nothing whatsoever to do with  
26 subsistence activity.

27

28                   I wanted to be sure and get that on  
29 record because I have heard this over and over and over  
30 again about the possible explosion of sales of parts of  
31 animals when you take regulatory action to enhance  
32 subsistence activities. I wanted to put that to rest  
33 once and for all. It's got nothing to do with  
34 subsistence activities. It may occur. There are always  
35 abuses within the system. It may occur, it probably will  
36 occur and I know that in the past it has occurred,  
37 particularly in the commercialization of big game  
38 activities in the coastal area where the brown bears were  
39 primary targets.

40

41                   That being said, I'd like to speak a bit  
42 to the cultural implications of this proposal. I know  
43 the people who are involved in the development of the  
44 proposal and I was in on the initial discussion. I know  
45 the intent very well, but I'd like to speak to the  
46 distinction Gloria was bringing up and I thank Gloria for  
47 talking about the fact that there may or may not be a  
48 question of whether or not grizzly and brown bear are a  
49 separate species.

50

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1                   The big game guiding industry never  
2 considered the two to be any different, coastal and  
3 grizzlies. However, for economic purposes for selling a  
4 grizzly bear or a brown bear, they had a very big  
5 economic distinction. Brown bears were separately  
6 considered by State Fish and Game Boards for a number of  
7 decades, as was grizzlies, because grizzlies went along  
8 with the units that were established in the '40s and the  
9 '50s for sheep. They kind of created a separate  
10 component of economic structure for selling of these  
11 hunts by including grizzlies as a separate species.

12  
13                   So this kind of economic manipulation  
14 back in the '40s and '50s is what creates a lot of these  
15 issues today that cloud people's minds when they talk  
16 about not only handicraft but use and take and I resent  
17 that very much. I've been on public record for years now  
18 talking about how the original game management units were  
19 created at the behest of the big game guides in the '40s  
20 and the '50s by the State Board of Fish and Game.  
21 Anybody who's ever spent any time in the subsistence  
22 field would know that's very damaging to actual  
23 subsistence use.

24  
25                   What I wanted to do this morning was talk  
26 a bit about the cultural component of how bears are  
27 looked at. In my area, which is portions of Unit 11,  
28 most of Unit 12 and a little bit of 13, not too much,  
29 there is an extinct AHTNA clan called the Nulcene (ph)  
30 who were made up of medicine people and it was the  
31 medicine people who had sole authority and province over  
32 what you would term the mountain grizzly bears in our  
33 area. They went together like twins. They were a part  
34 of each other's realm.

35  
36                   The average Athabascan was not allowed to  
37 hunt or take grizzlies. It was big medicine for medicine  
38 people and medicine people had the ability to prove  
39 leadership skills within our communities and our clans by  
40 allowing stout young men who were ready to take  
41 leadership into their hands to go into mortal combat with  
42 these grizzly bears one on one. May the best man or bear  
43 win.

44  
45                   So my background came out of the medicine  
46 men background, which is protection of the grizzly bear  
47 because they were off limits to everybody else. You  
48 didn't use their hide for anything. You didn't use any  
49 parts for anything. You did not take a grizzly bear  
50 unless you had permission from a medicine man in the

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1 locality. But that was specific to the mountain areas  
2 that I came from.

3

4                   There are eight AHTNA clans with three  
5 associated ones. The only clan that kept to this was the  
6 Nulcene and it should be to no one's great surprise that  
7 the Nulcene were limited to the mountain areas of the  
8 region. The other seven clans had no prohibition and  
9 they were mostly closer to the brown bear's natural area  
10 anyway by extension. So there was no prohibition in my  
11 clan against brown bear taking and hunting. They were a  
12 coastal phenomena and we didn't have anything to do with  
13 that. Just like there's nothing against taking and eating  
14 and shooting a black bear.

15

16                   So, in our traditions, it was not a  
17 problem for me to go to Kodiak, into Unit 9 down by  
18 Ugashik, and hunt and kill and stalk brown bears. But it  
19 was always a problem for my family in our own area in  
20 Unit 12 where our hunting business was located.

21

22                   So I wanted to provide that bit of  
23 cultural background to the discussion. And I wanted to  
24 kind of summarize my comments by also saying that the use  
25 and take of brown bear, which would be directly reflected  
26 in our area, in my mind, has a very distinctive flavor to  
27 it.

28

29                   I think of handicraft as things like  
30 mukluku and moccasins and vests and pants and mittens,  
31 whereas I think of claws as ceremonial. You use a  
32 grizzly claw to tell people who you are. There's a  
33 certain group of people who use grizzly necklaces that  
34 had important functions within an Indian tribe. They  
35 didn't use it as a handicraft activity. It was strictly  
36 ceremonial and it denotes somebody having a particular  
37 position within a particular clan and you see this in the  
38 old days around potlatches particularly from the Canadian  
39 folks. My people on my dad's side, the Nulcene, went  
40 halfway to Atsowani (ph) Lake. The use of the necklaces  
41 made of grizzly claws were largely a Canadian function,  
42 but still carried over to our side of the area.

43

44                   I just wanted to make sure those comments  
45 were on record because I know that the writer of this  
46 proposal did not intend to have this proposal viewed as  
47 some kind of a doorway to criminal activity in somebody's  
48 background that might have not otherwise never have  
49 occurred. That kind of thinking detracts from the fact  
50 that illegal activity has occurred, will occur and

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1 continues to occur and it's got very little to do within  
2 these proposals.

3

4 So, having said that, I thank you.

5

6 CHAIRMAN LOHSE: Thank you. Mr.

7 Churchill.

8

9 MR. CHURCHILL: Thank you, Wilson. It's  
10 always a pleasure to have you share your insights with  
11 us. Early you mentioned that you had been aware for an  
12 extended period of time of an organized effort to harvest  
13 and traffic in the illegal sale of brown bear parts.  
14 Could you expand on that a little bit.

15

16 MR. JUSTIN: Well, when I used to come  
17 into Anchorage, going to Kodiak or down in Unit 9,  
18 Becharof Lake or Ugashik Lake, there was places here in  
19 town where the guides would congregate, drink and party  
20 and tell tall tales and lie about their recent escapades.  
21 I would go there and there would be buyers or sellers  
22 there who would say, look, can I talk to you about  
23 bringing back something for me and I would say I have  
24 nothing to do with that, never have. It doesn't take  
25 very long for people to hear that no loud and clear and  
26 they'll quit coming to you, but you continue to see them.  
27 A lot of this activity goes on almost openly in bars.

28

29 I gave up my guide's license about 1997.  
30 I hadn't used it since 1988. The last time that I was a  
31 part of this guiding activity was in the late '80s, early  
32 '90s, so I'm like 14 years out of the circle, but there's  
33 nothing in the books that tells me anything is going to  
34 change in terms of how the connections are made.

35

36 MR. CHURCHILL: Thank you. Follow up.  
37 So I guess what I'm hearing is this was kind of anecdotal  
38 stuff that was discussed among certain guides. As you  
39 said earlier, you didn't feel that the ethical guides  
40 were approached with these offers. It was the less  
41 reputable guides.

42

43 MR. JUSTIN: Correct. Most of the guides  
44 that I knew were never approached. It was people who had  
45 a tendency to work on the dark edges of the guiding  
46 business anyway.

47

48 MR. CHURCHILL: And if I'm understanding  
49 correctly also, and I would agree with you from my  
50 limited experience, you don't have any concern with

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1 legitimate subsistence users parlaying this into a huge  
2 industry given the cultural values and spiritual values  
3 that there may be -- it's just going to allow honest  
4 people to maybe expand a little bit on what they're  
5 currently doing when they catch a bear.

6

7 MR. JUSTIN: That's my feeling. My own  
8 guesstimate is that it will make almost no difference in  
9 terms of take. It will just have a higher utilization  
10 rate where the bears are taken now.

11

12 MR. CHURCHILL: One final thing. Just a  
13 clarification. Don't the major organizations that  
14 recognize harvest of big game actually make a distinction  
15 between grizzly and brown bear in classifications like  
16 Pope and Young and those folks? Is that not right?

17

18 MR. JUSTIN: That's correct. Like I  
19 said, this is related to the economic value of the  
20 species. It's got nothing to do whether they're the same  
21 or not. I mean if people want to make money, they'll  
22 figure out ways to make money.

23

24 MR. CHURCHILL: Yeah, if they can send  
25 them on one extra hunt, that's more money.

26

27 Thank you, Justin.

28

29 CHAIRMAN LOHSE: Susan.

30

31 MS. WELLS: Thank you. I've been looking  
32 at our regulations, both State and Federal, and in the  
33 State brown bear is grizzly and brown. They're  
34 synonymous terms. And Federal we have bear meaning  
35 black, brown or grizzly. I guess my question would be  
36 should there be a differentiation between the two species  
37 in our regulations whether it's for cultural or  
38 biological purposes.

39

40 MR. JUSTIN: The first answer is there  
41 should be, yes, but the follow-up answer is I wouldn't be  
42 able to tell you how the distinction or where the line  
43 could be drawn. One of the difficulties we always face  
44 within a cultural context is that, for the most part, a  
45 large part of the traditions and what you call clan laws  
46 related to specific species are lost. Even if you were  
47 to try and enact such a distinction, the people who still  
48 have a living memory can be counted on one hand. So it's  
49 really hard to be able to get the necessary expertise  
50 drawn back out of the backdrop to make it workable and

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1 worthwhile.

2

3 I don't know if that answers the  
4 question, but that's part of the problem.

5

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

8

9 MS. STICKWAN: I guess I didn't  
10 understand you. Are you in favor of this proposal or  
11 against it?

12

13 MR. JUSTIN: I didn't want to be on  
14 record as being for or against it. I knew all of the  
15 people who were involved in developing the proposals and  
16 I know their intentions. It concerns me that the  
17 discussion of this particular proposal was going into  
18 criminal activity on bear parts as opposed to handicraft  
19 on the bear fur.

20

21 I don't have any problem with brown bear  
22 fur being used for subsistence economic activity. There  
23 is that issue that I spoke about in the mid part of my  
24 discussion about mountain grizzlies, as they're referred  
25 to, in my home area being used in that context. This  
26 proposal is specifically as they said, about mountain  
27 grizzly, but I wouldn't commit to a yes or a no. I'll be  
28 a coward on that point.

29

30 CHAIRMAN LOHSE: Thank you, Wilson. I  
31 have a couple comments on what you said and maybe I can  
32 get some feedback from you. I also know the people  
33 involved in putting the proposal in and I know there was  
34 no intention for opening the door for illegal activity,  
35 even if they have the opportunity to do exactly what I  
36 said, which would be use a handicraft to make a rug out  
37 of it. At the same time, this proposal doesn't just  
38 apply to them. It applies to people all over.

39

40 With that in mind, I'll also go along  
41 with you on the fact that most of us in here hunt, fish,  
42 trap and do everything. I'd like to know how many people  
43 in here have ever been approached by somebody that wanted  
44 to buy a gallbladder or bear claw or some other illegal  
45 part from you. You have? On a sting operation?

46

47 UNIDENTIFIED SPEAKER: Previous life.

48

49 CHAIRMAN LOHSE: Previous life. That's  
50 interesting because in all the years that you hear about

00037

1 this kind of stuff but nobody has ever come up to me and  
2 said now if you get me a gallbladder, I'll pay you for  
3 it. So I think you're right. I think for those of us  
4 that don't hang around with the criminal element I think  
5 the opportunity for those criminal activities aren't  
6 present to the normal subsistence user because they don't  
7 hang around in the environment where those kind of things  
8 take place.

9

10 As far as differentiation from brown  
11 bears and grizzlies, other than doing as they did and  
12 draw a line on the map, which doesn't say anything  
13 because I know we have both kinds in our back yard, once  
14 it's made into a handicraft you couldn't tell the  
15 difference between one or the other anyhow because they  
16 all come in all kinds of shades and colors and everything  
17 else.

18

19 I really appreciate what you said and  
20 you've got the same problem I do, how do you say whether  
21 this should be legal or not legal because it has the same  
22 kind of issues in front of it. That's what we're going  
23 to have to go through. We'll have to go through  
24 discussion and make a decision on it one way or the  
25 other. It's kind of interesting to me that the Board of  
26 Game already passed it.

27

28 MR. JUSTIN: One final comment if I may.  
29 I would support whichever decision you made because  
30 there's rights and wrongs on both sides of the question  
31 no matter how you approach it. In my estimation, and I  
32 kind of mentioned this in Talkeetna last fall, when it  
33 comes to a question between a subsistence user and the  
34 animal, whether it's predator/prey relationship or what  
35 have you, in my estimation, this process should be in  
36 favor of the subsistence user.

37

38 CHAIRMAN LOHSE: Thank you. Doug.

39

40 MR. BLOSSOM: Mr. Chairman, being new,  
41 could we have Fish and Game Department come back up for a  
42 question.

43

44 CHAIRMAN LOHSE: Yeah, we sure could.  
45 Would you like Terry? I was going to call Mr. Taube,  
46 too, later, just because I know he's got information for  
47 our area. Terry.

48

49 MR. HAYNES: Mr. Chairman, Mr. Tobey  
50 isn't here.

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1 CHAIRMAN LOHSE: Taube, Tom Taube.

2

3 MR. HAYNES: Oh, Taube. And Becky  
4 Kelleyhouse, who is assistant area biologist from  
5 Glennallen, just arrived here, so she'll be here to talk  
6 about some Copper Basin proposals.

7

8 CHAIRMAN LOHSE: Thank you. Doug.

9

10 MR. BLOSSOM: Mr. Chairman. This new  
11 regulation the State just passed, does that include  
12 sport-caught brown bear hide being sold after it's been  
13 to the taxidermist?

14

15 MR. HAYNES: I don't remember a  
16 discussion of that specific point, but it authorizes the  
17 use of brown bear fur in making and selling handicraft  
18 items.

19

20 MR. BLOSSOM: Mr. Chair. I guess I would  
21 like an answer to that if you could find out because I  
22 think it's important if you can take a sport-caught brown  
23 bear or grizzly bear, whatever you want to call it, and  
24 sell the hide after it's been to the taxidermist, it  
25 seems like if we do anything else with subsistence, we're  
26 doing the wrong thing. Because I don't know how they did  
27 this at the Board of Game just lately, I'd like to know  
28 the answer.

29

30 CHAIRMAN LOHSE: Terry.

31

32 MR. HAYNES: Mr. Chairman. I might read  
33 the definition of handicraft from the State regulation  
34 and see if that helps us. A handicraft is a finished  
35 product in which the shape or appearance of the natural  
36 material has been substantially changed by skillful use  
37 of hands, such as sewing, carving, etching, scrimshawing,  
38 painting or other means, in which a substantially greater  
39 monetary and aesthetic value than the unaltered natural  
40 materials alone. So if, in fact, putting a backing on a  
41 brown bear hide would constitute altering that natural  
42 item, then that could be interpreted as a handicraft item  
43 and the sale of it could be allowed.

44

45 MR. BLOSSOM: Mr. Chairman. So you're  
46 saying yes.

47

48 MR. HAYNES: I'm saying yes, but keep in  
49 mind that under the State regulations the claws cannot be  
50 part of that. The State regulation specifically said the

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1 use of brown bear fur and fur is treated differently in  
2 the State regulations than the hide or the skin in terms  
3 of -- in the State regulations, the hide or skin include  
4 having the claws attached. The fur specifically excludes  
5 the claws.

6

7 MR. BLOSSOM: Terry, wasn't that Proposal  
8 70 that Sue Entsminger also put in before the Board that  
9 was passed by the Board? You may not know, but that was  
10 my impression of what was passed.

11

12 MR. HAYNES: Mr. Chairman. That's  
13 correct, it was Sue Entsminger's proposal.

14

15 MR. BLOSSOM: So essentially the State  
16 has passed Sue's proposal and Proposal 01 is also by Sue.

17

18 MR. HAYNES: That's correct. She  
19 submitted companion proposals to both boards.

20

21 MR. BLOSSOM: Thank you.

22

23 CHAIRMAN LOHSE: Thank you. Sue.

24

25 MS. WELLS: I'm looking at the State  
26 regulations and I find the definition for skin, hide and  
27 pelt and it does say that it means the entire external  
28 covering with the claws attached. Now I don't see your  
29 definition of fur where it says you can't use the claw.  
30 I'm on page 21 of the State.

31

32 Also, for Mr. Blossom, the handicraft  
33 definition that he just gave us is word for word for what  
34 we have in the Federal regulations. My question is where  
35 do I find that you can't use the claws in the State?

36

37 MR. HAYNES: I'd refer you to page 17 of  
38 the Federal regulation book, right-hand column, and look  
39 at the definition for skin, hide, pelt or fur. There is  
40 a clear distinction between the State and Federal. The  
41 Federal definition includes fur in that definition. The  
42 State regulation does not.

43

44 MS. WELLS: What I'm reading from the  
45 State is that all are the same, skin, hide and pelt, all  
46 are the same and mean any untanned external covering of  
47 any game animal, but -- oh, do not include a handicraft  
48 or other finished product, skin, hide, pelt or bear  
49 covering. So you can't have -- by the State, you can't  
50 make a rug.

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1 UNIDENTIFIED SPEAKER: (Indiscernible  
2 response).

3

4 MS. WELLS: Well, it says do not include  
5 a handicraft or other finished product. Skin, hide, pelt  
6 of a bear means the entire external covering with claws  
7 attached. So I'm back to the same question or maybe a  
8 new question. Can a sport-caught bear hide be made into  
9 a rug and sold?

10

11 MR. HAYNES: Well, when you use the term  
12 sport-caught, I'm not sure what you mean there.

13

14 MS. WELLS: Well, in order for me to go  
15 hunting, I have to go get a hunting license, which I  
16 don't know if there's a differentiation on the license  
17 that says sport or subsistence for personal use. It's  
18 all one license that's sport. I mean I have to purchase  
19 a sport fishing and game license.

20

21 MR. HAYNES: Mr. Chairman. That's kind  
22 of a separate matter, I guess. There are no sport  
23 regulations. The State has resident and non-resident  
24 regulations. I guess the short answer, unless I'm  
25 misinterpreting this definition, that one could not sell  
26 a rug if it was fashioned by a taxidermist and had the  
27 claws attached. That would not constitute fur under the  
28 State regulations.

29

30 CHAIRMAN LOHSE: Thank you, Terry.  
31 Susan.

32

33 MS. WELLS: Just a follow-up then to  
34 clarify. Whether you're a resident or a non-resident,  
35 any bear that's caught or taken could not be sold by  
36 State regs even as a handicraft.

37

38 MR. HAYNES: I'm sorry. Maybe I don't  
39 understand the question.

40

41 CHAIRMAN LOHSE: Terry, I think what  
42 we're missing right here is, first of all, we haven't  
43 been able to find the definition of fur by the State.  
44 I've been looking through the book here and the only  
45 definition we have is the skin, hide and pelt and it  
46 matches the one that's in the Federal government  
47 basically and it even goes so far as to say with the  
48 claws attached. So, in the definitions, there is no  
49 definition of fur that differentiates from skin, hide or  
50 pelt. So that's part of the problem.

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1                   The other problem is I think we're  
2 missing a point and that is that under this new  
3 regulation that the State just passed handicrafts can be  
4 made out of brown or grizzly bear hides. The question is  
5 whether or not the claws can be attached and whether a  
6 rug would qualify for a handicraft. Handicrafts can be  
7 sold under the new State regulation. Terry.

8

9                   MR. HAYNES: Mr. Chairman, the State  
10 codified regulation specifically refer to the fur,  
11 excluding the claws. What the Board of Game did was  
12 allow the sale of handicraft items made with brown bear  
13 fur which excludes the claws.

14

15                   CHAIRMAN LOHSE: Bob.

16

17                   MR. CHURCHILL: Yeah, just maybe for  
18 everybody's benefit, the actual language in the proposal  
19 that was passed says you may sell handicraft articles  
20 from the fur of a black bear or a brown/grizzly bear. So  
21 it was the intent of the proposer exactly as Terry is  
22 outlining it to us.

23

24                   CHAIRMAN LOHSE: Doug.

25

26                   MR. BLOSSOM: Mr. Chairman, that was what  
27 I was trying to get out is what we're really talking  
28 about is claws. Otherwise, the State has taken this  
29 proposal away from us.

30

31                   CHAIRMAN LOHSE: Fred.

32

33                   MR. ELVSAAS: Under the State scenario,  
34 you can take the brown bear, utilize the fur, sell the  
35 hide as a whole or a part. I had heard mention of maybe  
36 allowing only a part of the hide to be utilized for  
37 handicrafts, which would mean a waste of the rest of it,  
38 but if you're going to allow sale of the fur or pelt  
39 without the claws, what do you do with the claws? Isn't  
40 that a waste?

41

42                   CHAIRMAN LOHSE: Terry.

43

44                   MR. HAYNES: Mr. Chairman, we're probably  
45 getting into territory where I don't have all the  
46 specific answers of what might happen, but currently it's  
47 legal -- even before the State regulations passed, it was  
48 legal to use claws to make handicraft items. It's just  
49 that they could not be sold. That would continue to be  
50 the case under the State regulations. The main

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1 distinction with this new State regulation is that the  
2 sale of handicraft items using brown bear fur is allowed  
3 now. That was not legal before. You could not before,  
4 you could not now, sell handicraft items made with brown  
5 bear claws and you could not before and you can't now  
6 sell brown bear claws raw or as is.

7

8 MR. ELVSAAS: You can still utilize them  
9 like myself and my family has done. We've taken the  
10 claws and drilled holes in them and made necklaces out of  
11 them. We've never sold them. They just kind of  
12 evaporate with time somehow. I should have several  
13 laying around but I don't. But you can still use them,  
14 right?

15

16 MR. HAYNES: Mr. Chairman. Yes, you  
17 could continue to do exactly what you've done. You just  
18 cannot sell those handicraft items that you made.

19

20 MR. ELVSAAS: So if I sell a hide to  
21 Ralph here, can I give him the claws? It doesn't make  
22 sense to me. I'm having a problem understanding why we  
23 should waste something. I know we had a lot of  
24 discussions on allowing sale of subsistence-caught fish  
25 to recover some of the cost of the harvest and this  
26 would, in turn, help with the brown bear subsistence hunt  
27 to recover some of the cost. It's certainly not going to  
28 make a worldwide industry. We're talking about  
29 subsistence here. I just have a hard time with the  
30 State's thinking on this. But, with that, I'll let it  
31 rest. Thanks.

32

33 MR. HAYNES: I'd just like to respond and  
34 remind you of a comment that Mr. Bos made and that is  
35 whether adoption of this proposal that's before you would  
36 constitute authorizing a customary and traditional  
37 subsistence practice. There is a distinction between  
38 making and using handicraft items made from brown bear  
39 parts and selling handicraft items made from brown bear  
40 parts. I agree with you. There are economic  
41 considerations, but is there a customary and traditional  
42 pattern of use of selling these items or have they more  
43 typically been used for ceremonial purposes, for gift  
44 exchange and used for cultural purposes rather than  
45 broader economic purposes.

46

47 CHAIRMAN LOHSE: Thank you. Gloria.

48

49 MS. STICKWAN: I have a question. I  
50 guess I don't understand what a taxidermist does. When

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1 they sell a hide, they always include the claws. Is that  
2 called a rug then because it has claws on it?

3

4 CHAIRMAN LOHSE: A taxidermist can sell a  
5 rug without the claws. It just doesn't have much value.  
6 That's why you find people who have bear mounts and  
7 things like that have them in glass cases because people  
8 steal them right off their mounts, off their rugs. From  
9 a trophy standpoint or an exhibition standpoint, a bear  
10 without the claws or a bear without the head has no  
11 value. If you're going to use the rug to put it on the  
12 floor and step on it, you'd just as soon not have the  
13 claws and not have the head because they hurt when you  
14 get up in the middle of the night. But taxidermists  
15 don't really deal with rugs, they deal with trophies. Am  
16 I correct on that, Terry?

17

18 MR. HAYNES: Yes. I was going to let  
19 Gino make an additional point.

20

21 CHAIRMAN LOHSE: Okay.

22

23 MR. DELFRATE: Thank you, Mr. Chair.  
24 Typically the taxidermist does not sell the hides. They  
25 provide the service for the hunters that are preparing  
26 the hides. The only time a taxidermist can sell a hide  
27 is by permit from the department and that's only to  
28 recoup the costs from hides that have never been picked  
29 up by the hunters.

30

31 CHAIRMAN LOHSE: Thank you for that  
32 explanation. Any other questions.

33

34 MS. STICKWAN: I have a question.

35

36 CHAIRMAN LOHSE: You have another  
37 question, Gloria, to ask Terry.

38

39 MS. STICKWAN: About the bartering and  
40 the customary trade.

41

42 CHAIRMAN LOHSE: Would Terry be the  
43 person to ask?

44

45 MS. STICKWAN: I don't know.

46

47 CHAIRMAN LOHSE: Well, ask your question  
48 and we'll find out. If somebody else can answer it,  
49 we'll get Terry off the hook.

50

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1 MS. STICKWAN: They asked if it was  
2 customary and traditional if people sold the hide and the  
3 bear claws. I guess that question would all depend on  
4 when it was allowed. If it was a hundred years ago, it  
5 wouldn't have been sold, it would have been bartered. So  
6 under this definition of Federal, it includes cash for  
7 customary trade, right? I just want to know the answer  
8 to that.

9  
10 CHAIRMAN LOHSE: So what you're saying is  
11 since it was bartered, today we barter with cash and I  
12 think that that's recognized under Federal law and  
13 somebody could correct me if I'm wrong on that. But when  
14 we use the word customary trade, that includes cash  
15 sales, right?

16  
17 MR. KNAUER: Customary trade does include  
18 cash.

19  
20 CHAIRMAN LOHSE: Right. Thank you.  
21 Terry, did you have another comment?

22  
23 MR. HAYNES: Mr. Chairman, Gloria, I  
24 wasn't saying that was or was not a customary and  
25 traditional practice, I was just saying that as a  
26 question that the Council may want to discuss and have  
27 input like you've provided.

28  
29 MS. STICKWAN: I don't think they sold  
30 bear parts in our area.

31  
32 CHAIRMAN LOHSE: Thank you. Can we let  
33 Terry off the hook now? Thank you, Terry, for putting up  
34 with us.

35  
36 MR. HAYNES: Mr. Chairman, you were much  
37 friendlier than the Eastern Interior Regional Council.

38  
39 CHAIRMAN LOHSE: I think at this point in  
40 time we've got the Fish and Game Advisory Committee and  
41 written public comments and public testimony and I'd like  
42 to call on the biologist from that area also if we can  
43 get some comments or assistant biologist, but not now. I  
44 think we're going to take a 10-minute break so everyone  
45 can fill their coffee cups and unfill their coffee cups.

46  
47 (Off record)

48  
49 (On record)

50

00045

1 CHAIRMAN LOHSE: It got quiet in a hurry.  
2 That must mean everybody is ready to get back to  
3 business. We'll get back on the subject we were at. We  
4 were just at Fish and Game Advisory Committee comments.  
5 Do we have any comments at this point in time?

6  
7 (No comments)

8  
9 CHAIRMAN LOHSE: Hearing none, we'll go  
10 on to a summary of written comments. Donald.

11  
12 MR. MIKE: Thank you, Mr. Chair. Written  
13 public comments starts on page 49 in your book. What we  
14 have are four written public comments. There's three in  
15 support and one opposed. In your book, it says AHTNA,  
16 Incorporated supports the proposal, but recently they had  
17 a meeting a week and a half ago and they changed their  
18 position. Their comments are in your blue pamphlet that  
19 I handed out this morning.

20  
21 The first written public comment is from  
22 the Upper Tanana Fortymile Advisory Committee. They're  
23 in support of the proposal. They passed their  
24 recommendations in December.

25  
26 The Alaska Professional Hunters  
27 Association opposes the proposal. Dean Webster provided  
28 comments on behalf of the Alaska Professional Hunters  
29 Association. The association opposes Proposal 01 and  
30 similar proposals regarding the sale of handicraft from  
31 bears. The Alaska Board of Game, the Department of Fish  
32 and Game and others have opposed similar proposals. How  
33 can proposals like these comply with requirements of  
34 ANILCA. They do not comply with ANILCA.

35  
36 AHTNA, Incorporated, they changed their  
37 comment and there's a handout in your folder this  
38 morning. AHTNA, Incorporated on Proposal 01 states they  
39 do not support Proposal WP04-01 to sell handicrafts from  
40 fur of a brown/grizzly bear. It is against our customary  
41 and traditional use to sell any handicraft or any part of  
42 a grizzly/brown bear.

43  
44 The Wrangell/St. Elias Subsistence  
45 Resource Commission is in support of the proposal as  
46 written.

47  
48 Also in your blue folder are the comments  
49 received from the Denali Subsistence Resource Commission.  
50 They recently completed their public meeting March 5th,

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1 2004. In regards to Proposal 01, they are in support.  
2 The commission supports this proposal with four in favor  
3 and one opposing the proposal which would allow the sale  
4 of handicraft items made from brown bear fur.

5  
6 Their justification: The majority of  
7 members felt that while it is currently legal by NPS  
8 regulations to make and sell handicraft items made from  
9 non-edible byproducts of fish and wildlife resources  
10 taken for personal or family consumption, it would be  
11 beneficial to other subsistence users to open more  
12 federal lands to the use of brown bear hides.  
13 Enforcement and sealing requirements are in place for  
14 brown bear. The minority opposed this proposal because  
15 brown bear populations are usually small in number, have  
16 low population growth rates, low sustainable yields, and  
17 are easily over-harvested. Not all Federal lands have  
18 brown bear harvest quotas such as NPS lands in Unit 13(E)  
19 to protect the population from over-harvest. This is a  
20 species that needs to be carefully and conservatively  
21 managed to avoid over-harvest.

22  
23 That concludes the written public  
24 comments, Mr. Chairman.

25  
26 CHAIRMAN LOHSE: Donald, that last part  
27 was from the SRC?

28  
29 MR. MIKE: The last one was from the  
30 Denali Subsistence Resource Commission.

31  
32 CHAIRMAN LOHSE: Gilbert.

33  
34 MR. DEMENTI: I think when Denali  
35 Commission voted on this just for 13, not for any other  
36 units, so it's just for 13(E).

37  
38 CHAIRMAN LOHSE: Thank you for the  
39 clarification, Gilbert. I think that takes care of our  
40 written public comments. We have public testimony right  
41 now. Do we have anybody from the public that has put a  
42 card in to testify to this proposal?

43  
44 MR. MIKE: No, Mr. Chair.

45  
46 CHAIRMAN LOHSE: Thank you. With the  
47 permission of the rest of the Council, I would like to  
48 ask the assistant biologist from the Unit 13 area that  
49 we're talking about just to get a feel. I don't know if  
50 she has anything that she feels she could add to our

00047

1 discussion or not, but I'd just like to recognize her and  
2 have her come up and give us some comments on bear  
3 populations in the area that we're talking about that we  
4 deal with.

5  
6 MS. KELLEYHOUSE: My name is Becky  
7 Kelleyhouse. I'm the assistant area biologist in the  
8 Glennallen area, so Units 11 and 13. I don't necessarily  
9 have any major comments about this proposal in terms of  
10 support or being against it. However, in general, our  
11 brown bear populations in both units, GMU 11 and 13, are  
12 considered healthy. We do not have adequate data or the  
13 means to secure adequate population numbers at this time.  
14 It's not something that we can do with the current budget  
15 and current research. This proposal, if it passes, in  
16 our view, is probably not going to increase the harvest  
17 substantially and, therefore, it wouldn't be a problem  
18 from our perspective.

19  
20 CHAIRMAN LOHSE: Thank you. When you say  
21 stable, you basically mean -- it doesn't mean it's  
22 constant, but it means it's varying along a line that's  
23 considered adequate for the population.

24  
25 MS. KELLEYHOUSE: Basically the data that  
26 I'm talking about, the only thing that we monitor  
27 regularly and we have been able to for a long time is the  
28 harvest and the sex ratio. When you have a bear  
29 population and you believe that it's starting to have  
30 problems, you start seeing a lot more females in the  
31 harvest.

32  
33 We have differential harvests across Unit  
34 13. We've got five sub-units. Three of the sub-units we  
35 have a majority of males still being harvested. Two of  
36 our heavily hunted sub-units are starting to see more of  
37 a 50/50 percent ratio, so we believe that we're starting  
38 to have an effect on the brown bear population with a  
39 liberalized harvest through the State seasons. However,  
40 we, at this time, are not in any sort of agreement  
41 through the department or public. We honestly do not  
42 know what is exactly happening with the population. We  
43 feel that parts of it are starting to decline, but it's  
44 not written in stone.

45  
46 CHAIRMAN LOHSE: Thank you. Gloria, did  
47 you have a question.

48  
49 MS. STICKWAN: You said certain parts are  
50 on the decline. Do you know what areas?

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1 MS. KELLEYHOUSE: Yeah, Gloria, sub-units  
2 (A) and (E) and those of you from the Copper River Valley  
3 know exactly where that is, but north of the Glenn  
4 Highway in the Eureka area, it's really accessible. We  
5 get a lot of moose and caribou harvested from that area  
6 and, thus, we get a lot more grizzly bears harvested from  
7 there as well. Sub-unit 13(E) is in the northwest corner  
8 of 13 and it's quite accessible from the Parks Highway,  
9 the Northwest Denali Highway and also from the Susitna  
10 River, so the harvest there is quite a bit higher than  
11 the rest of the sub-units.

12  
13 CHAIRMAN LOHSE: That's kind of  
14 interesting to me because I would have thought that 13(B)  
15 would have been an impacted area because that's where we  
16 have our extra subsistence Federal hunts, but it's almost  
17 like the fact the Federal subsistence hunts that take  
18 place there don't impact the grizzly bears much at all.

19  
20 MS. KELLEYHOUSE: Well, the Federal  
21 subsistence area in 13(B) is fairly restricted, it's  
22 along the Gulkana River, a couple small little portions  
23 along the Denali Highway, so it's a really small  
24 percentage of the sub-unit and it is quite accessible  
25 with the Denali Highway running through there. And we,  
26 as well, would have expected to start seeing some change  
27 in the sex ratio, but as of last year we haven't.

28  
29 CHAIRMAN LOHSE: Thank you muchly. Any  
30 other questions for her. Tom.

31  
32 MR. CARPENTER: I was just curious what  
33 percent of the brown bears harvested in Unit 11 and 13  
34 are non-residents. Just a general idea.

35  
36 MS. KELLEYHOUSE: Well, in Unit 11 it's  
37 probably less than five percent. The harvest there is  
38 extremely low. I believe we've had like between 10 and  
39 20 bears harvested in Unit 11 annually for the last  
40 several years. It's a really low harvest. In Unit 13, I  
41 don't have that number off the top of my head, but my  
42 guess is it's somewhere less than 20 percent.

43  
44 CHAIRMAN LOHSE: Gloria.

45  
46 MS. STICKWAN: Do you consider brown bear  
47 and grizzly the same thing?

48  
49 MS. KELLEYHOUSE: Yeah, from a department  
50 biological perspective, yes.

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1 CHAIRMAN LOHSE: Any other questions from  
2 anybody.

3  
4 (No comments)

5  
6 CHAIRMAN LOHSE: Thank you muchly.

7  
8 MS. KELLEYHOUSE: Thank you, Mr. Chair.

9  
10 CHAIRMAN LOHSE: A motion to put this  
11 proposal on the table so that we can discuss it as a  
12 Council is in order.

13  
14 MR. CHURCHILL: I move that we adopt  
15 Proposal WP04-01.

16  
17 MR. BLOSSOM: Second.

18  
19 CHAIRMAN LOHSE: It's been moved and  
20 seconded that we adopt Proposal WP-01, the proposal to  
21 allow the utilization of brown grizzly bear fur for  
22 handicrafts. Discussion. Who wants to open the  
23 discussion. Bob.

24  
25 MR. CHURCHILL: I, like everyone else,  
26 have heard a mixture of concerns, but I intend to vote  
27 for this and the reason being is that I've had some  
28 valuable insights from folks that say there's been an  
29 ongoing illegal problem at different levels. We've not  
30 seen it create a population problem at this point and it  
31 appears we're only keeping folks who abide by the law  
32 from doing something that makes sense. We're not  
33 approaching harvesting the number of bears we can under  
34 the existing bag limits. I don't see the danger at all  
35 to the resource. I know there are some folks that  
36 culturally will not participate in that, but there are  
37 probably a number of folks that will.

38  
39 I am really not concerned, given  
40 everything we've heard, that this will have a detrimental  
41 effect on the population and yet I think it would provide  
42 some people some economic opportunity to take advantage.  
43 Plus, candidly, with the State passing what they have, it  
44 seems to put the subsistence users at a disadvantage.  
45 Given the cultural values, I have no fear that they would  
46 inappropriately use the resource. So based on everything  
47 I've heard, I'm going to come down in favor of this.

48  
49 CHAIRMAN LOHSE: Anybody else. Fred.

50

00050

1 MR. ELVSAAS: I could see this issue as  
2 going either way, but I would support the proposal. My  
3 concern is the issue of wanton waste. If you take the  
4 bear, you take the meat, you take the hide, then there's  
5 concern about the gallbladder. I never thought that  
6 brown bear gallbladders had any value, but I just heard  
7 somebody say earlier that it had value. I know black  
8 bear gallbladders are supposed to have value. The bear  
9 is the claws, the fur, the meat, everything. If it's a  
10 useable part of the bear, it should be utilized. With  
11 that, I would support the proposal.

12

13 Thank you.

14

15 CHAIRMAN LOHSE: Tom.

16

17 MR. CARPENTER: Thank you, Mr. Chair.  
18 I'm going to have to oppose the proposal as written and I  
19 guess I'll tell you why. I'm not in favor of statewide  
20 proposals. I never have been. I think that we're a  
21 Regional Council and that we need to look at things under  
22 a regional basis. It's kind of hard for us as a supposed  
23 people with knowledge and ideas of our region to  
24 understand the biological concerns and/or the cultural  
25 concerns of somebody in the north region or the eastern  
26 region.

27

28 I guess I fall back to the point that if  
29 you look at the regulation book, that the only units in  
30 Southcentral Region that have a current Federal season  
31 for brown bears is Unit 11 and 13. 6, 7, 14, 15 and 16  
32 all have no season. I guess I look at it as, you know,  
33 there's been 12 or 13, 14 years since the inception of  
34 this process and I would have thought that somebody, an  
35 individual, a group, a Native corporation, if they  
36 thought that this was something that was desirable or a  
37 cultural exchange in one of those other units, that they  
38 would have come to the Federal Board and asked for a C&T  
39 use finding.

40

41 I'm not necessarily opposed to the idea  
42 behind the proposal. I'm just against a statewide  
43 proposal. I think that if we were going to deal with  
44 this, that a possible amendment to include only the areas  
45 that have actually been deemed C&T in our region should  
46 be considered. So that's kind of my position on it.

47

48 CHAIRMAN LOHSE: Doug.

49

50 MR. BLOSSOM: I guess my take is a little

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1 bit different than yours, Tom. I agree that we should  
2 probably just talk for our region. We shouldn't try to  
3 impose what we think on the other subsistence regions in  
4 the state. Now, we do have hunting in Area 15. Not a  
5 Federal hunt, but there are State hunts. So all those  
6 areas do have brown bear and they get hunted. Under this  
7 new State regulation, the fur is going to get sold. I  
8 don't think I'm going to vote for this because I think  
9 we're just hurting subsistence people by not going along  
10 with what the State is doing. We might want to just say  
11 our thoughts from our region and we're not trying to  
12 impose our authority on other regions.

13

14 CHAIRMAN LOHSE: Thank you, Doug. I  
15 think that's a given because what we're doing is making a  
16 recommendation from our region. It's the Board that will  
17 decide whether they'll go statewide or on the regions  
18 that support it.

19

20 Any other discussion. Harley.

21

22 MR. McMAHAN: I would like some  
23 clarification on if we pass this as a subsistence  
24 priority or a subsistence customary and traditional use,  
25 will it be harder to rescind because we've done it on a  
26 subsistence basis than it will be for the State if they  
27 find out they're getting into trouble with increased  
28 take. Do you understand what I'm saying and do you know  
29 the answer to that? How does that work?

30

31 CHAIRMAN LOHSE: Thank you, Harley. I  
32 don't know the answer, but there was somebody I was going  
33 to call on to explain a couple other things to us. He  
34 might know the answer. Is Bill Knauer out there?

35

36 UNIDENTIFIED SPEAKER: He stepped out.

37

38 CHAIRMAN LOHSE: Oh. He might be able to  
39 answer that for us. There was another question that Tom  
40 brought up that I'd like an explanation from Bill on,  
41 too, before we go any farther.

42

43 UNIDENTIFIED SPEAKER: He's gone.

44

45 CHAIRMAN LOHSE: He's gone. Oh, boy.  
46 Greg, maybe you can answer some of the things for Bill.  
47 Bill pointed out something to me in the regulations over  
48 the break that basically showed the reason that we'd want  
49 to possibly pass it as Federal and that State doesn't  
50 cover everything because we have a lot of areas that have

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1 a State hunt may have a Federal extension of the hunt at  
2 the start of the season or the end of the season. Under  
3 the State regulation, it does not cover any bear that is  
4 taken under a Federal subsistence permit or Federal  
5 subsistence hunt. This proposal would then cover the  
6 Federal subsistence hunts that are extensions or that  
7 don't meet State regulations. Am I correct in my  
8 understanding of what he was saying?

9

10 MR. BOS: Mr. Chair, if I understand your  
11 question, there are quite a few Federal subsistence  
12 regulations that differ in some respect from the State.  
13 To the extent that they do, Federal subsistence users can  
14 hunt under the Federal regulations where they would not  
15 be able to under State regulations. If the Federal Board  
16 adopted this proposal and the State were to rescind its  
17 action at some point in the future, Federal subsistence  
18 users could continue to sell brown bear fur handicraft  
19 items from bears taken from Federal public lands.

20

21 As far as whether or not the Federal  
22 Board could rescind, yes, the Federal Board could rescind  
23 for a good reason. I think it would look primarily at  
24 the conservation issue on bears if information came  
25 forward that indicated that there was a substantial  
26 increase in the harvest of bears and that some bear  
27 populations were declining as a result of this action,  
28 the Board would consider rescinding it or amending it  
29 possibly to address those conservation concerns.

30

31 CHAIRMAN LOHSE: Thank you. That  
32 answers, I think, what Harley was asking. I didn't have  
33 any worry if there was a conservation problem whether the  
34 Federal Board would have the authority to rescind any  
35 actions that they've already taken because conservation  
36 comes first.

37

38 But my question was, under current law,  
39 if the State makes it legal to sell handicrafts made out  
40 of brown bear fur and a subsistence user takes a bear  
41 under subsistence law that was not -- you know, say  
42 there's an extension in the season or it's allowed to be  
43 taken one every year where the State allows it only one  
44 every four years, if that bear was taken under a  
45 subsistence permit or under a subsistence hunt, would the  
46 fact that the State allows the sale of articles made out  
47 of brown bear fur as legal in the state, then qualify the  
48 person who took that subsistence animal which wasn't  
49 covered by State regulations, would they be allowed to  
50 sell handicraft items out of that fur?

00053

1 MR. BOS: Let me see if I understand your  
2 question. In other words, if the State regulation allows  
3 a sale of handicraft items, but if the Federal regulation  
4 has a longer season than the State or some other  
5 provision that's more liberal than the state and the bear  
6 is taken by a Federal subsistence user under the more  
7 liberal aspects of the Federal regulation, could they  
8 then sell. They could if it was taken from Federal  
9 lands. If it was taken from State lands, there's a legal  
10 question there because it was not taken in conformance  
11 with a State open season or other regulatory provision.  
12 Did that get to your question?

13

14 CHAIRMAN LOHSE: Basically what you're  
15 saying is if the bear was illegal they couldn't sell it  
16 because they already started with an illegal bear, but if  
17 the bear was legal under Federal regulations and they  
18 took the bear and there is no Federal regulation that  
19 allows the selling of handicrafts, could they sell that  
20 bear under State regulations? My opinion was exactly  
21 what -- Terry is shaking his head, no, because that would  
22 not be a legal State bear at that point in time, yet the  
23 bear was legal to be taken under Federal regulation.

24

25 MR. BOS: That's correct. If the bear  
26 was taken on Federal lands.....

27

28 CHAIRMAN LOHSE: Under Federal  
29 regulation.

30

31 MR. BOS: Under Federal regulations, but  
32 we had no sale provision in the Federal regulations, if  
33 that take occurred during a legal State season, it could  
34 be sold. Those Federal subsistence users are now able to  
35 sell brown bear fur made into handicrafts taken anywhere  
36 in the state where State regulations apply regardless of  
37 whether you take action on this proposal or not or the  
38 Federal Board does.

39

40 CHAIRMAN LOHSE: Gloria, do you have a  
41 question on that?

42

43 MS. STICKWAN: No, I just wanted to have  
44 a comment.

45

46 CHAIRMAN LOHSE: I'll just finish asking  
47 him one more time. But if that bear was taken under  
48 Federal regulations when there was no open State season,  
49 that bear then couldn't be sold under the State's  
50 provision of making handicrafts out of brown bear fur.

00054

1 Am I correct in that assumption?

2

3

MR. BOS: Yes.

4

5

CHAIRMAN LOHSE: Thank you. Gloria.

6

7

MS. STICKWAN: I just wanted to state my  
8 position on this issue. I see this as an enforcement  
9 issue. There's going to be two different sets of  
10 regulations. They will be hard to enforce. Also, I see  
11 this as a potential use of abuse. There's a potential to  
12 kill the bear population or make it very low.

13

14

The other thing is that I said earlier  
15 AHTNA people did not sell bear parts. The other thing is  
16 I oppose the statewide regulation because there's  
17 different parts in Alaska that -- the Interior, their  
18 customary and traditional use is to sell bear parts and  
19 it's okay for them. In their region it would be okay.  
20 In ours, we would say no. So I would just oppose this  
21 proposal as it's written.

22

23

There's very little Federal public lands  
24 in Unit 13. I know that they could hunt in Unit 11, but  
25 the access to Unit 11, unless you have income and means  
26 to get across the Copper River, it's rather difficult for  
27 people with low income to hunt in that area. And very  
28 few people do hunt in Unit 11 because they can't afford  
29 the means to go across the Copper River, so they do not  
30 hunt there. There's very little lands in Unit 13.

31

32

But mostly I oppose this on the basis of  
33 C&T and potential abuse.

34

35

CHAIRMAN LOHSE: Any other questions.

36

37

(No comments)

38

39

CHAIRMAN LOHSE: Hearing none. Any other  
40 discussion by the other members of the Council. Susan.

41

42

MS. WELLS: In reading this, I do oppose  
43 the statewide blanket of this proposal. Looking at our  
44 regulations, I think we already have it. If you look on  
45 22, the utilization of wildlife, it says you may sell  
46 handicraft articles from the fur of a black bear. It  
47 doesn't include -- well, it says the hide and edible meat  
48 of a brown bear, except that the hide of a brown bear  
49 taken from the Western and Northwest Alaska brown bear  
50 management area need not be salvaged. I guess maybe the

00055

1 clarification -- when I read this, I think we're already  
2 covered. Is that true? Can I talk to Pat? Is there  
3 already provisions for the brown bear?

4

5 MS. PETRIVELLI: It's just the handicraft  
6 items made from the fur of a black bear.

7

8 MS. WELLS: So it does exclude the brown.

9

10 MS. PETRIVELLI: Yeah. It just says  
11 black bear. And that's what the proponent is asking for,  
12 is just to insert black or brown bear fur.

13

14 CHAIRMAN LOHSE: Thank you, Pat, for that  
15 clarification.

16

17 Tom.

18

19 MR. CARPENTER: Thank you, Mr. Chairman.  
20 I'd just like to clarify that the actual proposal that  
21 we're dealing with here would legalize the sale of black  
22 bear parts and brown bear parts. We're not just talking  
23 about the fur. We're talking about the claws, we're  
24 talking about the internal organs.

25

26 CHAIRMAN LOHSE: No, Tom, I don't think  
27 so.

28

29 MR. CARPENTER: What is the definition of  
30 parts then?

31

32 MR. CHURCHILL: It doesn't say parts. It  
33 says allows the sale of handicrafts made from brown bear  
34 fur.

35

36 MR. CARPENTER: I'm sorry. I was looking  
37 at the line below.

38

39 CHAIRMAN LOHSE: The request is for brown  
40 bear fur. The problem that we ran into is that the  
41 definition of fur by the Federal is different than the  
42 definition of fur by the State. Fur by the State  
43 purposely excludes bear claws and fur by the Federal does  
44 not have that exclusion. Bob.

44

45 MR. CHURCHILL: I've heard concerns. I  
46 know there's folks with cultural values that won't allow  
47 them to take advantage of this, but I do think we ought  
48 to -- as the proposer, Sue, has indicated, there are  
49 people that will, as Ralph indicated, use the bear to the  
50 maximum extent possible consistent with their cultural

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1 and spiritual values. I think we ought to give them the  
2 opportunity. I think the people we're talking about are  
3 not going to abuse this. We always have the ability to  
4 shut the door at another session if we have to. It seems  
5 like something that would make good sense and support the  
6 subsistence users in our general area.

7

8 We've heard that the brown bear  
9 populations are healthy. I'm certainly anecdotally, in  
10 the numbers I've looked at over the years, support that  
11 and I still intend to support it. I'm confident that the  
12 full Board will look at our recommendation and if there's  
13 dramatically different recommendations that they'll  
14 address that issue at the Board level.

15

16 CHAIRMAN LOHSE: Any other discussion.  
17 Dean.

18

19 MR. WILSON: Yeah, the proposal is to  
20 make more use of bears that are already taken, bears that  
21 are taken in the subsistence areas in the Federal land.  
22 I can see that there's going to probably be an increase  
23 maybe, but I don't really see that big of an increase. I  
24 spend a lot of time on the rivers out there right now, on  
25 the Copper River, and I see very few, if none, hunters  
26 that are out there hunting bear. There's just not that  
27 many hunters out there hunting bear.

28

29 Those that are out there are taking  
30 complete use of the animal. For them to use the claws in  
31 addition to what they're already using really is making  
32 better and more wise use of your animal that's already  
33 down. We're talking roughly \$30 for each claw. So, if  
34 that's their estimate, that's peanuts compared to a black  
35 market of some type that could take over because we're  
36 adding strictly claws in here.

37

38 I just don't see this as being a big  
39 issue at all and something bad or abuse taking over. I  
40 don't see where it could happen. These aren't big brown  
41 bears that we're talking about from the coast where you  
42 get the real big claws. These are interior grizzly and  
43 these are pretty small claws that we're talking about in  
44 general. We get the occasional nine-footer on up from  
45 there, but very general for us is seven-foot grizzlies in  
46 our areas. I'm going to come down in support of this  
47 proposal.

48

49 CHAIRMAN LOHSE: Any other discussion.  
50 Susan.

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1 MS. WELLS: I'm concerned about this  
2 proposal just from brown bear fur. We aren't making a  
3 distinction between the coastal and the mountain. This  
4 proposal doesn't and it is statewide. So if it is  
5 statewide, then it does encompass the grizzly as written.  
6 So, as written, I would have to oppose it unless we amend  
7 it.

8  
9 CHAIRMAN LOHSE: Thank you, Susan. Any  
10 other discussion.

11  
12 (No comments)

13  
14 CHAIRMAN LOHSE: Anybody that hasn't  
15 spoken yet that wants to say something.

16  
17 Greg.

18  
19 MR. ENCELEWSKI: Mr. Chairman, I haven't  
20 spoken, but I've been listening and trying to take it in  
21 and sort it out. I honestly feel that if it's for craft  
22 only and it supports that and I haven't seen any  
23 indication of a bear population problem and it also  
24 supports the increase of subsistence use and I would be  
25 in favor of it.

26  
27 Thank you.

28  
29 CHAIRMAN LOHSE: James.

30  
31 MR. SHOWALTER: Yes, on this proposal, it  
32 says brown bear but understanding I had a distinction  
33 between brown bear. It depends on people in different  
34 areas, brown bear or grizzly bear, but I understand  
35 they're kind of all in one group as brown bear. As a  
36 handicraft for fur, that comes under the Federal  
37 subsistence guidelines and it includes claws in that. I  
38 would support it.

39  
40 Thank you.

41  
42 CHAIRMAN LOHSE: Anybody else who wishes  
43 to speak for the first time.

44  
45 (No comments)

46  
47 CHAIRMAN LOHSE: Then we'll go to people  
48 who want to speak again. Dean, I think you had your hand  
49 up.

50

00058

1 MR. WILSON: Yeah, just going over the  
2 letter from Sue. Her idea was to change it to the  
3 mountain grizzly, correct? That's what I was looking at.  
4 We're looking not at brown bear as statewide, but my  
5 understanding is we're looking at also just the grizzly.  
6 Is that right?

7  
8 CHAIRMAN LOHSE: No. Under the proposals  
9 before us, it covers brown and grizzly bears. There's no  
10 distinction between the biologists in the State between  
11 brown and grizzly. Unless we make a modification to this  
12 proposal, whatever we do covers statewide, covers  
13 brown/grizzly bear, which are considered the same animal.  
14 Does that answer your question?

15  
16 MR. WILSON: Yeah, that answers it. I  
17 see she's got a proposal that we've got in our blue  
18 packets here. Her idea is what we read earlier. Is she  
19 still staying with the present proposal or is she saying  
20 we should amend it?

21  
22 CHAIRMAN LOHSE: She presented the  
23 present proposal. Basically the reason it's been put in  
24 the packet the way it is, there's no way to differentiate  
25 between brown and grizzly bear on the market. It's an  
26 impossibility because they come in the same color phases  
27 in all areas. So that's I'm sure why it's in the packet  
28 and I think Chuck can speak to that. That's why it's in  
29 the packet statewide as brown/grizzly bear because  
30 they're classed as the same animal. Chuck.

31  
32 MR. ARDIZZONE: Mr. Chair, that's what I  
33 was going to say. We classify them as the same animal  
34 under Federal regulations. There's no distinction  
35 whatsoever.

36  
37 CHAIRMAN LOHSE: Thank you, Chuck.  
38 Susan.

39  
40 MS. WELLS: Chuck, the proposed  
41 regulation as written in our book black bear and adding  
42 grizzly bear. So should it say brown/grizzly?  
43

44 MR. ARDIZZONE: Under Federal  
45 regulations, they both fall under brown bear. We don't  
46 make a distinction. We call them brown bear and that  
47 includes grizzly bears.

48  
49 MS. WELLS: I think Sue is concerned  
50 because from her general description that we have in our

00059

1 book here that says from brown bear fur and then the  
2 proposed regulation says grizzly. That's her concern,  
3 Dean. I think that's what she doesn't like. So it's  
4 just confusing the whole situation.

5  
6 MR. ARDIZZONE: If we had written that  
7 grizzly bear, it still would have included brown bear.

8  
9 CHAIRMAN LOHSE: The terms are used  
10 synonymously among the biologists and the people that  
11 write the laws. The State passed brown/grizzly. As far  
12 as the State is concerned, it covers all of them. Bob,  
13 if you've got something you'd like to add. I'll make  
14 some comments as the chair, but I'd like to give  
15 everybody else the opportunity first.

16  
17 MR. CHURCHILL: No.

18  
19 CHAIRMAN LOHSE: Some of the things that  
20 have been brought up here is our hesitancy to work on  
21 statewide proposals. As a Council we have in the past a  
22 lot of times not taken action on statewide proposals  
23 because of the idea that we don't like to impose our  
24 views on other sections of the state.

25  
26 The only difficulty I have with this  
27 proposal really is the fact that we look like we're  
28 mirroring the State but we're not mirroring the State.  
29 The fact that State's definition of fur is strictly fur,  
30 so it would have more of a possibility to be sewed into a  
31 handicraft, where if our definition of fur under this  
32 Federal regulation includes the claws, there's quite a  
33 bit of difference for the -- and, again, we're not making  
34 economic opportunity, we're allowing customary and  
35 traditional economic opportunity to continue.

36  
37 I don't see the use of fur increasing the  
38 take of brown bears very much simply because if any of  
39 you tried to have a brown bear fur tanned in recent  
40 history, it's a very expensive item to have tanned and  
41 most people aren't going to go to the problem to have  
42 something tanned that costs almost as much as you can get  
43 from the handicrafts after you've made the handicrafts.  
44 It doesn't cost anything to have claws. If all of a  
45 sudden this does include the sale of claws, then I have a  
46 little bit more difficulty with it.

47  
48 That can be addressed very simple and  
49 it's the same thing with all our other problems we have  
50 here. They can be addressed by making amendments. We,

00060

1 as a Council, should send a proposal to the State that  
2 agrees with what we agree with as a Council. If we see  
3 problems in it, that doesn't mean you throw the whole  
4 proposal away. That means you can amend the proposal so  
5 that it addresses the problems that you see and then that  
6 sends a stronger message to the Board.

7

8 I'm just throwing these out as  
9 possibilities. If we, as a Council, see this shouldn't  
10 apply to coastal brown bears but it's a possibility that  
11 it should apply to mountain grizzlies, then we need to  
12 put an amendment in there that says this is a concern of  
13 ours, so in order to be acceptable, we'd have to have  
14 this amendment in there and that way they can say, well,  
15 we can't deal with that amendment, maybe we'll throw the  
16 whole thing out. We see the Council has recognized a  
17 problem.

18

19 If we see a problem with the claws, we  
20 put an amendment in there that says this does not include  
21 the claws. This includes only the fur as per State  
22 definition. Those are amendments that we can offer. So  
23 if somebody sees something that they see as a problem,  
24 they could look at this proposal and say I could take  
25 this proposal if it had these amendments in it and that  
26 would tell the Board what I'm really thinking, then we,  
27 as a Council, need to put those amendments on the table.

28

29

30 Myself, I'll just have to say that as a  
31 Council Member I would have to vote against this proposal  
32 as written without some amendments in it. It's  
33 interesting to me that she would like it to be mountain  
34 grizzly, where I see the coastal brown bear as having  
35 much healthier populations and much faster reproductive  
36 rates than mountain grizzlies, so I would never put that  
37 kind of amendment in myself. To me, I would have to say  
38 that we've looked at enough different problems with this  
39 that I would have to have an amendment before I would go  
40 along with this proposal and I'll just leave it at that.

41

42

43 If there is no further discussion, if  
44 there's no amendments, we'll just call the question.  
45 Tom.

46

47 MR. CARPENTER: Mr. Chairman, I'd like to  
48 propose an amendment to Proposal 04-01. I'll read my  
49 amendment and then I'd like to speak to it if I could.

50

00061

1                   The amendment is to allow the sale of  
2 handicraft items made from the fur of brown bear  
3 excluding the claws for Units 11 and 13.

4

5                   MR. CHURCHILL: Second.

6

7                   CHAIRMAN LOHSE: We have an amendment on  
8 the table and it's been seconded. Would you like to  
9 speak to your amendment, Tom?

10

11                   MR. CARPENTER: Yes, Mr. Chairman. I  
12 guess this amendment includes some of the concerns I had.  
13 This would allow for in our region, Units 11 and 13, that  
14 currently have an open Federal brown bear season. It  
15 addresses the concern that the State Board of Game had  
16 regarding the claws, potential definition conflict  
17 between the State and Federal regulations and I think it  
18 addresses the concern that the proposer -- I think that  
19 the proposer, in reading the letter that she sent  
20 regarding mountain grizzlies, I think she's looking at it  
21 from her perspective, on a regional point of view. I  
22 think just allowing 11 and 13, because of the current  
23 regulations, it addresses the problem better and I think  
24 it sends a message to the rest of the Councils that we  
25 are trying to deal with problems in our regions.

26

27                   Thank you.

28

29                   CHAIRMAN LOHSE: Tom, can I ask a  
30 question real quick. What was your reasons behind  
31 leaving out -- I can see your reasons in leaving out 6  
32 because you're talking about coast there, but how about  
33 15 and 16 that are also part of our area? Or maybe we're  
34 just speaking to 11 and 13 because that's where the  
35 proponent came from.

36

37                   MR. CARPENTER: Mr. Chairman, the reason  
38 my amendment includes 11 and 13 is that currently in the  
39 Federal subsistence regulations those are the only two  
40 sub-units in Southcentral that have a current positive  
41 C&T for brown bear. I am not opposed to including other  
42 areas in our region, but I think that if someone were to  
43 come from 14(B) or 15(A) and request a C&T finding and  
44 that the Board found positive, that this Council and the  
45 Board could also address the sale of brown bear fur and  
46 claws in the future. As of right now, I'd like to be  
47 specific to the areas that have a current season.

48

49                   CHAIRMAN LOHSE: Thank you, Tom. That's  
50 the kind of information we like to have down in our

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1 record, so that's why I asked you that question. Any  
2 other discussion, any questions for Tom. James.

3

4 MR. SHOWALTER: Yes, I think I'm going to  
5 have to vote against your amendment due to the fact that  
6 this is C&T and within the area, what I see, they're  
7 utilizing all parts of the bear for their C&T uses.

8

9 Thank you.

10

11 CHAIRMAN LOHSE: Thank you, James.  
12 Gilbert.

13

14 MR. DEMENTI: Yeah, over in Denali Park  
15 we already utilize -- the Park Service already permit  
16 sales of parts and handicrafts from any bear taken in the  
17 park. I'm in between here. In my area, it's different  
18 than what is in everybody else's area.

19

20 CHAIRMAN LOHSE: Thank you, Gilbert. Out  
21 of curiosity, if there's a Park Service person here to  
22 answer the question. Does that apply to Unit 11,  
23 Wrangell Mountain St. Elias National Park also?

24

25 MR. REED: Mr. Chairman. Mason Reed,  
26 wildlife biologist, Wrangell/St. Elias. That would apply  
27 to Wrangell/St. Elias. We are part of the National Park  
28 Service system. Going back to some discussion earlier  
29 about the differences between State regulations and  
30 Federal subsistence regulations, if the harvest of bears  
31 is not included in Federal subsistence regulations, then  
32 the State regulations would not apply to National Park  
33 and National Monument lands. It would apply to National  
34 Preserve but not National Park and National Monument. So  
35 park lands, both what we call the hard park and  
36 Wrangell/St. Elias, would be excluded from these  
37 regulations.

38

39 CHAIRMAN LOHSE: I think what I was  
40 asking is was Gilbert's understanding correct that in the  
41 park grizzly bears taken under subsistence and their  
42 parts can be used for handicrafts and sales.

43

44 MR. REED: Yeah, I just saw the reference  
45 to that in the Staff analysis, so it should be Park  
46 Service wide.

47

48 CHAIRMAN LOHSE: Thank you. Doug.

49

50 MR. BLOSSOM: Mr. Chairman. Your

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1 amendment, would you read it again.

2

3

4 MR. CARPENTER: The amendment would read  
5 to allow the sale of handicraft items made from the fur  
6 of brown bear excluding the claws for Units 11 and 13.

6

7

MR. BLOSSOM: Not only at the end?

8

9

10 MR. CARPENTER: No. It's for Units 11  
11 and 13 and the reason I wrote that, as I said before,  
12 those are the only two areas in Southcentral that have a  
13 current Federal subsistence season for brown bears.

13

14

15 MR. BLOSSOM: But unless we add only at  
16 the end, then the rest of the state would go -- if we  
17 vote for this with that amendment, the rest of the state  
18 would go just like she wants and those two areas would be  
19 without the claws.

19

20

21 MR. CARPENTER: I guess the reason I put  
22 the claws in there is that would align the concern -- I  
23 have somewhat of a concern that the Board of Game had. I  
24 think they amended the original proposal to allow for the  
25 current State definition of fur, not including the claws.  
26 I guess my amendment speaks to the concern of the claws.

26

27

28 CHAIRMAN LOHSE: Can I make a comment on  
29 that? Again, remember what we're doing here is we're  
30 making recommendations to the Board. What the Board  
31 would do is look at our recommendations. By looking at  
32 amendments and that, they see concerns that we have.  
33 They're going to also look at the recommendation from all  
34 the other Councils and they're going to come up with  
35 their own regulation, taking into account the concerns  
36 that are expressed. Some Councils may express a concern  
37 that this shouldn't take place at all. The Board will  
38 end up making a regulation that, to the best of their  
39 ability, meets the recommendations from the majority of  
40 the Councils.

40

41

42 None of us may get exactly what we want,  
43 but what we do in this process by amending proposals is  
44 we express our concerns to the Board. We try to bring  
45 our thoughts on the problem to the Board so that they can  
46 then use those. I would really sincerely doubt if the  
47 Board passed a statewide proposal, that they would  
48 include in the proposal our amendment that would take two  
49 units out of the proposal and make them different than  
50 the rest of the state. But what we've done by doing that  
51 is we've expressed a concern if we want to express that

00064

1 concern.

2

3

4 So, what we're presenting to the Board is  
5 not necessarily what we're going to come back on a  
6 statewide proposal because nine other Councils are also  
7 going to put recommendations in on it. So this is our  
8 opportunity to express our thoughts on it.

8

9

Doug.

10

11

12 MR. BLOSSOM: My question is, when we  
13 vote on this, are we voting for this whole issue now or  
14 are we just narrowing down to 11 and 13? Unless we word  
15 it that that's all we're going to vote on, we're still  
16 voting on the whole statewide issue and we're just taking  
17 the claws out of 11 and 13. That's my question.

17

18

19 CHAIRMAN LOHSE: The first thing we would  
20 do would be to vote on the amendment. If we vote on the  
21 amendment and we put that on the proposal, you're  
22 correct. Then what we're doing is we're voting for the  
23 statewide proposal. In our area, it should be limited to  
24 11 and 13. And the reason behind that is because that's  
25 the only reason -- and that's where they'll look at the  
26 record. The reason is that's the only area that has C&T  
27 subsistence hunts. But we'd still be voting on the whole  
28 proposal with that amendment.

28

29

Any other discussion on the amendment.

30 Fred.

31

32

33 MR. ELVSAAS: Thank you. I have to say I  
34 can't support the amendment. Again, there seems to be  
35 this burning issue of abusing claws or whatever and I  
36 just don't follow that. I think that when you shoot the  
37 bear, you shoot the whole bear, you don't shoot part of  
38 the bear. As such, if you're going to follow the  
39 regulations under the subsistence hunt, you're supposed  
40 to utilize as much as you can and that includes the  
41 claws.

41

42

43 So I could not support the amendment, but  
44 I do support the main motion.

44

45

Thank you.

46

47

48 CHAIRMAN LOHSE: Thank you, Fred. I  
49 think we need a definition at this point in time. I  
50 think there's a difference between utilizing and selling.  
51 I mean you can utilize something without selling it.

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1 Selling is a form of utilization but it's not the only  
2 form of utilization. There's nothing in any of these  
3 proposals that would prevent anybody from utilizing  
4 something. What we're looking at here is the sale, not  
5 the utilization.

6  
7 MR. ELVSAAS: That's true, Mr. Chairman.  
8 On the other hand, under the subsistence guidelines of  
9 trade and barter, this is an allowable activity.

10  
11 CHAIRMAN LOHSE: Thank you, Fred. Any  
12 other discussion on the amendment.

13  
14 (No comments)

15  
16 CHAIRMAN LOHSE: If not, we call the  
17 question.

18  
19 MR. CHURCHILL: Call the question.

20  
21 CHAIRMAN LOHSE: The question is called  
22 on the amendment. All in favor of the amendment signify  
23 by saying aye.

24  
25 IN UNISON: Aye.

26  
27 CHAIRMAN LOHSE: All opposed signify by  
28 saying nay.

29  
30 IN UNISON: Nay.

31  
32 CHAIRMAN LOHSE: The nays have it. Okay.  
33 Now we have the motion in front of us not amended. So,  
34 if there's any further discussion on the motion. Bob.

35  
36 MR. CHURCHILL: Just for the record, I'm  
37 going to vote in favor of this. I just don't have the  
38 concerns that some folks share. I think this will come  
39 down to a better utilization of the resource, an ability  
40 for folks to gather some dollars. These areas that we're  
41 talking about are not easy areas to hunt. The resource  
42 is healthy. I, as the proposer, indicated I have a great  
43 deal of faith of the folks that live within this area  
44 that they'll handle this additional opportunity  
45 responsibly. I intend to support it and I think it will  
46 be handled responsibly.

47  
48 CHAIRMAN LOHSE: Any other discussion.

49 Gloria.  
50

00066

1 MS. STICKWAN: I see it as an incentive  
2 to hunt brown bear now that you're going to be able to  
3 make money off of it and there's a potential for abuse  
4 for this enforcement issue. Since we took claws out of  
5 also will be a problem for enforcement. Proposals like  
6 this in the future is always going to be a problem  
7 because each region is different. Just within  
8 Southcentral Region here we have people who say they  
9 should use all parts of it. Well, they were at first in  
10 favor of selling it, now they're saying no. Each region  
11 is different. Each Native group is different. So when  
12 you do a statewide proposal, you have to take into  
13 consideration C&T determinations. This proposal is just  
14 one proposal that will always be a problem when it's  
15 applied statewide.

16  
17 CHAIRMAN LOHSE: Thank you, Gloria. Any  
18 other discussion.

19  
20 MR. CHURCHILL: Call the question.

21  
22 CHAIRMAN LOHSE: The question has been  
23 called. All in favor of Proposal WP04-01, allowing the  
24 sale of handicrafts made from brown bear fur statewide,  
25 signify by saying aye.

26  
27 IN UNISON: Aye.

28  
29 CHAIRMAN LOHSE: All opposed signify by  
30 saying nay.

31  
32 IN UNISON: Nay.

33  
34 CHAIRMAN LOHSE: Maybe we better have a  
35 show of hands on that one. We don't need a roll call  
36 vote. We'll just take a show of hands. All in favor of  
37 Proposal WP04-01 signify by raising your right hand.

38  
39 All opposed signify by raising your right  
40 hand.

41  
42 Six to six. Susan.

43  
44 MS. WELLS: Mr. Chairman, my concern with  
45 this again is the statewide proposal. I'm not opposed to  
46 the use of bear claws. I have not had experience with  
47 selling them. But my concern with this is the statewide  
48 blanket. Had out amendment been exclusive to Units 11  
49 and 13, I think it would have made my point to the Board  
50 that we're addressing these areas. The phrase excluding

00067

1 the claws was my problem and why I voted against it.

2

3

CHAIRMAN LOHSE: Tom.

4

5 MR. CARPENTER: Mr. Chairman, I guess I'd  
6 like to speak to the claw issue. I agree with some of  
7 the points. I am not necessarily so opposed to the idea  
8 of utilizing the entire bear. I guess my real concerns  
9 are it's a statewide proposal, number one. Number two,  
10 we have a lot of areas that have no current season. We  
11 do not know all of the biological concerns potentially  
12 that some different areas have and other areas do.

13

14 I believe one of the main reasons I put  
15 in my amendment excluding the claws is I believe it would  
16 align the current State and Federal regulations because  
17 if they are not aligned, I believe it's going to be an  
18 absolute enforcement nightmare into trying to decipher if  
19 a bear was taken on Federal land versus State land and if  
20 the claws could be sold or not sold. I just think  
21 aligning things is the easiest thing to do for all  
22 subsistence users and sport users.

23

24

CHAIRMAN LOHSE: Bob.

25

26 MR. CHURCHILL: If I'm understanding  
27 correctly, a failure to obtain a majority fails the  
28 proposal and we should probably be moving on to the next  
29 one.

30

31 CHAIRMAN LOHSE: Thank you, Bob. With  
32 that, we've accomplished a lot this morning. One tie  
33 vote. That is hard to believe. Let's hope we don't  
34 repeat this scenario too often. Ten to the hour. With  
35 the permission of everybody else here, I'd say let's  
36 start over this afternoon. With that, I'm going to call  
37 a recess until -- how about an hour and 25 minute recess.  
38 Does that sound good to everybody or would you rather be  
39 back at 1:00 and get started? Otherwise we'll start at  
40 1:15. Is that okay with everybody?

41

42

MR. CHURCHILL: Good to go.

43

44

CHAIRMAN LOHSE: Okay. We're recessed  
45 until 1:15.

46

47

(Off record)

48

49

(On record)

50

00068

1 CHAIRMAN LOHSE: We call this meeting of  
2 the Southcentral Subsistence Regional Advisory Committee  
3 back in session and we're going on to WP04-23a. I don't  
4 know if we want to consider 23a and b or have the  
5 presentation on 23a and b at the same time. Pat, what do  
6 you think?

7  
8 MS. PETRIVELLI: I'll go ahead and do 23a  
9 and Chuck Ardizzone would do 23b when I'm through. If  
10 you want to act on 23a and then you would know that and  
11 then you can deal with 23b after you act on 23a.

12  
13 CHAIRMAN LOHSE: Yeah, I think that's  
14 what we better do on this one, Pat. We better act on  
15 WP04-23a because the decision on b completely depends on  
16 a. So we'll go on 23a.

17  
18 MS. PETRIVELLI: Mr. Chairman, for the  
19 record, my name is Pat Petrivelli and I'll be presenting  
20 the Staff analysis for 23a and the Staff analysis begins  
21 on page 52 of the book.

22  
23 This proposal was submitted by Neil  
24 Hennan (ph) of Copper Center and it requests a positive  
25 customary and traditional use determination for bison in  
26 Units 11 and 13 for residents of Unit 11 and 13. As we  
27 discussed, there's a companion proposal 23b that has the  
28 season and harvest limit particulars. But 23a will deal  
29 only with the C&T use determination.

30  
31 On page 54 there's a map of the proposal  
32 area. The two bison herds involved are the Chitina River  
33 Bison Herd and the Copper River Bison Herd. For Unit 13,  
34 the range of the Copper River Bison Herd extends a little  
35 bit south of the boundary of Unit 11 and it doesn't  
36 involve any Federal lands whatsoever. The white areas  
37 are all Federal lands. I know the hatch mark looks like  
38 pale gray, but that's actually white with hatch marks, so  
39 those squares in there are private lands, the very  
40 lightest shade of gray. The medium shade of gray are the  
41 preserve lands and the dark-shaded gray are the park  
42 lands.

43  
44 In this analysis, we only considered the  
45 use of bison in Unit 11 because we deal with uses on  
46 Federal public lands. Those lands involve the  
47 Wrangell/St. Elias National Park and Preserve and also  
48 Chugach National Forest and BLM. The percentages are  
49 listed on page 52 and the predominant Federal public  
50 lands are the Wrangell/St. Elias. Actually, where the

00069

1 bison herd ranges are are the Park and Preserve lands.

2

3

4 Bison are a transplanted species. The  
5 original bison were transplanted from Montana and they  
6 were introduced at Delta Junction. Once the population  
7 took there, some bison were transplanted to the Copper  
8 River area in 1950 and 1952. The two herds have become  
9 established since then and the first hunts occurred, I  
10 think, in 1964 for the Copper River herd. For the  
11 Chitina River herd, the first hunt began in 1976.

11

12

13 For informational purposes, to show how  
14 the program has dealt with transplanted species, Table 1  
15 on page 53 shows different transplanted species  
16 throughout the state. Of those transplanted species, 10  
17 have been determined to have a positive C&T use and nine  
18 have a negative C&T use and the remaining have no  
19 determination. Those with a negative do include the  
20 bison and a lot of that is because that determination was  
21 carried over from the state, the negative bison  
22 determination. This is the first time anyone has  
23 requested a change from that C&T use determination.

23

24

25 In looking at the residents of Units 11  
26 and 13 for whom this was requested, on page 56 there's  
27 Table 2. It lists all the communities or areas that are  
28 in Units 11 and 13 and it represents a total of 3,921  
29 residents and about 1,494 households. Table 2 has just  
30 the population characteristics and Table 3 has their  
31 subsistence uses from the available household use  
32 surveys. The household use surveys from ADF&G that were  
33 available were done in 1982 and 1987.

33

34

35 The other data that's available are  
36 mainly the technical reports but they didn't really  
37 describe the use of bison there. The only data is just  
38 the percentages.

38

39

40 As I said yesterday, when we look at C&T  
41 use, we generally look at factors 1, 4 and 8. For factor  
42 1, the long-term consistent pattern of use, excluding  
43 interruptions, the use of bison, because it's a  
44 transplanted species and it's a very small population,  
45 the data available in factor 1 just tells the use of  
46 bison by all people, any residents of the state.

46

47

48 With the bison herds, as I mentioned  
49 before, for the Copper River herd, hunting started in  
50 1964 and occurred through registration permits until  
51 1988. Then for the Chitina, hunting occurred from '76

00070

1 through 1988 through a drawing permit. Both hunts were  
2 closed from 1989 to 1999 and that's because of  
3 conservation purposes. Since then there's been very  
4 limited use of bison.

5  
6                   The information we have about the use of  
7 bison by the residents of Units 11 and 13 are through the  
8 household use surveys. In 1982, Chickaloon was the only  
9 community that showed any percentages of harvesting and  
10 there were nine other communities that had households  
11 using bison. All those household numbers shows is they  
12 use bison. In 1987 there were more households  
13 harvesting. East Glenn Highway, Lake Louise, Paxson and  
14 Tazlina showed some harvesting and then another nine  
15 communities or areas showed some use.

16  
17                   For actual use of the bison in Unit 11,  
18 Table 5 shows what information we have available from  
19 1986 to the year 2000. Because the bison has only been  
20 able to be harvested through drawing permits since 1999,  
21 all those registration permits would have occurred on the  
22 Copper River hunt from '86 to '88. It shows that 44  
23 permits were issued and 12 bison were harvested. Since  
24 1999, one drawing permit has been issued to Glennallen  
25 and one bison was harvested.

26  
27                   The other thing that should be noted is  
28 that for both of the herds there's the issue of access.  
29 For the 13 bison harvested, hunters used airplanes to  
30 access two of the bison hunts, they used boats for eight  
31 hunts and then access was unknown for three of the hunts.  
32 Only one of the 13 harvests occurred after 1999 and the  
33 means of access was by airplane. For the Chitina River  
34 herd, they all used aircraft and that's the only  
35 practical means of accessing this remote hunt area. For  
36 the Copper River herd, it's noted that access to the herd  
37 through private property is an issue.

38  
39                   I'll go right to the effect of the  
40 proposal because for this particular proposal with the  
41 idea of factor 8 with the pattern of use and the wide  
42 diversity of fish and wildlife resources, there is  
43 statistics in there and the Units 11 and 13 show a wide  
44 range of diversity of subsistence resources, but the  
45 bison isn't a significant portion. Adoption of the  
46 proposal would result in a positive determination for  
47 bison in Unit 11 for all residents of 11 and 13, which  
48 contains about 1,494 households. However, only those  
49 residents eligible to hunt in Wrangell/St. Elias National  
50 Park would be able to use such an opportunity on park

00071

1 lands.

2

3

4 The preliminary conclusion is to oppose  
5 the proposal and it's because the data from the wildlife  
6 harvest data shows that the past harvest of bison by  
7 residents of Units 11 and 13 has been sporadic and  
8 limited. The data from household surveys for Unit 11 and  
9 13 communities do not indicate a long-term consistent  
10 pattern of use of bison and the available information  
11 regarding harvest and use by residents of Units 11 and 13  
12 does not indicate that this species is integrated into  
13 the subsistence use patterns of these communities.

13

14 That concludes my analysis and if you  
15 have any questions.

16

17 CHAIRMAN LOHSE: Okay. Thank you, Pat.  
18 Questions from the Council for Pat. Bob.

19

20 MR. CHURCHILL: Yeah, in exploring this  
21 issue, Pat, did you find any areas where buffalo had been  
22 used in a customary and traditional fashion in the state?

23

24 MS. PETRIVELLI: In the Eastern Interior  
25 Region there's a history of the use of wood bison and  
26 that's uses of about 100 years ago. Of course, wood  
27 bison occurred in the Upper Tanana Han Athabascans and  
28 that area. Of course, there's talk about having wood  
29 bison -- I came across a little brochure about wood bison  
30 and the difference between wood and plains bison. Of  
31 course, I couldn't tell from the picture. I guess  
32 there's a difference between wood and plains bison and  
33 there is some evidence of use by the Upper Tanana Han  
34 Athabascans.

35

36 MR. CHURCHILL: Follow up. I had also  
37 done some reading and heard some information that Fort  
38 Yukon, Chalkyitsik, up in that part of the world, there  
39 had been certainly an oral history within the last 100 to  
40 150 years, but I was just wondering if it was anywhere  
41 other than that. I mean I haven't seen it other than  
42 that. It was explained to me that the wood bison are  
43 bigger and meaner. Not very scientific, but I was  
44 assured that was the primary difference.

45

46 MS. PETRIVELLI: And I guess those would  
47 be Gwich'in because I'm not real familiar with the  
48 Eastern Interior, but I know it was up north.

49

50 CHAIRMAN LOHSE: Any other questions for

00072

1 Pat. Pat, I've got a couple. I don't know if you can  
2 answer them or not. When we talk about Federal lands  
3 where the bison are on the Lower Chitina herd or the  
4 Copper River herd, which bank of the Copper River does  
5 the Park Service boundary extend to or does it meet in  
6 the middle or what does it do?

7

8 MS. PETRIVELLI: I think I might defer to  
9 some Park Service people because I'm used to fish  
10 boundaries and I know fish jurisdiction includes waters  
11 adjacent to the boundaries. I'm not sure.

12

13 MR. REED: Yes, Mason Reed. The boundary  
14 for the park is the east shore and drainages of the  
15 Copper River.

16

17 CHAIRMAN LOHSE: So, Mason, while I've  
18 got you there, the buffalo that are out in the middle of  
19 the river or on the Unit 13 side of the river are  
20 actually out of the park.

21

22 MR. REED: Yes.

23

24 CHAIRMAN LOHSE: So what we're dealing  
25 with only are the buffalo that are above mean high water  
26 on the Unit 11 side and the Upper Chitina.

27

28 MR. REED: It's actually not mean high  
29 water, it's just the east shore of the Copper River.

30

31 CHAIRMAN LOHSE: I shouldn't have used  
32 mean high water. It shows I'm thinking of the coast. So  
33 basically then what we're looking at for this is the  
34 buffalo that exists on that patchwork of private and park  
35 land on the Unit 11 side of the Copper River and then the  
36 buffalo herd that's at the head of the Chitina River.  
37 Can I ask you a question on that Upper Chitina herd.  
38 This is just local hearsay, so I'm just asking the  
39 question anyhow. I've heard that the Park Service  
40 considers that Upper Chitina herd kind of feral animals  
41 and they'd just as soon they were gone.

42

43 MR. REED: Actually, both herds are  
44 considered exotic species by the National Park Service  
45 based on a couple studies. These bison are plains bison  
46 and not wood bison. Wood bison are the closest thing  
47 that Alaska has to a native bison and there's no record  
48 of wood bison ever occurring in Wrangell/St. Elias either  
49 through oral history or any paleontological finds. Both  
50 herds are from the same stock and classified as exotics

00073

1 in our park.

2

3

CHAIRMAN LOHSE: So classified as exotics  
4 basically means that they're not welcome or not unwelcome  
5 species, they're just not given the same kind of status.

6

7

MR. REED: They're not a protected  
8 species like the National Park Service normally protects  
9 native species, correct. With the exotic status, that  
10 gives us management flexibility if you want to call it.  
11 There was a study in the early '80s specifically on the  
12 Chitina herd to determine what impacts this herd may have  
13 on the local fauna and flora. And looking at impacts to  
14 moose as well as current livestock grazing areas and the  
15 determination was there was not significant impact to the  
16 area to warrant any action whatsoever by the National  
17 Park Service.

18

19

CHAIRMAN LOHSE: It's kind of interesting  
20 because if you were there in the late '60s, there was  
21 definitely some interchange between those two herds  
22 because we had buffalo in McCarthy, Long Lake and up  
23 above Long Lake in the late '60s. They're not totally as  
24 isolated sometimes as we think they are, but it's been a  
25 while since anybody has seen buffalo tracks.

26

27

MR. REED: The Chitina herd was introduced  
28 into May Creek, so that may have been where those came  
29 from rather than the Copper River herd, but I don't know.  
30 It's just a possibility.

31

32

CHAIRMAN LOHSE: Okay. I have a couple  
33 other questions real quick. Judging by the fact that all  
34 of the access to the Upper Chitina herd has been by  
35 airplane, that must be strictly in the preserve, right?

36

37

MR. REED: Yes. I think the park is the  
38 south boundary of the Chitina River. Technically, all  
39 those animals should be taken in the preserve since it's  
40 by airplane access.

41

42

CHAIRMAN LOHSE: So, therefore, the  
43 statement that only residents eligible to hunt in the  
44 park would be able to hunt them or the Lower Copper River  
45 herd wouldn't be accurate because since they're in the  
46 preserve anybody in the state can technically hunt them.  
47 If a C&T is found, then anybody who has that C&T can hunt  
48 them whether they have resident-zone park status or not.

49

50

MR. REED: Right.

00074

1 CHAIRMAN LOHSE: Thank you. Any other  
2 questions. Tom.

3  
4 MR. CARPENTER: I just have a quick  
5 question. The State, in the past, the hunt was  
6 originally a registration hunt and it went to a drawing  
7 hunt because of biological reasons, conservation  
8 concerns. Am I to think that because the Park Service  
9 considers the bison an exotic species that they wouldn't  
10 be as concerned with the herd, the manager of that  
11 particular hunt?

12  
13 MR. REED: We've discussed that and we  
14 haven't come up with any clear direction there basically.

15  
16  
17 CHAIRMAN LOHSE: I understand what you're  
18 getting at, Tom, is that you could go back possibly to  
19 just a registration hunt because you wouldn't be quite so  
20 intensively managing it. There would be a question  
21 whether they'd even have to manage it for conservation  
22 purposes. That's what I was wondering. Since they're  
23 there, once you started managing them, would you have to  
24 manage them for continuity or could you just manage them  
25 out of existence?

26  
27 MR. REED: That's a very good point and  
28 that's one that we've discussed. At this point, we have  
29 no intention in allowing the herd to be decimated.

30  
31 CHAIRMAN LOHSE: I like your addition of  
32 the word at this point because that's a political reality  
33 that can change at any time. Tom.

34  
35 MR. CARPENTER: Just one further comment  
36 in regards to that. I think that the party that wrote  
37 this proposal would probably -- I don't know if he  
38 thought about the possibilities as they're being  
39 considered as an exotic species. There's a lot of other  
40 State hunts that have become Federal hunts in the past,  
41 but I think there has been a fairly good agreement  
42 between the Federal manager, be it the Park Service,  
43 Forest Service or whoever, with the local population of  
44 people that they're going to try and manage hunts in a  
45 certain way before they become subsistence hunts and I  
46 just wonder if the gentleman who proposed this would  
47 still be in favor of possibly having it become a Federal  
48 hunt if he wasn't sure that the herd was going to be  
49 managed for sustainable population and yield for the long  
50 term. Just a point I thought I'd bring up. Thanks.

00075

1 CHAIRMAN LOHSE: Any other questions or  
2 comments for Pat or for this part of the presentation.

3

4 (No comments)

5

6 CHAIRMAN LOHSE: Thank you, Mason, for  
7 what you added, Pat. With that, we'll go on to Alaska  
8 Department of Fish and Game comments.

9

10 MR. HAYNES: Thank you, Mr. Chairman.  
11 Before giving our comments, I'd like to acknowledge the  
12 presence of several more department staff. Bill Simeone  
13 from Subsistence Division, Mike McDonald, who is the  
14 wildlife conservation management coordinator for Region  
15 2. I guess that's all the department staff, but I wanted  
16 you to know that they were here.

17

18 Just a beginning comment on this  
19 proposal. The bison were there before the park was.

20

21 CHAIRMAN LOHSE: So were a lot of other  
22 things.

23

24 MR. HAYNES: That's right. The  
25 department's comments on this proposal appear on page 62.  
26 We oppose the proposal to establish a customary and  
27 traditional use finding for all of the reasons Pat gave  
28 in her presentation. In addition to what she said, the  
29 use and hunting of bison in Unit 11 are practices that  
30 have not been integrated into a seasonal round of harvest  
31 activities by local rural communities. Only a small  
32 number of households in Units 11 and 13 have ever hunted  
33 or used bison, according to information recorded in  
34 household surveys, and none of the other eight criteria  
35 really are met.

36

37 The reference to this being an exotic  
38 species, that was even referenced by the author of this  
39 proposal. I think there's sufficient evidence available  
40 to safely conclude that there is no customary and  
41 traditional pattern of use of bison in this area.

42

43 Thank you.

44

45 CHAIRMAN LOHSE: Thank you, Terry. Any  
46 questions for Terry.

47

48 (No comments)

49

50 CHAIRMAN LOHSE: If there's no further

00076

1 questions for Terry, thank you.

2

3 MR. HAYNES: Thank you, Mr. Chairman.

4

5 CHAIRMAN LOHSE: Other Federal, State or  
6 Tribal Agencies that wish to speak to this proposal.

7 Joe, you're speaking then as a Tribal Agency, right?

8

9 MR. HART: Yes. Thank you, Mr. Chair.

10 For those of you that don't know me, my name is Joe Hart.

11 I'm with Chitina Native Corporation and here representing

12 not only the Chitina Native Corporation but the

13 Traditional Indian Village Council of Chitina.

14

15 We are opposed to this proposal as  
16 presented. There are several reasons for that. Prior to  
17 working for Chitina Native Corporation, I was involved as  
18 the chairman of their land committee and I've been  
19 dealing with this bison hunt issue on the State side ever  
20 since it came back into existence in '99.

21

22 When it came about and the proposal was  
23 being considered by the Board of Game, I was the resource  
24 manager for AHTNA, Incorporated, which is responsible for  
25 managing 1.7 million acres of land in the Copper River  
26 Basin area as well as over towards the Denali Park area.  
27 A majority of that land lays in the boundaries of the  
28 park near Wrangell/St. Elias and a good portion that lays  
29 in Denali Park as well.

30

31 This current bison hunt that's happening  
32 under State regulations presents trespass problems for  
33 both AHTNA and Chitina, which are the majority private  
34 property owners in the area the bison are located for the  
35 Copper River herd. The Chitina herd we have no private  
36 property back in that area. Since its existence we have  
37 found trespass cases where even though we presented all  
38 the information to the State of Alaska, troopers and the  
39 district attorney's office have not moved forward with  
40 any charges to the hunters and it comes to an issue of  
41 public access, how did they get there, and there are ways  
42 to access where this herd is at. When it comes to  
43 investigating, enforcement and so on, there are all kinds  
44 of problems. We've been working with the State of Alaska  
45 Department of Fish and Game and the troopers to try to  
46 get them to address some of our concerns.

47

48 In your booklet on page 54 it shows the  
49 hatched areas and it gives you a little definition down  
50 at the bottom and it says BLM administered land and

00077

1 that's not correct. Most of the white squares you see on  
2 the eastern side of the Copper River that's private  
3 property. That's not administered land by the BLM. So  
4 please take that into consideration as well when we're  
5 talking about this. We do oppose this and there are  
6 several reasons.

7

8 I attended the Wrangell/St. Elias  
9 Subsistence Commission meeting in Slana recently. There  
10 was a comment made by the Glennallen biologist that if  
11 this were to pass, he would move forward and recommend to  
12 the Board of Game that they do away with the State hunt.  
13 Even though he would recommend that, that does not mean  
14 the Board of Game would do away with the State hunt as he  
15 would like to see it.

16

17 Potentially, we could have a State hunt  
18 and a Federal hunt and increase the number of people that  
19 we have to deal with as private property owners and  
20 monitoring for trespass and permitting and other things.  
21 So that's a major concern for us right there. It takes a  
22 lot of finances and manpower to get out there and monitor  
23 1.7 million acres of land.

24

25 Thank you.

26

27 CHAIRMAN LOHSE: Thank you, Joe. Any  
28 questions for Joe. Bob.

29

30 MR. CHURCHILL: Joe, thank you. In  
31 reviewing the eight point criteria for C&T findings, it  
32 appears to me from reading it and what I've been able to  
33 gather, this fails on that alone. Would you be in  
34 agreement with that?

35

36 MR. HART: I would agree 100 percent.

37

38 MR. CHURCHILL: Thank you very much.

39

40 CHAIRMAN LOHSE: Doug.

41

42 MR. BLOSSOM: Mr. Chairman, Joe, this  
43 might not relate to this, but I know like Ninilchik  
44 Natives down where I live, they issue permits for people  
45 to go on their land. Do you things like that or that  
46 doesn't happen up in that country?

47

48 MR. HART: I can't speak for AHTNA any  
49 longer because I don't work for them, but I know Chitina  
50 Native Corporation does have a permit program in place.

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1 We do take it on a case-by-case basis and there are  
2 permit fees for the access that apply. We do have guides  
3 that come and get permits from us on a regular basis and  
4 have agreements that are long-standing. A five-year term  
5 and so on for hunting and fishing on our lands.

6

7 One more thing to add to that. Since the  
8 start of this hunt we have had maybe two inquiries from  
9 people who had bison permits on the State hunt for access  
10 onto our lands. The rest of them have disregarded  
11 contacting us and asking for permission to come onto our  
12 lands.

13

14 Then there was the question about the  
15 authority of the Park Service and its management. The  
16 Park Service does have authority over certain easements  
17 which reach from the western side of the Copper River  
18 that go from the highway across our private property down  
19 to the river. They do have management authority over  
20 that, so their authority does extend to a certain extent  
21 across the river. I know that from my experience working  
22 at AHTNA. I was involved in that process of turning the  
23 authority over from the BLM to the Park Service.

24

25 CHAIRMAN LOHSE: Gloria.

26

27 MS. STICKWAN: I just wanted to answer  
28 his question. It's my understanding that it's closed to  
29 hunting for non-shareholders on AHTNA land. It's been  
30 that way since 1991.

31

32 CHAIRMAN LOHSE: Any other questions for  
33 Joe.

34

35 (No comments)

36

37 CHAIRMAN LOHSE: Thank you, Joe. Inter-  
38 Agency Staff Committee comments.

39

40 MR. KESSLER: There aren't any.

41

42 CHAIRMAN LOHSE: There aren't any. Okay.  
43 Fish and Game Advisory Committee comments.

44

45 (No comments)

46

47 CHAIRMAN LOHSE: There aren't any.  
48 Summary of written public comments. Donald.

49

50 MR. MIKE: Thank you, Mr. Chair. Summary

00079

1 of written public comments starts on page 62 of your  
2 book. There were three written comments received. One  
3 from the Upper Tanana Fortymile Local Fish and Game  
4 Advisory Committee that opposed the Proposal 23 at their  
5 meeting.

6

7 AHTNA, Incorporated opposes the proposal.  
8 The customary and traditional use determination study has  
9 not been done on bison in Unit 11 or 13 and this should  
10 be done by the U.S. Fish and Wildlife Service before a  
11 C&T use determination is done for Units 11 and 13. We do  
12 not support a specified season date part of the proposal  
13 because a C&T determination should be done first before a  
14 hunting season for bison is open.

15

16 The Wrangell/St. Elias National Park  
17 Subsistence Resource Commission opposes the proposal.  
18 Based on the analysis and testimony there appears to be  
19 little evidence of customary and traditional use of these  
20 resources by local residents.

21

22 Thank you, Mr. Chair.

23

24 CHAIRMAN LOHSE: Thank you, Donald. With  
25 that, a motion to put this proposal on the table so that  
26 we can discuss it is in order.

27

28 MR. CHURCHILL: I move that we adopt  
29 Proposal WP04-23a.

30

31 MR. BLOSSOM: Second.

32

33 CHAIRMAN LOHSE: It's been moved and  
34 seconded that we adopt WP04-23a. Discussion. Who would  
35 like to start off? Bob.

36

37 MR. CHURCHILL: Both the findings of the  
38 Subsistence Office, the State Department of Fish and Game  
39 and the corporations and users in the area all stand  
40 firmly against this. I have some history with the State  
41 side of it and the frustrations that have been shared on  
42 trespass issues and the legitimate efforts that have been  
43 made to resolve that. I see this, if it were passed,  
44 aggravating that as well. So I intend to vote against  
45 it.

46

47 CHAIRMAN LOHSE: Anybody else have  
48 something they'd like to add. Tom then Gloria.

49

50 MR. CARPENTER: Mr. Chairman, I would

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1 concur with what Mr. Churchill just said. In regards to  
2 the Staff analysis, the different Native corporations in  
3 that area and also that there's really been no  
4 quantifiable evidence to support any of the eight  
5 criteria, I will have to vote against this also.

6

7 CHAIRMAN LOHSE: Thank you, Tom. Gloria.

8

9 MS. STICKWAN: I would like to see the  
10 Federal agencies work with AHTNA and Chitina on this  
11 trespass problem they have. Either putting up signs or  
12 doing education. There's a section in part of ANILCA  
13 that says agencies are supposed to be working with Native  
14 corporations. They could be fulfilling that obligation  
15 by working with them on trespass.

16

17 CHAIRMAN LOHSE: Thank you, Gloria. Bob.

18

19 MR. CHURCHILL: I guess just to comment  
20 on Gloria's. Maybe there would also, in addition to the  
21 Federal folks, a chance of working with the Fish and Game  
22 Advisory Committees to do some education and publicity  
23 because my understanding is a lot of the trespass issues  
24 are coming from folks that are hunting under State regs.  
25 That might be another option for us to build those  
26 relationships between the RAC and the AC's.

27

28 CHAIRMAN LOHSE: Thank you, Bob. Any  
29 other discussion on the motion. Dean.

30

31 MR. WILSON: I want to take a look at  
32 Table 5 here on page 59. I see that it shows that  
33 there's very little community support or community  
34 interest in this bison hunt. It doesn't make sense to  
35 me. I live in the Kenny Lake region myself and I know my  
36 father and uncles and several people in the community  
37 were real active years ago in hunting bison. It makes  
38 sense to me now because I see that -- our local post  
39 office is in Copper Center. So when you're going through  
40 some of your documentation for where you're getting this  
41 from, the only communities you have selected have post  
42 offices here. All the rest of them use one of those  
43 five. Do you understand what I'm saying with that? So  
44 the other ones probably aren't going to get very good  
45 representation using Table 5 there.

46

47 Along with that, I also work heavily on  
48 the river and I've seen a lot of trespass. I've worked  
49 with Joe Hart from AHTNA around a lot of trespass issues.  
50 This is a real concern because they just haven't got the

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1 support even though we've seen people directly come  
2 through trying not to talk to the local people so they  
3 can get out there and pop one before there's too many  
4 questions asked. Until that issue is addressed, I'm  
5 going to also oppose this.

6

7 MR. CHURCHILL: Call the question.

8

9 CHAIRMAN LOHSE: The question has been  
10 called if there's no further discussion. All in favor of  
11 WP04-23a signify by saying aye.

12

13 (No votes)

14

15 CHAIRMAN LOHSE: All opposed signify by  
16 saying nay.

17

18 IN UNISON: Nay.

19

20 CHAIRMAN LOHSE: Motion fails. Which  
21 means we go to WP04-23b. We can't handle that because we  
22 don't have any reason to handle that. Am I correct? Do  
23 we need to put a motion on the table?

24

25 MR. CHURCHILL: I'd like to put a motion  
26 on the table that we take no action on WP04-23b based on  
27 the action taken on WP04-23b.

28

29 MS. WELLS: Second.

30

31 CHAIRMAN LOHSE: It's been seconded by  
32 Susan.

33

34 MR. CHURCHILL: Call the question.

35

36 CHAIRMAN LOHSE: The question has been  
37 called. All in favor of the motion signify by saying  
38 aye.

39

40 IN UNISON: Aye.

41

42 CHAIRMAN LOHSE: All opposed to the  
43 motion signify by saying nay.

44

45 (No opposing votes)

46

47 CHAIRMAN LOHSE: Motion carries. We are  
48 going on at light speed now. Okay. We are on WP04-24.  
49 Pat.

50

00082

1 MS. PETRIVELLI: Thank you, Mr. Chairman.  
2 Proposal WP04-24 was submitted by the Wrangell/St. Elias  
3 Subsistence Resource Commission. It requests the use of  
4 a designated hunter for sheep in Unit 11 during the late  
5 season elder hunt. The Staff analysis begins on page 74.  
6 This regulation would allow the use of designated hunter  
7 for sheep in Unit 11 by qualified individuals during the  
8 late season elder hunt only.

9  
10 Currently in Unit 11 the use of a  
11 designated hunter is allowed only for moose and caribou.  
12 The proponent stated that some community elders who are  
13 eligible for this hunt find it difficult to hunt sheep  
14 due to physical limitations that limit accessibility.  
15 Allowing the use of designated hunters on the elder sheep  
16 hunt will provide them with the opportunity to fulfill  
17 their subsistence sheep needs.

18  
19 The list of the customary and traditional  
20 use determinations for sheep on Unit 11 is on page 75.  
21 I'm not going to read through them just in the interest  
22 of time.

23  
24 The regulatory history. In 1998, the  
25 Federal Subsistence Board adopted Proposal 98-96 and  
26 created the late Unit 11 sheep season for persons 60  
27 years of age or older. This season was extended one  
28 month beyond the regular sheep season when sheep are at  
29 lower elevations. This action was taken to provide the  
30 opportunity for those elders who are still capable of  
31 hunting but cannot climb high enough into the mountain to  
32 find sheep during the early season to continue to hunt  
33 and pass on traditional knowledge about sheep hunting to  
34 younger family members.

35  
36 During the review of Proposal 98-96, both  
37 the Southcentral and Eastern Interior Regional Advisory  
38 Councils included in their recommendations the comment  
39 that no designated hunting be allowed. During that time,  
40 the Southcentral Council stated that the purpose of the  
41 proposal is to provide opportunity to elders. A proxy  
42 does not provide the same opportunity for an elder to go  
43 out and hunt and teach others.

44  
45 So, in light of that past recommendation,  
46 the preliminary conclusion would be to oppose the  
47 proposal because adoption of the proposal would be in  
48 direct contradiction with the original purposes for  
49 establishing the hunt. The allowance for designated  
50 hunting during the extended season for elders would

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1 defeat the purpose, which is to provide the opportunity  
2 for those elders to participate in the hunt and pass on  
3 to others their knowledge and skills.

4

5 For those elders who are unable to  
6 participate in this hunt, the Wrangell Subsistence  
7 Resource Commission could consider submitting a proposal  
8 for designated hunting provision for sheep during the  
9 regular sheep season.

10

11 That concludes my analysis.

12

13 CHAIRMAN LOHSE: Thank you, Pat. Anybody  
14 have any questions for Pat. Tom.

15

16 MR. CARPENTER: Pat, did you say that  
17 there was no designated hunter provision in Unit 11 or  
18 13?

19

20 MS. PETRIVELLI: None for sheep. There  
21 is for moose and caribou. Last year or the year before  
22 we did the statewide designated hunter provisions for  
23 moose, caribou and deer only. The Board had already  
24 adopted moose and caribou designated hunting provisions  
25 previously in Unit 11 and 13.

26

27 MR. CARPENTER: So, to your knowledge,  
28 nobody has proposed to the Council for a designated  
29 hunter for sheep during the regular season before.

30

31 MS. PETRIVELLI: This is the first  
32 proposal for sheep that I'm aware of in Unit 11.

33

34 MR. CARPENTER: Thank you.

35

36 CHAIRMAN LOHSE: Any other questions for  
37 Pat.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: Thank you, Pat.

42

43 Alaska Department of Fish and Game.

44

45 MR. HAYNES: Thank you, Mr. Chairman.  
46 The department's comments are on page 77 of your meeting  
47 book. The department opposes this proposal for many of  
48 the same reasons that Pat presented in her presentation.  
49 To allow designated hunting for this hunt would be  
50 inconsistent with both the spirit and the intent of this

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1 special season and would result in higher harvests that  
2 would threaten the conservation of -- and I need to make  
3 a correction in our comments -- would threaten the  
4 conservation of currently declining sheep populations in  
5 this area. And especially of large rams when they're  
6 moving to lower elevations and are vulnerable to over-  
7 harvest.

8

9 I might add that the department supported  
10 the original proposal to establish this elder sheep hunt  
11 and it was our understanding that the intent was to  
12 accommodate hunting in areas more accessible to older  
13 people who would not necessarily be physically able to  
14 climb higher into the mountains. This proposal here just  
15 does away with the purpose for which that hunt was  
16 established.

17

18 Thank you.

19

20 CHAIRMAN LOHSE: Any questions for Terry.

21

22 (No comments)

23

24 CHAIRMAN LOHSE: Thank you, Terry. Do we  
25 have any other Federal, State or Tribal Agency comments.

26

27 (No comments)

28

29 CHAIRMAN LOHSE: With that, we'll go on  
30 to Inter-Agency Staff Committee comments. Do we have  
31 any?

32

33 MR. KESSLER: No additional comments at  
34 this time.

35

36 CHAIRMAN LOHSE: No additional comments.  
37 Fish and Game Advisory Committee comments. Do we have  
38 any of those at this time?

39

40 (No comments)

41

42 CHAIRMAN LOHSE: Okay. With that we'll  
43 go on to summary of written public comments. Donald.

44

45 MR. MIKE: Thank you, Mr. Chair. Written  
46 public comments start on page 77 in the Council book.  
47 There were three written public comments received. The  
48 Upper Tanana Fortymile Local Fish and Game Advisory  
49 Committee opposes the proposal. AHTNA, Incorporated  
50 support the proposal. They support having a designated

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1 hunter option for Unit 11 for sheep for the elder hunt.  
2 Wrangell/St. Elias, I think they're going to be  
3 presenting that.

4

5 Thank you, Mr. Chair. That concludes the  
6 written public comments.

7

8 CHAIRMAN LOHSE: Thank you, Donald.  
9 Public testimony. I think we have Wrangell/St. Elias SRC  
10 would like to testify at this point in time.

11

12 MS. CELLARIUS: Thank you, Mr. Chair. My  
13 name is Barbara Cellarius. I'm the subsistence  
14 coordinator for Wrangell/St. Elias National Park and  
15 Preserve.

16

17 Because the SRC had some sort of  
18 complicated language in their response on this proposal,  
19 I wanted to at least give you a chance to ask me any  
20 questions you might have. Before I read the proposal, I  
21 will state that we had a very successful SRC meeting in  
22 Slana and there was a lot of public participation, so the  
23 language I'm going to read was developed by the SRC in  
24 response to the testimony they received at that meeting.  
25 It's unfortunate that Wilson is not here right now  
26 because I know that he was very interested in this issue.

27

28 So I'm just going to go ahead and read  
29 what you have in your book and if you have questions,  
30 I'll be happy to answer any ones you might have.

31

32 The Wrangell/St. Elias National Park  
33 Subsistence Resource Commission opposes the proposal as  
34 written. They've decided they want to modify this  
35 proposal, which they did submit in the first place. The  
36 SRC also opposes any modification that would provide for  
37 a designated hunter on the regular season due to  
38 conservation concerns about the sheep population in Unit  
39 11 and the potential for abuse.

40

41 The SRC recommends the following  
42 modification of this proposal. During only the late  
43 season elder hunt a Federally-qualified subsistence user  
44 (permit holder) may be accompanied by another Federally-  
45 qualified subsistence user to take sheep on his or her  
46 behalf. The permit holder must be qualified to  
47 participate in this hunt, that is be 60 years of age or  
48 older. The accompanying hunter need not meet the age  
49 qualifications for the hunt, but may hunt for only one  
50 permit holder under these provisions. The permit holder

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1 and the accompanying hunter may have no more than one  
2 harvest limit in their possession at one time. The  
3 permit holder must be present during the harvest and is  
4 the responsible party for the hunt and subsequent  
5 reporting. So that's the language they're suggesting.  
6 They're recommending that these be permitted on a two-  
7 year trial basis to monitor for conservation concerns.

8

9 That is the SRC's recommendation and if  
10 anybody has questions, I can try to answer them.

11

12 CHAIRMAN LOHSE: Does anybody have  
13 questions for Barbara? Bob.

14

15 MR. CHURCHILL: Yeah, having some history  
16 with this hunt and it's certainly backed up by this book,  
17 when it was initiated it was done clearly with the idea  
18 there would be no proxy hunting associated with it and  
19 that was how that agreement was forged. Was there any  
20 discussion related to diametrically stepping away from  
21 that initial agreement that this hunt was built on?

22

23 MS. CELLARIUS: The comments that are  
24 printed in your book, there is one explanatory statement  
25 that was in the letter which didn't make it into the book  
26 and that is the idea would be that someone who is  
27 eligible for this elder hunt could take, for example, a  
28 grandchild with them, so the grandchild would be along  
29 with them to participate in the hunt, but the grandchild  
30 could actually take the animal under the supervision of  
31 the grandparent. So this is the way that Wilson  
32 explained it and the SRC was attempting to put into words  
33 a provision that would allow this to take place.

34

35 CHAIRMAN LOHSE: Bob.

36

37 MR. CHURCHILL: Your language, you  
38 probably recognize, falls way, way short of that  
39 objective. It would allow anyone in the world to  
40 accompany the elder and take that, that it would be  
41 qualified in that subsistence hunt. It has no age, it  
42 has no limitation and geometrically increases the  
43 potential harvest in here, which could nullify the  
44 general hunting season in a real hurry. As I remember  
45 it, that was one of the bases that this hunt was created,  
46 that it would have little potential to do that. It just  
47 strikes of coming full circle and certainly not being  
48 consistent with the premise. Were we to stipulate that  
49 the elder would take a grandchild at a minimum age may be  
50 one thing, but your language certainly is so much broader

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1 than that.

2

3

CHAIRMAN LOHSE: Thank you, Bob.

4 Barbara, I've just got a couple questions. I read the  
5 letter and, as the proposal was written, I was dead set  
6 against it. I sat on this Council when we passed the  
7 original proposal. We went over the idea that it was for  
8 the elder to pass the knowledge on to the younger and to  
9 give the elder an opportunity.

10

11

I thought you did an excellent job of  
12 addressing some of my concerns. I'm not saying I was  
13 still in favor of it, but it was never intended as a meat  
14 hunt. It was never intended as something -- I mean not  
15 that the meat wouldn't be used, but it wasn't the case of  
16 how are we going to put meat on the table. It was a  
17 chance to give an elder who was too old to go up in the  
18 mountain a chance to go sheep hunting and show his  
19 younger generation how to do it and how to handle it.

20

21

I think the SRC did a good job of  
22 addressing it, but, like Bob, I see a lot of open doors  
23 in it. What I'd like to see, if nothing else, is some  
24 kind of kinship involved and that kinship would have to  
25 be a younger generation so that it was passed on to a  
26 younger generation.

27

28

I, myself, know that if I participate in  
29 this elder hunt and go up in the mountains to get a sheep  
30 and fall, I will be taking my sons along, although they  
31 are more likely to get me in trouble than me to get them  
32 in trouble. But the fact is you're going to take  
33 somebody with you if you go. I can see where somebody  
34 that would go up there possibly would feel not qualified  
35 anymore to make the shot or would like to see his -- I  
36 mean I've done it myself on deer hunting. Got in  
37 position where I could kill the deer real easy and passed  
38 up the shot so that my son could shoot the deer. I could  
39 see where that could be done here.

40

41

I would think that somewhere along the  
42 line there has to be a way if we're going to do that like  
43 Bob said, that we don't open a door wide open but that we  
44 make it so that it is a passing down of knowledge either  
45 in a matter of kinship, child or grandchild, something  
46 like that, so that it doesn't open doors where -- I'll  
47 give you a real good one. Why don't I call my brother up  
48 and have my brother come up from Minnesota and go on an  
49 elder sheep hunt with me, you know. In this case here,  
50 we haven't limited it to where he couldn't. Do you think

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1 that would be out of the intention of the SRC if we did  
2 something like that?

3

4 MS. CELLARIUS: Mr. Chair, what you  
5 describe in taking your sons along, and it's my  
6 understanding of what Wilson said, and this is why I  
7 really wish that Wilson was here right now, was that was  
8 the kind of thing that the elders were interested in. I  
9 think there was some concern at the meeting, and this is  
10 why it's so general, that what happens if you didn't have  
11 a child or a grandchild, that would be limiting the  
12 opportunity and I think that's why the language was so  
13 vague.

14

15 CHAIRMAN LOHSE: Well, if you wanted to  
16 limit it so that if you didn't have a child or  
17 grandchild, you could still make it something like on the  
18 order of a Big Brother thing that the accompanying hunter  
19 has to be under 17 years of age or something like that.  
20 That way you definitely wouldn't be selling it to  
21 somebody who's coming up here to go sheep hunting. You'd  
22 be limiting it to passing it on to the next generation or  
23 generation after you.

24

25 I can understand the fact that if you  
26 don't have a son or a grandson that would kind of leave  
27 you out, but I think their intention was, at least the  
28 intention that I got for the feeling when we first worked  
29 on this proposal that this was both an opportunity for  
30 the elder to go out and participate in one more sheep  
31 hunt, but just as much a thing was here was a chance for  
32 the elder to participate in the sheep hunt with somebody  
33 younger than themselves that they could then pass on the  
34 knowledge that they have. That's what I kind of read in  
35 this, but it's not limited to that.

36

37 MS. CELLARIUS: As I said, my  
38 understanding from what Wilson said was that it was  
39 passing on the knowledge, being able to go out with a  
40 person from a younger generation. What the SRC did, as I  
41 said, they were concerned about people who might not have  
42 grandchildren, that kind of thing.

43

44 CHAIRMAN LOHSE: Gloria.

45

46 MS. STICKWAN: This proposal, I believe,  
47 was brought up by Robert Marshall, an elder in that area.  
48 He wanted to have a hunt to teach his grandchildren how  
49 to hunt sheep. It was his idea for this proposal. My  
50 question is for a designated hunter. To be a designated

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1 hunter, don't you have to have an Alaska hunting license  
2 for one year? Don't you have to have that before you can  
3 hunt?

4

5 MS. CELLARIUS: I am not sure on the  
6 designated hunter for the Federal program. People under  
7 16 are not required to have a license because there isn't  
8 a license requirement under the State of Alaska. I don't  
9 know if Bill is here and could respond to that.

10

11 CHAIRMAN LOHSE: Bill, could you answer  
12 that question?

13

14 MR. KNAUER: Yes, I can. A designated  
15 hunter would have to either have a residence license or,  
16 if they're under 16, they would have to have been a  
17 resident for one year and they would have to be Federally  
18 qualified in the area. In other words, a grandson living  
19 in Anchorage would never be qualified.

20

21 Another thing is relative to the language  
22 that the SRC has proposed, the Federal program only  
23 provides an individual that has a permit to take an  
24 animal. So it has to be either the hunter or a  
25 designated hunter to take an animal. Anybody can  
26 accompany a qualified Federal subsistence user. Even a  
27 grandson from New York City could come out and accompany  
28 a Federally-qualified user, but they could never do the  
29 actual harvesting of the animal. They could do all the  
30 back-breaking work of dressing and packing.

31

32 So, currently under the Federal system,  
33 if there is someone else that is going to shoot the  
34 animal, there would have to be some designated hunter  
35 provision provided for them. The Board has not  
36 established another mechanism.

37

38 CHAIRMAN LOHSE: Tom, did you have your  
39 hand up.

40

41 MR. CARPENTER: Mr. Chairman. I'm not  
42 sure if you know the answer to this from the SRC, but I  
43 guess I was wondering -- I think I figured it out in my  
44 head why the SRC didn't come to the Council requesting or  
45 supporting a proposal that during the regular season that  
46 there be a designated hunter option. I think I  
47 understand in my head why. If they use the elder season,  
48 the sheep are a lot more accessible than they are during  
49 August and September.

50

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1 I guess I answered my own question and  
2 Bill answered the rest for me. Thanks.

3

4 CHAIRMAN LOHSE: Gloria.

5

6 MS. STICKWAN: The wildlife biologist,  
7 what was their thoughts on people hunting this? Would  
8 they over-hunt, take too much sheep or what do you guys  
9 think about it?

10

11 MS. CELLARIUS: We could see if Mason  
12 wants to say anything from the biological standpoint. If  
13 I could change hats for a minute and speak on behalf of  
14 the Park.

15

16 CHAIRMAN LOHSE: You have my permission.

17

18 MS. CELLARIUS: I think we share some of  
19 your concerns about how broadly the provision is written.  
20 Just so you know where the Park would stand. We would  
21 like to do what we can to accommodate the concerns of the  
22 local people, but we also are somewhat concerned about  
23 how broadly the provision is written. I don't know if  
24 Mason wants to say anything about the biology.

25

26 CHAIRMAN LOHSE: Barbara, could I ask you  
27 one more question as an SRC member before you step down.  
28 Put your other hat back on. As they rewrote this, they  
29 say the permit holder and the accompanying hunter may  
30 have no more than one harvest limit in their possession  
31 at one time. That's logical because there's only one  
32 permit and that's for the permit holder. The permit  
33 holder must be present during the harvest and is the  
34 responsible party for the hunt.

35

36 So, basically, what they're saying is  
37 that the permit holder must be there when the shot is  
38 fired and the sheep is taken. In other words, he must be  
39 present during the harvest. It's not a case that he  
40 could stay down at the bottom in the tent and the young  
41 kid could go up and get the sheep and bring it down, the  
42 way I read this.

43

44 If that's the intention, then there  
45 really is no need to have a designated hunter to fulfill  
46 the object of the hunt unless somebody would be, and this  
47 is always a possibility, that somebody would be blind or  
48 semi-blind or incapable of shooting. But if the 60-plus  
49 hunter has to be present at the harvest, that means he's  
50 going to be there when the sheep is shot and he's going

00091

1 to have to be where the sheep is shot unless I have a  
2 misunderstanding on that. I'd have to talk to one of the  
3 law enforcement people on that. But I think if you're  
4 present at the harvest, you have to be there when the  
5 shot is fired. You can't be back in your tent and have  
6 somebody up doing the work for you.

7

8 MS. CELLARIUS: We actually didn't define  
9 what it meant to be present. There was not a discussion  
10 of that at the meeting. As you mentioned earlier, there  
11 are occasions where you've let your son take a shot at an  
12 animal. What was explained to the SRC by community  
13 members was that the elders wanted the grandchild to be  
14 able to take the shot.

15

16 CHAIRMAN LOHSE: I hate to talk like  
17 somebody that's not law-abiding, but I wouldn't know of  
18 any case where that wouldn't happen unless a game warden  
19 was standing right there by anybody that I know of that's  
20 out hunting. I don't think any of our game wardens are  
21 going to be up there following some 60-year-old that's  
22 got his grandkid to see who actually shoots the rifle.  
23 But the idea behind it was that the elder was going to be  
24 present when the sheep was taken. I'm not condoning it  
25 or anything like that, but we can't write laws that are  
26 so strict to keep something like that from happening even  
27 if we write them.

28

29 Having said that, as much as I like it,  
30 I'd have to oppose this proposal as it's written right  
31 now just because it's too broad.

32

33 Mason, one question. How many sheep have  
34 been taken under the elder sheep hunt so far? It's been  
35 going for, I think, five years, six years.

36

37 MR. REED: I don't have the numbers in  
38 front of me -- oh, on page 75 of the Staff analysis,  
39 since 1998, 37 permits have been issued, 14 permits were  
40 used and only four sheep had been harvested. Thanks,  
41 Chuck.

42

43 CHAIRMAN LOHSE: I just wanted that on  
44 the record. Since the inception of this it hasn't had a  
45 very big biological impact on the sheep. Mason, can you  
46 give us any more ideas on how this possible change could  
47 impact?

48

49 MR. REED: Well, considering we currently  
50 don't have a registration system set up for sheep, we

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1 don't have any limits to the number of sheep harvested.  
2 With that in mind, it's pretty hard to limit it when we  
3 have such low current harvest. There is a potential, and  
4 I'm sure you'd be aware of that, of elders or those over  
5 60 are more likely to take someone up hunting if they  
6 don't have to do a lot of the work, but my understanding  
7 is they're probably going to be taking somebody up there  
8 with them anyway. That's sort of the point.

9

10 CHAIRMAN LOHSE: I can pretty well  
11 guarantee that most of them over 60 will at least have  
12 someone with them and most of them over 60 will have  
13 someone with them if they expect to do the gutting and  
14 the packing, too. That's what you've got them along for,  
15 to train them and that.

16

17 If we expand it like the SRC says where  
18 it can be anybody, do you see that as a potential problem  
19 or do you see that possibly we should limit it in some  
20 other way so that it doesn't have quite as broad a base?

21

22 MR. REED: I think the SRC proposal could  
23 be finessed to better achieve the goals. Your scenario  
24 about your brother from Minnesota coming up, that's not  
25 relevant because it has to be a Federally-qualified  
26 subsistence user. But I think it would be fairly  
27 straightforward to modify the proposal if the Council so  
28 desires to limit the designated hunter as some degree of  
29 kinship or a certain age similar to the way I think ADF&G  
30 does some of their regulations. I'm trying to think of  
31 the regulation. I guess it's the proxy hunter, I  
32 believe. Oh, I guess it's the guiding regulation where  
33 you have to have a certain degree of kinship to be able  
34 to guide your family without having a license.

35

36 CHAIRMAN LOHSE: Fred.

37

38 MR. ELVSAAS: During the regular season  
39 can you have a designated hunter?

40

41 MR. REED: No. Not under Federal  
42 regulations and also not under State regulations in Unit  
43 11 for sheep. I may be wrong, but that might also be  
44 statewide. I think the designated hunter regulations for  
45 Federal use is limited to caribou and moose and deer at  
46 this time.

47

48 MR. ELVSAAS: But what we're talking  
49 about in this instance is a special hunt for elders, so I  
50 was just curious as to the balance of the hunt, the

00093

1 regular season.

2

3

Thank you.

4

5

MR. BOS: Mr. Chair, Greg Bos.

6 Statewide, there's a designated hunter provision for  
7 moose, caribou and deer that's been pointed out, but  
8 there's also individual cases where designated hunter  
9 permits have been allowed for sheep and muskox or other  
10 species and the Federal regulations provide for those  
11 exceptions to the statewide rule. If someone were to  
12 propose a designated hunter provision for the regular  
13 sheep season, the Board could consider that and could  
14 adopt that. So it's not that it's prohibited, it's just  
15 nobody has come forward with a proposal to allow  
16 designated hunting for sheep in Unit 11.

17

18

CHAIRMAN LOHSE: Tom.

19

20

MR. CARPENTER: Yeah, I guess a follow up  
21 to that question, you said there are circumstances where  
22 individuals have been designated to be able to hunt for  
23 sheep. Is that for an individual that has an individual  
24 C&T use finding? I'm just curious as to the  
25 circumstances behind that.

26

27

MR. BOS: Anyone hunting under Federal  
28 subsistence regulations has to be eligible versus a rural  
29 resident and then also to have a customary and  
30 traditional use determination. So a designated hunter  
31 would have to be eligible to hunt in the area for that  
32 species under those requirements.

33

34

CHAIRMAN LOHSE: I think Tom was asking  
35 about where there's been designated hunts on sheep. I  
36 think they're up north, aren't they? Were there special  
37 circumstances? Was it dealing with an individual or is  
38 it a broad designated hunter provision?

39

40

MR. BOS: It's a broad designation for  
41 anybody who is eligible under C&T for that area. There's  
42 no special considerations of kinship or age.

43

44

CHAIRMAN LOHSE: Tom.

45

46

MR. CARPENTER: Just a follow up to that.  
47 But that is for a regular season sheep hunt, not a  
48 special hunt, correct? Like this is a special hunt, an  
49 elder hunt. The hunt you're talking about up north is  
50 for a regular season sheep hunt.

00094

1 MR. BOS: That's correct.

2

3 MR. CARPENTER: Okay. Thank you.

4

5 CHAIRMAN LOHSE: Any other questions for  
6 Greg.

7

8 (No comments)

9

10 CHAIRMAN LOHSE: Okay. I don't have  
11 anybody else down here for public testimony. So, at this  
12 point, a motion is in order to put it on the table so we  
13 can discuss it as a Council.

14

15 MR. CHURCHILL: I move we adopt Proposal  
16 WP04-24.

17

18 MR. CARPENTER: Second.

19

20 CHAIRMAN LOHSE: It's been moved and  
21 seconded that we adopt WP04-24. Discussion.

22

23 Fred.

24

25 MR. ELVSAAS: Thank you. I cannot  
26 support the concept. This is a special hunt so elders  
27 can hunt. It's not a large hunt if they've only taken  
28 four sheep through the years. It's something that a few  
29 elders want to do as a last hunt. It recognizes that  
30 they can't climb the steep mountains, so it's a later  
31 hunt for them. If it is going to be a meat hunt, then  
32 they can hunt with somebody else and go up in the high  
33 country earlier.

34

35 So I just can't support the proposal.

36

37 Thank you.

38

39 CHAIRMAN LOHSE: Bob.

40

41 MR. CHURCHILL: I certainly agree with  
42 what Fred had to say. I guess there's several levels of  
43 concern. Based on the premise this whole hunt was  
44 created for, this flies in the face of it for some of the  
45 stated objectives we've been told about already exist as  
46 far as taking a grandchild or a younger person with the  
47 elder.

48

49 The other thing that strikes maybe a  
50 little close to home, really at 60 folks don't always  
51 need a walker. I mean some can get around pretty capably

00095

1 at 60 and that's a hypothetical. As I read this, there's  
2 no language that indicates the elder has to be anywhere  
3 near the person that actually takes the shot.

4

5 For a lot of reasons, I am going to vote  
6 against this proposal.

7

8 CHAIRMAN LOHSE: Any other discussion.  
9 I'll make only one comment. As probably the only elder  
10 from Unit 11 here, some of us can walk up the mountain  
11 but maybe not as far as we used to. Like I said before,  
12 I was going to be totally against this. I made a  
13 statement that says basically that in a way I recognize  
14 that we don't always follow the letter even if we do  
15 follow the intent. I always like to try to make things  
16 so that people can follow the intent to the letter.  
17 That's one of the reasons that I've supported some  
18 proposals in the past that I just knew that people were  
19 going to do anyhow simply because I'd rather have people  
20 have no question that they're obeying the law.

21

22 I would have been very, very willing to  
23 support the Wrangell/St. Elias Resource Commission's  
24 amended proposal if they would have limited this to a  
25 youngster under 17 years of age that was with the elder.  
26 I might even go as far as 21, but I know too many 18 to  
27 21-year-olds that are too old.

28

29 I won't make the motion to put the  
30 amendment in, but that would be the only way I would  
31 consider it. So, if it stays like it is, I'll be voting  
32 against it, too. Dean.

33

34 MR. WILSON: On the initial proposal,  
35 being very familiar with the hunt and active in it every  
36 year, I can see some real doors that could open for some  
37 abuse, so I'm against that. On the SRC's proposal, I'm  
38 with Ralph on that. I think we should have some kind of  
39 age limit or kinship on that prior to supporting it.

40

41 CHAIRMAN LOHSE: Any other comments or  
42 discussions on this proposal.

43

44 MR. CHURCHILL: Call the question.

45

46 CHAIRMAN LOHSE: Hearing none, we'll call  
47 the question. All in favor of WP04-24, the modification  
48 to the elder sheep hunt, signify by saying aye.

49

50 (No votes)

00096

1 CHAIRMAN LOHSE: All opposed signify by  
2 saying nay.

3  
4 IN UNISON: Nay.

5  
6 CHAIRMAN LOHSE: Anybody abstain.

7  
8 (No votes)

9  
10 CHAIRMAN LOHSE: Motion carries. Okay.  
11 At this point in time we go to WP04-25, provide for the  
12 take of moose and caribou in Unit 13 for Hudson Lake  
13 Residential Treatment Camp.

14  
15 Donald.

16  
17 MR. MIKE: Thank you, Mr. Chair. BLM  
18 would like to listen in and this would require a call to  
19 Elijah Waters from BLM in Glennallen. If you can bear  
20 with me for a couple minutes, I can get him hooked up.

21  
22 Thank you, Mr. Chair.

23  
24 CHAIRMAN LOHSE: Donald, does he need to  
25 listen in to the presentation or just to our discussion?

26  
27 MR. MIKE: I think just during  
28 discussion.

29  
30 CHAIRMAN LOHSE: So we could go ahead  
31 with the presentation and then by that time maybe you'd  
32 have a connection.

33  
34 MR. MIKE: Right.

35  
36 CHAIRMAN LOHSE: Okay. Thank you. Pat.

37  
38 MS. PETRIVELLI: Thank you, Mr. Chair.  
39 Proposal 04-25, the Staff analysis begins on page 80.  
40 This proposal was submitted by the Copper River Native  
41 Association and it requests the take of two bull moose  
42 and two caribou in Unit 13 for the Hudson Lake  
43 Residential Treatment Center. Currently there are no  
44 existing special provisions for educational take of  
45 caribou or moose except by annual application to the  
46 Federal Subsistence Board in Unit 13. This proposal  
47 would add special provisions for Unit 13.

48  
49 With this special provision, the hunting  
50 would be carried out by a hunter with a designated hunter

00097

1 permit allowing the hunter to also be able to obtain the  
2 harvest for personal or household use. The proposed  
3 caribou harvest would occur during the regular season.  
4 It varies in that the request is for any caribou while  
5 the regular season limits the harvest during August 10  
6 and September 30 to bulls only. The proposed moose  
7 harvest calls for two bull moose, one taken August 1st to  
8 September 20th and a second moose taken February 1st to  
9 February 28th. The current season for moose is August 1  
10 to September 20 and is limited to one antlered bull  
11 moose.

12

13 The camp that this is being requested for  
14 was formerly called the Hudson Lake Cultural Recovery  
15 Camp and they've applied for and have been issued two  
16 educational/cultural harvest permits in the past through  
17 special actions approved by the Federal Subsistence  
18 Board. By adding this special provision to the  
19 regulations, it would eliminate the need to apply for the  
20 permit through OSM.

21

22 There's limited Federal lands in Unit 13.  
23 The Federal public lands are slightly less than 10  
24 percent and consists of BLM lands, the Denali National  
25 Park, the Wrangell/St. Elias National Preserve lands and  
26 Chugach National Forest and the percentages of those are  
27 on page 80. The C&T use determinations for moose and  
28 caribou are listed on page 81.

29

30 I'll just discuss the idea of cultural  
31 and educational permits. Title VIII of ANILCA, in  
32 implementing regulations, recognize that subsistence use  
33 of wildlife is more than active harvesting. The Board is  
34 authorized to permit the taking of fish and wildlife for  
35 special purposes. Cultural and educational subsistence  
36 activities have been recognized through special actions  
37 or unit-specific provisions.

38

39 Just recently we've revised the  
40 procedures for obtaining repeat permits. With the idea  
41 of the cultural permits, 26 of the 30 cultural and  
42 educational permits that have been issued or approved  
43 from '95 to the present -- well, 26 of the 30 special  
44 actions dealt with culture camps and these 26 permits  
45 were issued for five different camps. With the Hudson  
46 Lake Cultural Recovery Camp, they would be under those  
47 new revised provisions just by sending us a simple  
48 letter. Well, they could just ask, but it would be for  
49 one moose only. But what they're doing is asking for two  
50 moose and two caribou.

00098

1                   With the qualifying activities as  
2 cultural, it is covered under the section educational and  
3 cultural program activities. It's just the idea of using  
4 cultural activities for treatment.

5  
6                   The people involved in the program.  
7 About 72 individuals participate in the program on an  
8 annual basis. One question that comes up is whether all  
9 of these people are Federally-qualified users and  
10 generally they're not, but the camp assured us that the  
11 people that would be doing the hunting and teaching the  
12 hunting are Federally-qualified users because they're the  
13 ones that are the culture bearers and the ones that are  
14 knowledgeable of the cultural activities. So they would  
15 be the Federally-qualified users and they would be the  
16 only ones that would be hunting.

17  
18                   There's information about the biological  
19 for caribou and moose populations. Then a comparison of  
20 the current procedure and the proposed procedure on page  
21 84. Under the current procedure, if they wanted to treat  
22 this as a special action, then technically it could be  
23 treated as a special action and they could get a repeat  
24 permit from the BLM. There's some provisions that would  
25 have to be followed. With the proposed procedures, this  
26 request would be included in the unit-specific provisions  
27 and the camp would go to BLM and pick up their permit  
28 every year, so it would be issued on an annual basis.

29  
30                   Besides just the paperwork involved in  
31 this, the BLM staff have indicated that the harvest  
32 requested by the camp is probably not biologically  
33 significant. One thing that's happened with the idea of  
34 the harvest of any two caribou, we had a long discussion  
35 last year and a compromise was reached because of the  
36 light of the rebuilding nature of the Nelchina caribou  
37 herd where the BLM Glennallen officer would decide  
38 whether the harvest during the winters -- whether the  
39 harvest of cow caribou would be allowed. So we're  
40 proposing that BLM be allowed to determine the sex of the  
41 caribou rather than just any two caribou.

42  
43                   The other thing that's happened with this  
44 particular proponent is they were involved in permit  
45 violations. Of course, I think Elijah Waters is going to  
46 discuss this. With the permit violations, part of it is  
47 with a limited amount of Federal lands in Unit 13 and  
48 then there was -- when we were the issuing officer, we  
49 sent out the permit, but there was no direct contact with  
50 the permit holder and no clear guidance, but Elijah

00099

1 Waters has addressed those issues in the modification,  
2 which I guess I should go into now, but with the idea of  
3 BLM would like to have a lot of involvement in the  
4 administration of this permit and they would like to --  
5 because although our authorizing letter emphasized that  
6 the harvest occurred on Federal lands, BLM staff feels if  
7 they were issuing the permit they would be able to  
8 emphasize the harvest on Federal lands in Unit 13 in  
9 person.

10

11 Then they liked the provision of just  
12 having the permit issued to one individual at Copper  
13 River Native Association and also the issuance of a  
14 designated hunter permit so that one person at the camp  
15 would be responsible for reporting requirements and then  
16 there would be a designated hunter. So there would be a  
17 paper chain because that was the questions involved with  
18 the violations.

19

20 Eventually, the violations resulted from  
21 them not complying with permit conditions. The moose  
22 hide that they had confiscated that had been harvested in  
23 those violations was returned to the camp with them  
24 pleading no contest. But Elijah knows more about that.

25

26 The preliminary conclusion is to support  
27 the proposal with modifications. Those modifications are  
28 to have the harvest limits comply with the existing  
29 season harvest limits in the existing season so that it  
30 would just be for one moose during the moose season and  
31 two caribou during the caribou season with the sex to be  
32 determined by the BLM field office. So those are the  
33 main modifications to their request. That concludes my  
34 analysis.

35

36 CHAIRMAN LOHSE: Gloria.

37

38 MS. STICKWAN: BLM would determine the  
39 winter season, not the fall season, isn't that right?  
40 For the caribou, the winter season would be determined by  
41 BLM but not the fall season.

42

43 MS. PETRIVELLI: When the camp goes to  
44 get the permit from BLM, at that time BLM would decide  
45 which kind of caribou.

46

47 MS. STICKWAN: For both hunts?

48

49 MS. PETRIVELLI: In either hunt. Well, I  
50 guess I didn't even think of it.

00100

1 CHAIRMAN LOHSE: I think, Pat, that the  
2 fall hunt would probably, under current regulations, be a  
3 bull. The determination is for the winter hunt, I think,  
4 Gloria. That's my understanding, that the fall hunt is  
5 already set as a bull hunt and the BLM only determines  
6 the winter hunt depending on the take.

7  
8 MS. PETRIVELLI: That's right. In my  
9 proposed modification I just had either sex and I guess  
10 to parallel the current season it should be bulls only.

11  
12 CHAIRMAN LOHSE: Pat, can I make a  
13 comment on this. When I look at the original proposal,  
14 they're basically talking about taking two caribou during  
15 a regular season and one moose during a regular season  
16 and the designated hunter will take that. He could just  
17 as easy take that under his own hunting license because  
18 most people don't have a chance to take more than that  
19 anyhow.

20  
21 So what they're really asking for, the  
22 only thing that's out of the ordinary, is they're asking  
23 for one moose in February 1 through February 28th.  
24 They're asking for spring moose. Everything else they  
25 could take. If they wanted to take these animals, they  
26 wouldn't even have to go through the permitting process.  
27 They could just go take these animals during the regular  
28 hunting season.

29  
30 So, to me, the whole crux of this request  
31 is so that they could have a spring moose for part of  
32 their cultural camp. I look at this and when we get back  
33 to the proposed regulation or the modification basically  
34 what we tell them is they can hunt the regular hunting  
35 season and they have to have a designated hunter to do  
36 that. Well, if they wouldn't want to have a designated  
37 hunter, all they'd have to do is have one of their  
38 hunters go out that has a regular hunting license and  
39 they could go do this whole thing without going through  
40 all of the paperwork. What they really wanted was they  
41 wanted a spring moose for the camp.

42  
43 MS. PETRIVELLI: Mr. Chairman, I think  
44 what it is is if they did it under their own, then that  
45 harvest goes to the camp and it doesn't get to go to  
46 their family or household. So, if you get a moose, then  
47 that means you don't give it to your family or household,  
48 but you give it to the camp only for use. They are  
49 teaching members of the camp, but those camp students  
50 aren't members of their family or household and they're

00101

1 consuming it at the camp and all the goods are used by  
2 the camp. I think what they want to do is to enable the  
3 hunter to harvest it for the camp and then also be able  
4 to harvest for their own personal family and household  
5 consumption.

6

7 CHAIRMAN LOHSE: At the same time, it's  
8 pretty hard to think in that area that somebody would be  
9 good enough to go out and get one for the camp and one  
10 for themselves. I would imagine the person who's doing  
11 the designated hunter for the camp is doing his hunting  
12 for the camp and that's going to be about all the hunting  
13 that's going to get done, but I may be wrong on that. To  
14 me, if we just add them as one household, what they're  
15 really asking for is they're asking for February 1  
16 through February 28 moose for a spring moose for the  
17 cultural camp. That's the only thing that's out of the  
18 ordinary here at all.

19

20 I have a hard time, for something like  
21 this, finding a justification for not having that spring  
22 moose, but maybe that's just me. I'll leave that up to  
23 the rest of the Council when we get to that point in  
24 time. But if I understand right, everything else aligns  
25 with the regular hunting seasons.

26

27 MS. PETRIVELLI: Yes, Mr. Chairman,  
28 except for that spring hunt and the caribou of either sex  
29 for the fall hunt.

30

31 CHAIRMAN LOHSE: Okay. Gloria.

32

33 MS. STICKWAN: Originally this proposal  
34 was different, but since people work with BLM, it was  
35 changed to existing hunt, which was different from this  
36 proposal. This proposal was just for the Hudson Lake  
37 Recovery Camp and it's a culture camp set up to aid them  
38 in their recovery from their alcohol problems and being  
39 able to learn how to hunt and cut up the meat and cook  
40 it. So that was the reason for this, instead of having  
41 to wait 30 days to every year go up there and get one. I  
42 think the confusion when they were cited, they were  
43 hunting out of season, I think. So this would help to  
44 alleviate them from violating the laws, I guess. So that  
45 was the reason this was written.

46

47 CHAIRMAN LOHSE: Thank you, Gloria. Any  
48 other questions for Pat. Bob.

49

50 MR. CHURCHILL: Pat, could you expand a

0102

1 little bit on the violations that are of concern? I'm  
2 referencing the last paragraph under effect of the  
3 proposal on page 85. The last page says the need for  
4 emphasis on these provisions was highlighted by recent  
5 violations in the area. Would you expand on that just a  
6 bit.

7

8 MS. PETRIVELLI: Elijah knows. I think  
9 there were six violations or three people cited or five.  
10 There was a number of people cited and it was for hunting  
11 out of season. It was just not dealing with the permit  
12 conditions. But Elijah has more knowledge of the details  
13 than I do.

14

15 MR. CHURCHILL: Since we're about to hear  
16 from Elijah, that's fine, Pat. Thank you.

17

18 CHAIRMAN LOHSE: Donald, is Elijah on the  
19 phone?

20

21 MR. MIKE: Mr. Chairman, he's standing  
22 by. It will take a minute to get him on line.

23

24 CHAIRMAN LOHSE: So how about if we have  
25 the Alaska Department of Fish and Game comments because I  
26 see theirs are pretty short and then we'll go to Elijah.

27

28 MR. HAYNES: Mr. Chairman, the  
29 department's comments are on page 88 of your Council  
30 meeting book. The department is neutral on this  
31 proposal. We supported the original special action  
32 request that authorized the harvest of moose and caribou  
33 for this residential treatment camp. As has been pointed  
34 out, adoption of this proposal would eliminate the need  
35 for annual reauthorization but would require that the  
36 person or persons selected to harvest moose or caribou  
37 for use at the camp first obtain a resident hunting  
38 license and the required Federal registration permits.

39

40 Because there have been violations  
41 associated with this hunt, and it's my understanding the  
42 hunting occurred on State lands and not on Federal lands,  
43 and I suspect that part of the reason for that is that  
44 this camp is located a long distance physically from  
45 Federal lands and we have major concerns about renewing a  
46 permit for this special hunt without some assurances that  
47 violations will not occur. We understand there can be  
48 confusion and we all make mistakes, but when a special  
49 effort is made to implement a special hunt, we need to  
50 have some assurance that the guidelines will be followed.

00103

1 Moose are reasonably available near the  
2 camp, but, again, Federal lands are some distance.  
3 Caribou are much less accessible in the vicinity of the  
4 camp and, again, must less so on Federal lands.

5  
6 So because these violations have occurred  
7 in the past, it's essential that if this proposal is  
8 adopted or if the provisions for this hunt are to be  
9 continued, that the hunts be monitored more effectively  
10 to ensure that they are conducted in compliance with the  
11 Federal regulations.

12  
13 One alternative would be for the camp to  
14 submit a request to the department for a State cultural  
15 permit and that would allow them to conduct hunting  
16 activities on State lands, which might be more practical  
17 and certainly more easily done.

18  
19 That's all we have. Thank you.

20  
21 CHAIRMAN LOHSE: Thank you, Terry. Any  
22 questions. Dean.

23  
24 MR. WILSON: Terry, the cultural permit  
25 that you're talking about, is that what we use for  
26 getting a moose during potlatch time?

27  
28 MR. HAYNES: Mr. Chairman, Mr. Wilson.  
29 No, it's a separate. There's an actual permit  
30 application, permitting process for a cultural camp.  
31 There's separate requirements associated with the  
32 ceremonial and religious harvest activities for  
33 potlatches. So this would be a separate permitting  
34 process.

35  
36 CHAIRMAN LOHSE: Terry, one question.  
37 Cultural camp permits have been fairly readily available  
38 from the State, haven't they? I mean the State has  
39 issued cultural camp permits, hasn't it?

40  
41 MR. HAYNES: Mr. Chairman, I can't give  
42 you a percentage breakdown, but they're all considered on  
43 a case-by-case basis. The criteria are very clearly laid  
44 out in the application process and we do get them  
45 periodically.

46  
47 CHAIRMAN LOHSE: Thank you. Bob.

48  
49 MR. CHURCHILL: A two-parter. The first  
50 part is I know when I was on the Board I cannot remember

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1 ever turning one down. When they came in, they were  
2 well-documented and approved. I can't think of an  
3 exception to that.

4

5 The second part, I'm getting a sense that  
6 these violations were primarily then hunting on State  
7 land rather than on Federal land that are being  
8 referenced in this. Is that your belief?

9

10 MR. HAYNES: Mr. Chairman, that's my  
11 understanding. Once we get Mr. Waters on line, he can  
12 clarify that.

13

14 CHAIRMAN LOHSE: Thank you, Terry.

15

16 MS. STICKWAN: How many permits has the  
17 State got in our area for educational, do you know?

18

19 MR. HAYNES: Through the Chair. No,  
20 Gloria, I don't know.

21

22 MS. PETRIVELLI: Excuse me, Mr. Chair.  
23 Chuck pointed out an error in my analysis, but on page 86  
24 I thought I cut and pasted the proper regulatory  
25 language, but where it says two caribou of either sex,  
26 that either sex should have been gone, should have been  
27 deleted and then it would be two caribou of either sex  
28 and then the same language that's on page 95 with sex to  
29 be determined by the Glennallen field officer, manager of  
30 the Bureau of Land Management. That's missing from the  
31 proposed language, so my apologies.

32

33 CHAIRMAN LOHSE: Mr. Waters, we just  
34 thought we'd hear from you a little bit on your concerns  
35 on the permitting process for Proposal WP04-25 and we  
36 also were interested in some information on the nature of  
37 the violations so that we can figure out how to prevent  
38 them happening in the future.

39

40 MR. WATERS: Okay. I'm having a real  
41 hard time hearing you, but I'll do my best.

42

43 CHAIRMAN LOHSE: We got you loud and  
44 clear that time. Did you get my question?

45

46 MR. WATERS: You wanted to know some  
47 clarification on nature of violations and I wasn't quite  
48 sure what else you said.

49

50 CHAIRMAN LOHSE: The first part was we'd

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1 like to hear your concerns on Proposal WP04-25, the one  
2 on the cultural camp, and also if you could give us some  
3 indication of the kind of violations and some suggestions  
4 of how to prevent them.

5  
6 MR. WATERS: Okay. First of all, I don't know  
7 that I really have any concerns. We went over this  
8 proposal very intently here with the law enforcement  
9 people and also working with the proponent of the  
10 proposal.

11  
12 I guess there was multiple violations in  
13 one incident and it involved people at the camp taking  
14 animals and there was some misunderstanding maybe of what  
15 the permit actually allowed. The people who were  
16 actually harvesting the animals versus the people who got  
17 the permit. I don't think the full explanation of what  
18 was allowed was transferred from the person getting the  
19 permit to the people actually doing the harvest. What we  
20 were trying to do with the BLM input on this was to take  
21 that permit issuing more at the local level and through  
22 us.

23  
24 So what we were wanting to do is have the  
25 camp director come and ask for that permit. We would  
26 then issue that permit, we would provide the maps, go  
27 over the legal, what they could do, what they couldn't  
28 do, where they could do it and then that camp director  
29 could let whoever he or she chose hunt on that permit the  
30 same as any other designated hunter.

31  
32 As a designated hunter, whoever he or she  
33 chose to be the designated hunter, that person would also  
34 have to come in, they'd have to have a hunting license,  
35 they'd have to get their own -- well, they wouldn't have  
36 to get their own permits, but they'd come in, have to get  
37 a designated hunter permit. That would be a second  
38 opportunity for the BLM staff locally to go over the  
39 conditions of the hunt permit to again explain to that  
40 person what they could, couldn't do and where at.

41  
42 Also, the designated hunter has to be  
43 eligible to hunt, which one of the violations in the past  
44 was one of the people who took an animal wasn't a  
45 Federally-qualified user and didn't have a hunting  
46 license. So, by coming in to the BLM office, getting  
47 that designated hunter permit, we check all of those  
48 credentials before we issue those permits.

49  
50 The bottom line, we're willing to work

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1 with the proponent to ensure that they are legal and we  
2 would know when they would be out, the seasons. We think  
3 it would be a win/win situation.

4

5 CHAIRMAN LOHSE: Thank you, Elijah. I  
6 was thinking the same thing. Basically what you're  
7 saying is you would like to have it so that you'd have  
8 more opportunity to have contact for education ahead of  
9 time to prevent anything happening. I would imagine that  
10 a violation to people who are in a recovery camp would be  
11 very detrimental and we'd like to avoid that if at all  
12 possible.

13

14 One other question I had, I noticed in  
15 the modified proposal that the request for a moose in  
16 February was dropped and that's actually the only thing  
17 that's outside of the regular season. Have you got any  
18 comments on that?

19

20 MR. WATERS: I don't really. My comments  
21 went through the Inter-Agency Staff Committee on that. I  
22 think that's biological comments that's probably best  
23 left up to the State and OSM. I know at one point they  
24 really wanted that and not only because of a traditional  
25 spring moose hunt, but I think because of the violations  
26 maybe people were willing to take this as a good -- to  
27 live with the staff recommendation to try to get back on  
28 good grounds.

29

30 CHAIRMAN LOHSE: Then basically from the  
31 BLM standpoint there was no biological objection, it was  
32 just something that was worked through the Staff.

33

34 MR. WATERS: We'd leave the biological  
35 comments for the most part up to the State and OSM.

36

37 CHAIRMAN LOHSE: Thank you. Anybody else  
38 have any questions. Bob's got a question for you,  
39 Elijah.

40

41 MR. CHURCHILL: This is a multiple part.  
42 Thank you very much, by the way, for participating. If  
43 I'm understanding correctly then, the violations were  
44 that this was not a Federally-qualified subsistence user,  
45 they didn't have a hunting license and were hunting on  
46 State land. Is that kind of the heart of it?

47

48 MR. WATERS: That's exactly the heart of  
49 it. There were multiple violations, but just like any  
50 wildlife violation you hardly ever break one law. You

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1 break a lot of others that you might not know about. I'm  
2 not sure about the sex of animals that were taken, but  
3 the reporting didn't happen, they were on State land and  
4 at least one person wasn't Federally-qualified, you know,  
5 didn't have the appropriate hunting license.

6  
7 Again, I just want to point out that some  
8 of the reasons for those violations was possibly how it  
9 happened. The permit was being issued from Anchorage by  
10 mail, there wasn't really a responsible authority. There  
11 wasn't a chain of custody for that permit and explaining  
12 the responsibility that went along with that permit. I  
13 think this Staff recommendation really goes a long, long  
14 way to take care of those problems.

15  
16 MR. CHURCHILL: I don't disagree. This  
17 hunt has been in place one year, is that correct, or it's  
18 relatively new?

19  
20 MR. WATERS: My understanding is there  
21 was permits issued to the Hudson Lake Treatment Center  
22 two years and the second year the violations occurred and  
23 this past year there wasn't any permits issued. There  
24 was no application for permits.

25  
26 MR. CHURCHILL: And, finally, more  
27 importantly, how is the baby doing?

28  
29 MR. WATERS: The baby is doing good.  
30 She's really growing.

31  
32 MR. CHURCHILL: Congratulations. That's  
33 all I have, Mr. Chair.

34  
35 CHAIRMAN LOHSE: Thank you, Bob. Anybody  
36 else have any questions for Elijah.

37  
38 (No comments)

39  
40 CHAIRMAN LOHSE: Thank you, Elijah. I  
41 think there's another one that you have something to  
42 comment on later. Donald, is he going to stand by for a  
43 while or are we pretty well done with him?

44  
45 MR. MIKE: Elijah Waters will sit in on  
46 Proposals 25 and 26. Is that correct, Mr. Waters?

47  
48 MR. WATERS: Yes. If I heard you right,  
49 you said I'd like to sit in on 26 and 27?

50

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1 MR. MIKE: I'm sorry, 26 and 27.

2

3 CHAIRMAN LOHSE: So do you just want to  
4 hang on while we go through those?

5

6 MR. WATERS: I think I'll hang on if  
7 that's all right.

8

9 CHAIRMAN LOHSE: You're more than welcome  
10 to. We'll be going on to them shortly. Thank you.

11

12 MR. WATERS: Thank you. I wish I could  
13 be there.

14

15 CHAIRMAN LOHSE: You can't hold the baby  
16 and be here at the same time. Okay. With that, we're  
17 going on to Inter-Agency Staff Committee comments. Do we  
18 have any other Inter-Agency Staff Committee comments.

19

20 MR. KESSLER: No comments at this time.

21

22 CHAIRMAN LOHSE: Fish and Game Advisory  
23 Committee comments.

24

25 (No comments)

26

27 CHAIRMAN LOHSE: Hearing none. Summary  
28 of written public comments. Donald.

29

30 MR. MIKE: Thank you, Mr. Chair. We  
31 received one written public comment for Proposal No. 25  
32 and that was from AHTNA, Incorporated. AHTNA,  
33 Incorporated supports the proposal which allows the  
34 taking of moose and caribou for the Hudson Lake Treatment  
35 Center. The people in the Hudson Lake Treatment Center  
36 will be able to learn the AHTNA's customs and traditions,  
37 lifestyle, traditional stories and lore, values, such as  
38 sharing among ourselves and with others, and will be able  
39 to adopt this learned lifestyle to their lives, and try  
40 to make themselves an improved, sober and drug-free  
41 person at the same time, while they are in a treatment  
42 facility.

43

44 That concludes the written public  
45 comments. Thank you, Mr. Chair.

46

47 CHAIRMAN LOHSE: Thank you, Donald. Do  
48 we have any public testimony specifically on this one? I  
49 don't have any up here.

50

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1 (No comments)

2

3 CHAIRMAN LOHSE: No public testimony. A  
4 motion to accept Proposal WP04-25 is in order.

5

6 MR. CHURCHILL: I move that we adopt  
7 WP04-25.

8

9 CHAIRMAN LOHSE: Do I hear a second.

10

11 MR. DEMENTI: Second.

12

13 CHAIRMAN LOHSE: It's been moved and  
14 seconded. Discussion. The Chair is open for comments  
15 from anybody on this proposal or discussion. Fred.

16

17 MR. ELVSAAS: I have a question. Where  
18 is this Hudson Lake?

19

20 CHAIRMAN LOHSE: Joe, would you like to  
21 answer that?

22

23 MR. HART: It's in the Copper Center  
24 area, along the Klutina River. You go from the  
25 Richardson Highway up the Klutina River Road  
26 approximately eight miles and then you take an immediate  
27 right and it goes back away from the Klutina River about  
28 another seven to eight miles. I'm not sure if I could  
29 find it on your map here or not.

30

31 MR. ELVSAAS: But it's in the Copper  
32 Center area.

33

34 MR. HART: Yes, it is in the Copper  
35 Center area. It is very secluded. There is very limited  
36 access to it. You have to have four-wheeler or  
37 snowmachines to get there. They do access it by plane.  
38 They do have access to the Federal lands that are in the  
39 area as well.

40

41 MR. ELVSAAS: And there's about 72 people  
42 there?

43

44 MR. HART: I couldn't tell you. I think  
45 that's an annual basis they have that many people go  
46 through.

47

48 MR. ELVSAAS: Oh, on an annual basis.

49 Thank you.

50

00110

1 CHAIRMAN LOHSE: Thank you, Joe. Any  
2 other discussion or comments. Doug.

3  
4 MR. BLOSSOM: Mr. Chairman, as I  
5 understand it, you want to incorporate this special  
6 provision in the back into the thing or not? They kept  
7 talking about this special provision in the back here on  
8 page 86.

9  
10 CHAIRMAN LOHSE: The motion that we have  
11 on the table is to accept it as written.

12  
13 MR. BLOSSOM: Without that provision.

14  
15 CHAIRMAN LOHSE: If we're going to put  
16 that provision in, we need to make an amendment to put  
17 the provision in. At least that's my understanding at  
18 this point in time. That is a Staff recommendation at  
19 the back. Bob.

20  
21 MR. CHURCHILL: I think as a matter of  
22 procedure, if you want to make that a friendly amendment,  
23 if the proposer agrees, we can.....

24  
25 MR. BLOSSOM: I'll make a friendly  
26 amendment.

27  
28 CHAIRMAN LOHSE: I'd agree with you on  
29 that, Doug. My only question would be I still would hate  
30 to deny a camp like that their spring moose, but other  
31 than that I agree with you on the permit oversight.  
32 Gloria, do you have a comment.

33  
34 MS. STICKWAN: I was just reading this.  
35 Did you say there was a mistake in your wording?

36  
37 MS. PETRIVELLI: Yes, the mistake in the  
38 language on page 86 is instead of saying two caribou of  
39 either sex, it would be two caribou, and then it would be  
40 sex to be determined by the Glennallen field office  
41 manager of the Bureau of Land Management, and then it  
42 would be may be taken from August 10 through September 30  
43 or October 21st through March 31st.

44  
45 MS. STICKWAN: I would like to make a  
46 friendly amendment unless that was the intent of his.

47  
48 CHAIRMAN LOHSE: Gloria, you'd like to  
49 make a friendly amendment to do what?

50

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1 MS. STICKWAN: Well, unless that was his  
2 -- I'm sure that's what he meant when he said he wanted  
3 to.....

4  
5 CHAIRMAN LOHSE: Oh, to accept the Staff  
6 one as they intended.

7  
8 MS. STICKWAN: Yes.

9  
10 CHAIRMAN LOHSE: As they read it to us  
11 before. Doug, that's what you intended, wasn't it?

12  
13 MR. BLOSSOM: That was my understanding  
14 as well, Gloria, so I think we're fine.

15  
16 CHAIRMAN LOHSE: Okay. Any other  
17 discussion.

18  
19 MS. STICKWAN: Somebody said something  
20 about one bull taken out. I'd like to keep it the way it  
21 is. Is that what he said? I didn't hear what he said.

22  
23 CHAIRMAN LOHSE: I said my only  
24 contention with this whole thing was that they dropped  
25 the one bull in February and I don't know if we want to  
26 leave that out or not.

27  
28 MS. STICKWAN: Well, BLM said it would be  
29 determined by them.

30  
31 CHAIRMAN LOHSE: I was talking about the  
32 bull moose.

33  
34 MS. STICKWAN: Well, the Staff Committee  
35 said it would be the current season hunt, which would be  
36 in August 1 through September 20th. There wouldn't be a  
37 hunt in February.

38  
39 CHAIRMAN LOHSE: Yeah. Well, that's what  
40 I was wondering. To me, I didn't see any problem with  
41 the hunt in February, but that's fine. Harley, you were  
42 going to say something.

43  
44 MR. McMAHAN: I'd like to say a couple  
45 things. One thing is that if this special provision is  
46 put in, I don't really have anything to say bad about it,  
47 but when Terry was up here he mentioned the possibility  
48 of pursuing this through a State permit and that would  
49 not only give this camp more access to more land, better  
50 possibility of getting a moose, but I'm a little bit

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1 concerned because there is only a little bit of Federal  
2 land out there that we're allowed to hunt on under  
3 subsistence and that land really gets hammered in the  
4 moose season. So if this extra moose could be taken  
5 somewhere else, it seems like it would be a win/win  
6 situation. That's about it.

7

8 CHAIRMAN LOHSE: Any other comments.

9

10 MS. STICKWAN: I didn't understand what  
11 you were saying. You were approving the February moose,  
12 is that what you're saying? You wouldn't have a problem  
13 with that?

14

15 CHAIRMAN LOHSE: I was asking, Gloria,  
16 why it was taken out. I, myself, have no problem.

17

18 MS. STICKWAN: When we were talking about  
19 this proposal, we had wanted a February hunt, but they  
20 said for biological concerns Staff Committee probably  
21 wouldn't accept that, so we compromised and we said okay.  
22 Just as long as we can get some kind of hunt for that  
23 camp we'd go along with it.

24

25 CHAIRMAN LOHSE: Okay. Bob.

26

27 MR. CHURCHILL: Listening to both Gloria  
28 and Harley, maybe what we could do is take action on 25  
29 as we're considering and then write a letter on your  
30 behalf and coordinate with the State, suggesting they do  
31 exactly that, that they avail themselves of the State  
32 process. I mean it would certainly be a hunt that would  
33 be closer, more accessible and, as Harley indicated,  
34 might be very much a win/win. I think we could provide  
35 the two animals we're talking about and still address the  
36 biological concerns, the limited amount of Federal land.  
37 So that may be something we could do as a RAC.

38

39 MS. STICKWAN: (Not speaking into  
40 microphone)

41

42 MR. CHURCHILL: Through the Chair. What  
43 I'm saying is kind of what we've talked about, is that we  
44 pass this proposal and not put back in the one bull moose  
45 but write the proposers and say here's the State process  
46 that you could request a spring moose hunt. This is  
47 surrounded by State land. My understanding is there's  
48 not really a biological concern. And they could take  
49 their moose under State provisions and still have these  
50 Federal provisions in place. So one moose would be taken

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1 under the State cultural permit process, educational  
2 permit process, and then the two caribou and the other  
3 moose would be taken under the Federal.

4

5 And it may lead to the fact that they  
6 find out that the State process, in fact, really does  
7 meet their needs better and they might move into using  
8 the State process. Just as a possible win/win solution.

9

10 MS. STICKWAN: I would accept that. His  
11 motion would have to be changed then?

12

13 MR. CHURCHILL: No, it would not. I'm  
14 not even sure it would take a motion if, by consent, a  
15 letter was drafted for the Chair to send to the proposer  
16 suggesting the State process and giving them some folks  
17 that would be happy to work with them. We could do that  
18 separately, I believe. Is that not correct, Mr. Chair?

19

20 CHAIRMAN LOHSE: Bob, I think after what  
21 we saw yesterday on what we're limited to write letters  
22 about, I don't think we could write that letter. I mean  
23 we can indicate to him, we could have the message carried  
24 back by Gloria, but I don't think we, as a Council, have  
25 the authority to write that letter. It was pretty  
26 definitive who we could write letters to.

27

28 I see what you mean. We could pass this  
29 as a Federal and then suggest to them that maybe they  
30 want to go after the February moose. Rather than put the  
31 February moose back in here, they could go after the  
32 February moose possibly through the State system.

33

34 MR. CHURCHILL: So it's a pen and ink  
35 restriction rather than a gag order.

36

37 CHAIRMAN LOHSE: Right.

38

39 MR. CHURCHILL: That clarifies it.

40

41 CHAIRMAN LOHSE: Any other discussion on  
42 the proposal in front of us right now. Bob.

43

44 MR. CHURCHILL: I'm going to vote in  
45 favor of this. I'm not sure it's as much an education  
46 piece in my mind as kind of a recontact with some  
47 positive traditions. I really admire the objective of  
48 this and think we ought to support it, so I intend to  
49 vote for it.

50

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1 CHAIRMAN LOHSE: Tom.

2

3 MR. CARPENTER: I intend to support this  
4 proposal also. I think it's important to support what  
5 CRNA is doing with their treatment center. I think with  
6 having BLM in the picture in regards to trying to solve  
7 some of the problems of the past, I think it's a win  
8 situation.

9

10 CHAIRMAN LOHSE: Thank you, Tom. Anybody  
11 else have any comments they'd like to make before the  
12 question is called.

13

14 MR. CHURCHILL: Call the question.

15

16 CHAIRMAN LOHSE: The question has been  
17 called. WP04-25 as modified by the friendly amendment of  
18 the Staff suggested provisions. All in favor signify by  
19 saying aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN LOHSE: All opposed signify by  
24 saying nay.

25

26 (No opposing votes)

27

28 CHAIRMAN LOHSE: Motion carries  
29 unanimously.

30

31 With that, we'll go on to WP04-26. Do we  
32 need a break at this point in time or can we just  
33 continue for another -- 15 minutes is all this one will  
34 take. Let's go on to this one here.

35

36 MS. PETRIVELLI: Mr. Chairman, Proposal  
37 04-26 was submitted by the AHTNA Heritage Foundation and  
38 it requests the take of one moose or two caribou in Unit  
39 13 for the AHTNA Cultural Camp. It's a very similar  
40 proposal to the one you just dealt with except the  
41 differences are -- well, they were asking for one moose  
42 or two caribou, not one moose and two caribou. Then they  
43 have no combination of caribou or moose allowed. Then  
44 they also have the designated hunter permit provision  
45 within their special provisions also.

46

47 This camp has also applied for and  
48 received special action permits in the past. They were  
49 issued two permits for moose hunts through special  
50 actions in the regulatory years. In 2000, they got a

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1 permit for one moose in Unit 13(A)(B)(C) and (D), and  
2 then in the regulatory 2001 year for one moose in Unit  
3 11.

4  
5                   Their educational/cultural program  
6 activities are described on page 92 and we know the  
7 biological background for moose and caribou kind of for  
8 Unit 13 and then the comparison and contrast of the  
9 procedures. With this proposal, the effect would be also  
10 to just add another unit-specific provision that would  
11 allow for the issuance of the permit to this camp.

12  
13                   The preliminary Staff conclusion is to  
14 support with modification and it has all the various  
15 provisions that we attached to Proposal 25 with the  
16 Glennallen field office determining the sex, with there  
17 being a written request from the AHTNA Heritage  
18 Foundation submitted to the Glennallen field office and  
19 then just having the Glennallen field office involved  
20 just because of all the problems with the idea of the  
21 limited Federal lands within Unit 13.

22  
23                   Also, there was a modification of the  
24 seasons and it was just modified instead of August 10th  
25 to September 30 to August 10th to September 20th because  
26 the camp usually takes place in August, but because of  
27 the idea of allowing flexibility -- I think when I talked  
28 to the proponent they said they combined the seasons of  
29 the moose and the caribou together and we just  
30 recommended just making it up to September 20th because  
31 that's when the moose season ends and for enforcement  
32 purposes and just that more than likely the camp wouldn't  
33 be held any later than September 20th, but it would still  
34 allow the flexibility of one month and 10 days for  
35 whatever unforeseen circumstances might arise during that  
36 time period.

37  
38                   But we recommend with those modifications  
39 that it would be still a good idea to put in special  
40 provisions what they're requesting. The suggested  
41 proposed modifications are on page 95. That concludes  
42 the analysis.

43  
44                   Thank you.

45  
46                   CHAIRMAN LOHSE: Any questions for Pat.  
47 Bob.

48  
49                   MR. CHURCHILL: You kind of touched on  
50 it, but in the narrative here it basically says the camp

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1 is operated in August, so that's not correct, that  
2 sometimes it's operated in September as well?

3

4 MS. PETRIVELLI: I think it's been held  
5 every August, but I think in discussions like with the  
6 Park Service and their relationship with Batzulnetas,  
7 because when we just put in the Batzulnetas Culture Camp  
8 and provision, we had like a 10-day window. The next  
9 year we expanded that window. So we were thinking since  
10 it will be a special provision just to allow the camp  
11 flexibility rather than to having them having to put in a  
12 special action requesting the dates, but it's just  
13 providing the camp flexibility. But, to my knowledge, I  
14 think it's always been held in August. Since the  
15 proponent has requested up to the later dates, we thought  
16 it would just be better to allow that flexibility since  
17 it's in the regular seasons anyway. To my knowledge, I  
18 don't think the camp has ever been held in September.

19

20 MR. CHURCHILL: As a follow up, was any  
21 discussion of possibly making it 9/25 to 8/25? I mean  
22 that would seem to lend itself much more to a hunt  
23 focused around the actual camp.

24

25 MS. PETRIVELLI: You mean August 25th?

26

27 MR. CHURCHILL: I'm sorry. August 25 to  
28 September 25th. I'm sorry. July 25th to August 25. I'm  
29 trying to read my own writing, Pat. My apologies.

30

31 MS. PETRIVELLI: I think August 10th is  
32 when the current season starts. Oh, for caribou. That's  
33 what it is. The caribou season starts August 10th. So I  
34 think we were trying to match existing season dates.  
35 It's just the extra flexibility in September. It might  
36 be a wide margin, but it still allows flexibility.

37

38 CHAIRMAN LOHSE: Pat, if I understand  
39 right, what we have here is it matches the closing date  
40 of the regular moose season, right? But the opening date  
41 is not the current opening date of the regular  
42 subsistence moose season. The regular subsistence moose  
43 season, if I understand, the next proposal starts August  
44 1st, but we have a proposal in front of us on the next  
45 page that proposes moving that date to August 15. So, if  
46 we would happen to move the opening date to August 15th,  
47 would we want to change this to August 15th? Because of  
48 the way the camp is set up, August 10th would fit in to  
49 the early part of the camp. What we're saying is the  
50 September 20th is just in case something happens, like a

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1 death or something, and the camp has to be held in  
2 September instead of August.

3

4 MS. PETRIVELLI: Yes. And then the  
5 August 10th date was picked because that's when the  
6 caribou season starts.

7

8 CHAIRMAN LOHSE: Okay. Bob.

9

10 MR. CHURCHILL: So, in other words, we  
11 would not be giving a permit if the camp were not  
12 operating.

13

14 MS. PETRIVELLI: Yes, because then the  
15 camp officials have to go to BLM and submit a written  
16 request saying the camp is being held, then BLM would  
17 give them the permit if the camp is being held. If there  
18 is no camp, then there would be no permit.

19

20 MR. CHURCHILL: Thank you.

21

22 CHAIRMAN LOHSE: Any other questions for  
23 Pat.

24

25 (No comments)

26

27 CHAIRMAN LOHSE: Thank you, Pat. Harley.

28

29 MR. McMAHAN: Sorry. I might have a  
30 couple questions here. Could I have some clarification  
31 on where this camp is? That would be my first question.

32

33 MS. PETRIVELLI: I don't know.

34

35 MS. STICKWAN: The camp is held at Birdy  
36 Ewan's fish camp. I don't know if you know where that is  
37 behind the airport.

38

39 MR. McMAHAN: Okay. Thanks. Does this  
40 camp just run for a couple weeks then or a month or  
41 what's the deal?

42

43 MS. STICKWAN: This camp is usually held  
44 in August and it's about for one week and elders teach  
45 the younger generation about our culture, tell stories  
46 and they camp out up there. The reason we said September  
47 25th was we'd be able to hunt longer and possibly save  
48 the meat for the next year.

49

50 MR. McMAHAN: That was going to be my

00118

1 question, what's done with the meat if it's that short of  
2 a camp.

3

4 MS. STICKWAN: It's to teach the younger  
5 generation how to cut meat, how to hunt and for elders to  
6 be able to sit at the camp. They instruct the younger  
7 generation in our traditional ways.

8

9 MR. McMAHAN: Yeah, I understand that.  
10 My question is what would be done with the meat? In  
11 other words, why is a special permit needed since  
12 everybody in the camp already probably can get two  
13 caribou and one moose on Federal land already?

14

15 MS. STICKWAN: It was to teach the  
16 younger generation. I don't know if I'm answering his  
17 question.

18

19 MS. PETRIVELLI: I think it's the same  
20 issue as in the other one. Although the Federally-  
21 qualified hunters can go out and harvest two caribou and  
22 a moose, this would be just specifically for use at the  
23 camp activities, either to eat or to make it into  
24 handicraft items. Then the ones they would be eligible  
25 to, they could reserve that for their personal or family  
26 consumption instead of for camp participants.

27

28 MS. STICKWAN: The elders usually get the  
29 meat and fish that were given at the camp so they would  
30 have meat. That's what they always do.

31

32 CHAIRMAN LOHSE: Joe, do you have  
33 something you'd like to add to that for our information?

34

35 MR. HART: I know that in the past when  
36 the AHTNA Heritage Foundation has gathered resources,  
37 like berries and things like that, for various activities  
38 they're going to do, they do utilize what they get. If  
39 they have leftover, they do have a freezer they put it in  
40 and they do utilize it at other activities they have,  
41 educational or meetings or things like that, as well as  
42 give it to our elders.

43

44 CHAIRMAN LOHSE: So there wouldn't be  
45 anybody at the camp to learn about taking care of the  
46 moose or anything like that, but if a moose was taken on  
47 this permit later than the camp, then that moose would be  
48 put aside for the next year?

49

50 MR. HART: That's what I would anticipate

00119

1 being done. I don't foresee it being wasted or abused in  
2 any way. They don't over-harvest salmon even though they  
3 can take up to 500 salmon. If they don't need a moose  
4 this year, they won't take it. This is the same thing we  
5 would teach at our culture camp. We would not over-take  
6 a resource just because it's available to us.

7

8 MS. STICKWAN: If it's after the camp,  
9 they would still take the younger generation out to hunt.  
10 That's the whole reason for this. Even though they don't  
11 have a camp, they would still take the younger -- the  
12 designated hunter would take them out.

13

14 MR. HART: On the sharing of our  
15 resources, in our culture we don't just look at these  
16 opportunities like the culture camp. We can't anticipate  
17 how many potlatches we might have. We share our  
18 resources throughout the rest of the year. Whenever  
19 there's a family in need or they're going through a hard  
20 time, we share those resources. It's not uncommon for  
21 someone to pull out of their freezer a big package of  
22 meat and share with another family that's going through  
23 hardship. So those permits that the individuals use  
24 don't just get used for their own family, they do  
25 practice subsistence constantly. By allowing this  
26 permit, you would not make it a requirement for them to  
27 also share a part of their household catch for teaching  
28 of the culture camp.

29

30 CHAIRMAN LOHSE: Dean.

31

32 MR. WILSON: I work with Dorothy, who is  
33 the organizer of this, just a little bit. I'm curious,  
34 have they been working with the Fish and Game at all?  
35 Maybe I should wait for them to get up here. But try to  
36 get some kind of a permit to get caribou or moose prior  
37 to the culture camp so they have something to work with  
38 during that time or is this strictly something that  
39 they've been looking for after the culture camp is over?

40

41 MR. HART: I couldn't answer that. I'm  
42 just mentioning my knowledge of the culture camp as it's  
43 been organized before as to what the organization AHTNA  
44 Heritage Foundation is actually working with and doing.  
45 I would have to defer to what Fish and Game would have to  
46 say.

47

48 MS. STICKWAN: I think they have worked  
49 with Fish and Game to get permits in the past.

50

00120

1 CHAIRMAN LOHSE: Harley.

2

3 MR. McMAHAN: I would just like to  
4 respond to what you said, Gloria. I didn't mean to  
5 insinuate the meat would be wasted. That wasn't what I  
6 meant. What I'm trying to get at is we're dealing with  
7 Federal land and there just isn't very much Federal land  
8 out there. It's already a pretty liberal allotment as to  
9 what each person in the family can take. You can take a  
10 moose and two caribou. Each person in each family can  
11 take that. But that has to be taken on Federal land with  
12 those permits. I was just wondering, you know, why we  
13 need another permit to take another moose off of Federal  
14 land out there when everybody already has so many  
15 permits. I don't think anybody is going to waste meat  
16 out there. There's not enough to go around as it is.

17

18 MS. STICKWAN: I think the main reason  
19 was for the elders to work with the younger generation.  
20 There are a lot of families out there that are single-  
21 parent families. A lot of women with kids and they're  
22 not able to hunt, to get meat, because they can't. It's  
23 hard for them to go out hunting. They have kids at home  
24 to take care of. We have a lot of families like that in  
25 the AHTNA Region. If you look at how many people get  
26 moose in the Native Community of AHTNA, not very many  
27 people do.

28

29 MR. McMAHAN: No, I realize that, but  
30 they do have permits. Well, what I'm saying is they  
31 already have permits, so why are we trying to create a  
32 situation where we're issuing another permit? It seems  
33 like there's plenty of permits for the Federal land  
34 already.

35

36 MS. STICKWAN: I guess because the  
37 Federal is more liberal in allowing for a longer season  
38 and bag limits. Under the State, they're more  
39 restrictive. AHTNA Heritage probably will and should put  
40 in a moose under the State educational permit. I guess  
41 they just haven't gotten to doing that yet.

42

43 CHAIRMAN LOHSE: Joe.

44

45 MR. HART: What I would say to that is  
46 that during times of shortage this is an organization  
47 that's coming forward right now saying we would like to  
48 be able to do this even during a time of shortage have  
49 this culture camp and that's part of ANILCA Title VIII  
50 and making sure the people that rely on the resources in

00121

1 that rural area or closest to that resource have the  
2 right to be able to go out and do that. Under the  
3 current system and so on, we are competing with everyone  
4 and the individuals might not be able to successfully go  
5 out and harvest their own individual moose and this  
6 organization is stepping forward saying we would like to  
7 make sure we can send somebody specifically to harvest  
8 the moose for our camp versus having to rely upon getting  
9 moose from someone else's individual harvest and  
10 burdening them as well.

11

12 CHAIRMAN LOHSE: Joe, can I ask you a  
13 question because I know what Harley's getting at and it's  
14 kind of a question that I have too all of the time.  
15 Somebody's going to have to go get this moose. Somebody  
16 is going to have to be designated to go get this moose.  
17 If he puts in time to go hunt this moose under this  
18 designated permit, he probably doesn't have time to hunt  
19 his moose under his regular permit. Knowing what it's  
20 like to hunt moose up there, like Gloria said, the  
21 success ratio is not very high. I mean if you get one  
22 moose, you'll be pretty fortunate.

23

24 Have you got hunters good enough that  
25 there's no problem for them to go out and get their own  
26 moose and then go out and get another one for the camp?

27

28 MR. HART: No problem.

29

30 CHAIRMAN LOHSE: Oh, good. Then that's  
31 the question I wanted to know. To me, that would be the  
32 hardest part. It would be hard to go out and get one  
33 moose, let alone go out and get two moose. Since I  
34 already had a permit for one moose, I could have a choice  
35 and give that moose to the camp or I could use it for  
36 myself. If I went hunting with a designated permit, I  
37 could still do the same thing because I'd still have my  
38 own permit, too. That's what I was wondering.

39

40 MR. HART: There is one thing that I  
41 might say to that. There are those that don't hunt.  
42 When they get their moose, they share it and they are  
43 always out there, but then there are always those family  
44 members that come back to the area. Those are the people  
45 that can still meet the regulation requirements for being  
46 a Federally-qualified user, but they might not need to go  
47 out and get a moose. If there's an individual in a  
48 family that has gotten a moose, but there's someone that  
49 doesn't necessarily need to go get a moose because of  
50 that, they're the ones that are usually volunteering to

00122

1 go out and help out in this type of situation.

2

3

CHAIRMAN LOHSE: Susan.

4

5 MS. WELLS: It's unfortunate James isn't  
6 here at this time because for Kenaitze Tribe he usually  
7 is the one that leaves a passel of kids out -- we use  
8 private land and it's a State permit, but he takes the  
9 kids out and he's not only showing them where the moose  
10 are, how to shoot a moose right, they're there to help  
11 skin it out, take care of the meat and tanning the hide  
12 and stripping, all that stuff. He hunts for his family  
13 and when I don't get moose, he's available for sharing.  
14 So they're two totally different hunts. One is where  
15 he's providing for his family and extended family, the  
16 traditional way, and then there's ensuring that that  
17 tradition and culture continues and it's teaching the  
18 children the value of it, the value of sharing. In our  
19 culture, not just our Native culture, but our whole  
20 community, those are the values that we're losing.  
21 Having these special permits and these special camps is  
22 probably one of the most valuable ways of passing on that  
23 tradition. It's being watered down by so much of our  
24 culture in general, whether it's on TV or music. A lot  
25 of that stuff needs to be a hands-on experience for our  
26 kids in order to carry it on.

27

28

CHAIRMAN LOHSE: Thank you, Susan, and I  
29 think that answers my question that I asked you, Joe, and  
30 that's what I was trying to get at in answer to Harley's.

31

32

It's just like anything else. Ten  
33 percent of the fishermen catch 90 percent of the fish.  
34 Ten percent of the hunters take 90 percent of the game.  
35 If you have somebody in your community that is a good  
36 hunter, he is capable of going and getting his own and  
37 then going out for the community and then this gives him  
38 the opportunity to do that, like what she was talking  
39 about with James. That's something that sometimes we  
40 need to recognize because that really, if you go back in  
41 history, has been the case. There's always been people  
42 who were the providers more for the community at large.

43

44

So that's what I was getting at, Joe, and  
45 that's what I wanted you to say. That, to me, would be  
46 the only reason that you would want to have a designated  
47 permit like this because there are more permits out right  
48 now than animals being taken. There should be sufficient  
49 permits that anybody could go, but the majority of the  
50 people couldn't take the moose anyhow, so you have to

00123

1 send somebody who can. Susan.

2

3

MS. WELLS: I might just add on to that.  
4 Not just being able to go out. If you're a good hunter,  
5 you can go out and get your moose, you can probably be a  
6 designated hunter for grandma and so forth, but along  
7 with that ability to hunt you have the responsibility to  
8 your people. So James isn't here to address that, but in  
9 our area he's responsible and it's a heavy-duty  
10 responsibility for taking out the kids because of the  
11 skill that he has. So, in our culture and tradition, if  
12 you have that ability, you're one of the 10 percent that  
13 catches 90 percent of the fish, you need to be prepared  
14 to provide for others as well. So it becomes a  
15 responsibility, not just lucky me, I get to go out and  
16 get another moose.

17

18

CHAIRMAN LOHSE: Tom.

19

20

MS. CARPENTER: I actually have a  
21 question for Pat. Something that's written in the  
22 special provision. It says either one bull moose or two  
23 caribou, sex to be determined by the Glennallen field  
24 office. Is that the choice of the biologist or the  
25 manager or is that the choice of AHTNA?

26

27

MS. PETRIVELLI: That would be the choice  
28 of the Glennallen field office manager and I'm sure they  
29 would consult with the wildlife biologist. This is like  
30 the same provision we put in for the last one. And the  
31 two caribou for the winter hunt.

32

33

MR. CARPENTER: Thank you.

34

35

CHAIRMAN LOHSE: Bob.

36

37

MR. CHURCHILL: Yeah, I guess, Pat, to go  
38 back to my original question then, it really does appear  
39 what this is is a request to be allowed to harvest an  
40 animal sometime during that period and the product of  
41 that harvest to be used generally for the community. I  
42 mean it's been fairly clear that we're talking about --  
43 if we catch a moose, we're talking about probably seven  
44 or eight hundred pounds of meat. We're talking about,  
45 including the instructor, 65 to 90 participants, so we're  
46 talking a range of 12 to 9 pounds of meat if, in fact,  
47 it's harvested during the camp. If it's harvested  
48 outside the camp, that meat is stored for the next year  
49 or during the year at potlatches, if elders are in need,  
50 single head of household families, the meat is used in

00124

1 those instances as well. That's been fairly clear from  
2 what I've heard. If that's wrong, please correct me.

3

4 MS. PETRIVELLI: Yes, I guess from what  
5 testimony was said today, but then also on page 92 there  
6 are the little -- like 50 to 75 individuals, 10 to 12  
7 instructors. Yes, the regular period of the camp  
8 activities. But it is true camp activities may involve  
9 ancillary activities.

10

11 MR. CHURCHILL: But I mean what we've  
12 heard is that animal may be harvested in fact after the  
13 camp is over.

14

15 MS. PETRIVELLI: Yeah.

16

17 MR. CHURCHILL: I would guess the  
18 majority of that meat would be used for other related  
19 community activities. I just want to be clear what I'm  
20 voting on.

21

22 MS. PETRIVELLI: Yes. That's what Gloria  
23 said and Joe.

24

25 CHAIRMAN LOHSE: Any other questions for  
26 Pat. Susan.

27

28 MS. WELLS: No questions, but I would  
29 like to say that in the hunts that I'm familiar with, the  
30 hunter -- if we're concerned about the meat not being  
31 used in a camp situation, that it might be going to the  
32 hunter that did the hunting after the season and after  
33 the camp is over, I could pretty well assure you that in  
34 most of those situations, in all of them, the meat is  
35 always used for those who would be at the camp and would  
36 be part of the educational process because not only is  
37 the learning in that three to four days, the learning  
38 goes on all year. One of the major products of this take  
39 would be in the sharing and the caring of the elders and  
40 those that are incapable of going out and that's one of  
41 the most valuable lessons of the whole thing.

42

43 CHAIRMAN LOHSE: We now need Alaska  
44 Department of Fish and Game. We have to be careful that  
45 we don't get to the point where we're discussing it  
46 ourself. We need to be directing our questions to Pat or  
47 whoever is up there. Terry.

48

49 MR. HAYNES: Mr. Chairman, the  
50 department's comments are on page 97 of your Council

00125

1 meeting book. As with the previous proposal, the  
2 department is neutral on this one. We have supported  
3 previous special action requests for this camp and if  
4 this proposal was adopted, it would eliminate the need  
5 for these annual authorization requests.

6  
7                   However, based on the discussion that  
8 we're having here now, the department is very concerned  
9 about -- the intent of this special action request has  
10 been to harvest resources for the AHTNA Culture Camp. We  
11 are very concerned, that the intent of this is not to  
12 provide for harvest after the camp is over and we would  
13 not support a proposal that would authorize harvest after  
14 the culture camp.

15  
16                   It's our belief that the intent of this  
17 has been to provide resources for the camp. Granted,  
18 there may be resources available after the camp is over.  
19 It's very unlikely if two caribou and a moose were  
20 harvested for the camp, all that meat would not be  
21 consumed at the camp, but we believe the intent of this  
22 request has been to provide those resources for the camp.

23  
24                   In addition to that, if this proposal is  
25 adopted in whatever form, we would request that the BLM  
26 notify the department prior to issuing the permits and as  
27 soon as possible after the hunt is over so that the  
28 department would be able to track the hunt, respond to  
29 questions that might come in from the public and to just  
30 have this documentation on hand.

31  
32                   Thank you.

33  
34                   CHAIRMAN LOHSE: Any questions for Terry.  
35 Tom.

36  
37                   MR. CARPENTER: Terry, I think I  
38 understand Harley's concern. I have some concern, too.  
39 I don't have a concern about giving the permit because I  
40 think the permit is a reasonable request. I think if we  
41 were to give out the permit, it should be directed  
42 towards the camp, which is the actual intent that they're  
43 asking for.

44  
45                   I guess my question is would you have a  
46 problem from the department standpoint if the dates were  
47 actually changed and they were allowed to hunt earlier?  
48 Right now it's written August 10th to September 20th.  
49 The actual moose season opens August 1st under Federal  
50 regulations. To me, it seems like if we were to move the

00126

1 date back earlier, it would almost guarantee that the  
2 harvesting for this camp would be successful and the  
3 actual meat would be guaranteed to be used at the camp,  
4 which is the intent.

5

6 CHAIRMAN LOHSE: Terry.

7

8 MR. HAYNES: Mr. Chairman, Tom. We would  
9 be perfectly happy to have the timing of the hunt linked  
10 to the Federal seasons. In that case, it would be as  
11 early as August 1 for moose and August 10 for caribou.  
12 If you get much earlier than that, you have other  
13 questions about whether it makes sense to have a hunt  
14 that early.

15

16 CHAIRMAN LOHSE: Terry, can I ask you a  
17 question. I probably should ask this of Federal, but  
18 you've had a lot of experience with regulations. Would  
19 it be possible to make a permit that start August 1 for  
20 moose, August 10th for caribou and the duration of the  
21 permit would be until the last day of the camp? Can you  
22 do something like that so that would alleviate some of  
23 the concerns that have been expressed about taking game  
24 after the camp was over? Is there a way to write into  
25 regulation that it terminates on the last day of the camp  
26 or something to that effect?

27

28 MR. HAYNES: Mr. Chairman, I would defer  
29 to Federal people to answer that question. They're more  
30 familiar with what the sideboards are on the Federal  
31 permitting requirements.

32

33 CHAIRMAN LOHSE: Okay. Thank you, Terry.  
34 Go ahead, Gloria.

35

36 MS. STICKWAN: I was just going to say  
37 that camp is held usually in the month of August, so  
38 that's when we'd like to have it.

39

40 CHAIRMAN LOHSE: We'll get to that on the  
41 discussion. Any other questions for Terry. Dean.

42

43 MR. WILSON: I'm curious, Terry. Have  
44 you guys been approached to get a special permit for this  
45 culture camp for State land under the department's  
46 jurisdiction?

47

48 MR. HAYNES: Mr. Chairman, Dean, I don't  
49 know. I don't have that information. I haven't followed  
50 up to see what type of applications we may have received,

00127

1 if any, for this particular camp.

2

3 MS. STICKWAN: I believe they have. I'm  
4 pretty sure they have. That's why we're here, so we  
5 don't have to go back every year and reauthorize another.

6

7 CHAIRMAN LOHSE: Thank you, Terry. If  
8 there's no other questions for Terry.

9

10 MR. HAYNES: Thank you, Mr. Chairman.

11

12 CHAIRMAN LOHSE: Are there any other  
13 Federal, State or Tribal Agencies that wish to make  
14 comments on this proposal. Barbara.

15

16 MS. CELLARIUS: Mr. Chairman, Barbara  
17 Cellarius, subsistence coordinator for Wrangell/St. Elias  
18 National Park and Preserve. It's not as much of a  
19 comment as to answer a question that you asked while  
20 Terry was up here which concerns the length of time that  
21 the permit was issued for. When I issue the permit, when  
22 I give out the permit for the Batzulnetas Culture Camp,  
23 while we have a wider range of dates to allow flexibility  
24 in the scheduling of the camp, we issue the permit for  
25 the week before the camp and the week of the camp.

26

27 CHAIRMAN LOHSE: Is that a permit that is  
28 now -- if I remember right, that's a permit that doesn't  
29 have to be renewed every year. That's a permit that's  
30 authorized into the future, right?

31

32 MS. CELLARIUS: That is correct.

33

34 CHAIRMAN LOHSE: So as the issuing agent,  
35 you can stipulate -- we don't have to cast in stone what  
36 the last day of the permit is.

37

38 MS. CELLARIUS: That's the way that we do  
39 it with this particular permit.

40

41 CHAIRMAN LOHSE: Thank you. Inter-Agency  
42 Staff Committee comments.

43

44 MR. BOS: Mr. Chair, this has really been  
45 an excellent discussion. I think a lot of excellent  
46 points have come out, indicating the broad spectrum of  
47 subsistence uses, needs and purposes of the program. It  
48 would appear from your discussion a number of Council  
49 Members consider the purposes of this proposal to be  
50 broader than the AHTNA camp itself.

00128

1                   The Federal program certainly supports  
2 subsistence uses taken for family, for sharing, for  
3 providing for other families, for teaching, for potlatch  
4 celebrations. We have in regulation now provisions to  
5 provide for much of that. We have a statewide  
6 regulation, as you know, that allows for potlatches where  
7 you can take moose, caribou outside of established  
8 seasons for religious potlatches. We also have a  
9 statewide regulation that allows for designated hunting  
10 permits for moose and caribou so that individuals are  
11 able to hunt for other individuals and for purposes of  
12 teaching the youth and so forth. So those conditions are  
13 already being largely provided in this area for both  
14 moose and caribou.

15  
16                   I think the Staff looked at this proposal  
17 when it came in as specific to providing for the needs  
18 and purposes of this AHTNA camp. In that sense, we would  
19 consider the season as being proposed as a flexible  
20 window within which the camp can be scheduled and we  
21 certainly, for administrative purposes, could issue the  
22 permit sufficiently in advance of the culture camp to  
23 allow harvest before the camp but have the permit expire  
24 when the camp closes. That would be a more narrowly  
25 focused provision to serve the needs of the camp as  
26 proposed by the proponent.

27  
28                   CHAIRMAN LOHSE: So basically what you're  
29 saying is that the permitting officer would look at this  
30 more as a window. This isn't setting a season, this is  
31 setting a window.

32  
33                   MR. BOS: Yes, Mr. Chair. I think we  
34 might need to reword the proposed regulation to make that  
35 a little clearer if that's the way the Council would like  
36 to go and the Board may wish to consider that as well.

37  
38                   I think that if we don't to craft the  
39 language at this time, just the intent can be expressed  
40 by the Council and the Staff can then develop the  
41 regulatory wording to reflect what the Council wants to  
42 do.

43  
44                   CHAIRMAN LOHSE: I was just looking at  
45 the proposal as it's written here and I wouldn't see any  
46 need to change the language because it doesn't say. It  
47 just says it may be taken from August 10th to September  
48 20th but you have a permit obtained from the Glennallen  
49 field office. At the time of obtaining the permit, they  
50 will write into the permit what the dates are. But it

00129

1 means they have that window then. That is a process that  
2 has been used in the past the way it sounds from what  
3 Barbara was saying. I know we have the same kind of  
4 window written for the Batzulnetas camp.

5  
6 MR. BOS: Yes, that's right.

7  
8 CHAIRMAN LOHSE: Thank you. Justin.

9  
10 MR. JUSTIN: Thank you, Mr. Chairman.  
11 Wilson Justin of Mount Sanford Tribal Consortium.

12  
13 Right up front I'll say we'll support the  
14 proposal and I'd like to add a comment or two about the  
15 Batzulnetas Camp. The permit we get for our camp at  
16 Batzulnetas doesn't have all of the shut-off dates and  
17 what have you. What is normally done is we close the  
18 camp at noon on Friday. It begins Monday, but it's  
19 officially closed at noon on Friday and we begin moving  
20 out camp all day. I normally send word out to the  
21 hunters to cease hunting Thursday by noon. So if we  
22 don't get the moose the previous week and if we don't get  
23 the moose Monday, Tuesday, Wednesday, then I'll shut down  
24 the hunting. It's just that kind of a situation I  
25 foresee at the AHTNA camp.

26  
27 I don't think anybody at the AHTNA camp  
28 is going to allow hunting for personal purposes within  
29 the context of this permit. I think it's self-governing  
30 and I think it has to do with the way we teach our  
31 values. So I don't foresee a problem in supporting a  
32 permit of this type for a camp. I was there at the  
33 beginning of the AHTNA Cultural Camp and also the AHTNA  
34 Heritage, so I know what the thinking was. I just wanted  
35 to put that on the record for your edification.

36  
37 CHAIRMAN LOHSE: Thank you, Wilson.  
38 Anybody else. Harley.

39  
40 MR. McMAHAN: Yeah, I'd like  
41 clarification of how that actually work as the cultural  
42 camp isn't near any Federal land. How do you actually  
43 implement the hunt?

44  
45 MR. JUSTIN: Most of the time we keep the  
46 hunters to a select group. We don't have very many  
47 hunters to begin with and we don't want to get confusion  
48 in the ranks as to who is going to be out hunting, so we  
49 usually just have several names on the permit itself.  
50 And I like to be there at the camp when the hunting

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1 starts. I'm not always there at the camp during the camp  
2 or at the conclusion of the camp, but I always like to be  
3 there at what I consider the important part of the camp,  
4 which is the hunting. I'm generally monitoring the  
5 activities from Chistochina during the period when the  
6 hunters are out and about.

7

8 I know who the hunters are. They  
9 normally either work for Chisana or Mount Sanford or  
10 Mentasta. They're usually employees of one of the three  
11 organizations. So we keep a real close track of who's  
12 doing the actual hunting. I'm also named on the permit  
13 on occasion. Does that answer the question?

14

15 MR. McMAHAN: Are you talking about  
16 Batzulnetas?

17

18 MR. JUSTIN: Yes. Batzulnetas direct  
19 experience. At the Copper Center camp they have a camp  
20 there that's been in operation for a good many years.  
21 I've not been a part of that since 1993.

22

23 MR. McMAHAN: That's what I was asking  
24 about because it's not close to any Federal land. I was  
25 just wondering how this all works, this teaching process.  
26 How do they go out and hunt and where do they hunt?  
27 Because it just doesn't seem like there's any place to  
28 hunt.

29

30 MR. JUSTIN: The AHTNA camp does have the  
31 issue of not being near any Federal land, but there's one  
32 thing you have to remember is the teaching activity is  
33 the same in both camps. Part of the reason why a special  
34 permit is needed for this kind of camp and the teaching  
35 activities is because in most cases the teaching revolves  
36 around the use of the stomach and the feet and those  
37 parts of the moose that are rarely ever used or retained  
38 from the field. They're the ones that spoil the  
39 quickest. The way the meat is cut is very critical.  
40 There are only a few of us left that know how to cut the  
41 meat correctly.

42

43 You either have a choice of taking the  
44 elders out to each individual moose that's taken in  
45 distant places along with all the kids or you bring the  
46 moose to where you can get the elders to and that was  
47 part of the reasoning behind establishing the AHTNA  
48 Culture Camp. So you can focus the elders in a setting  
49 that you can bring the meat to and pass the teaching on.

50

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1                   The only other alternative is to get the  
2 elders through all the trials and tribulations of  
3 following hunters around until somebody shoots something  
4 and then getting the kids to them. That brings up the  
5 addition of how do you bring all the kids and the other  
6 youngsters that you want to teach to that location. So  
7 just cheaper and better in the long run by our reasoning  
8 to establish camp where you can teach these values in the  
9 way you consider necessary to take good care of moose.

10

11                   Does that help?

12

13                   MR. McMAHAN: So the way this works is  
14 you have a designated hunter that goes out. Does he go  
15 by himself or does he go with a group of kids or how does  
16 that work? And then, after he kills a moose, are you  
17 telling me that he brings the stomach and everything  
18 back?

19

20                   MR. JUSTIN: In our camp, yes. I know  
21 that originally the intent was at the AHTNA camp. I  
22 don't know, do they still do that for you?

23

24                   MS. STICKWAN: Bring back the.....

25

26                   MR. JUSTIN: Everything.

27

28                   MS. STICKWAN: They haven't been  
29 successful in getting a moose and the camp has been  
30 cancelled because of deaths during the month of August,  
31 so it was cancelled for a few years because of  
32 potlatches.

33

34                   MR. JUSTIN: So, understandably, the  
35 AHTNA camp would run a higher risk of cancellation than  
36 ours. They serve a bigger population and they have a lot  
37 more to deal with. In our camp, the intent is for us to  
38 bring all of the moose back to the camp, even the horns,  
39 and I don't know what happens to the horns myself.

40

41                   CHAIRMAN LOHSE: Any more questions for  
42 Wilson. Myself, from what I've seen from where most  
43 people hunt, I don't see any problem with that because  
44 more than likely it will be hunted on the road system.  
45 To bring the whole moose back, even if you have to bring  
46 it back in parts, is not unreasonable. It's interesting  
47 to me that it would be real hard to do a camp that you  
48 had a number of kids that you were going to take them  
49 out. It's easy to do as an individual with one, maybe  
50 two kids, but you'd almost have to bring the things to

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1 the camp instead of taking the kids to the game.

2

3 Any other questions for Wilson.

4

5 (No comments)

6

7 CHAIRMAN LOHSE: Thank you.

8

9 MR. JUSTIN: Thank you, Mr. Chair.

10

11 CHAIRMAN LOHSE: Okay. Fish and Game  
12 Advisory Committee comments.

13

14 (No comments)

15

16 CHAIRMAN LOHSE: Written summary of  
17 public comments.

18

19 MR. MIKE: Thank you, Mr. Chair. There's  
20 one written public comment received. The AHTNA,  
21 Incorporated supports the proposal to have an educational  
22 permit to take caribou or moose in Unit 13 for AHTNA  
23 Heritage Foundation so that the younger generation will  
24 be able to learn the customary and traditional ways of  
25 the AHTNA People, lifestyle, values and lore, and kinship  
26 among families through learning about the historical  
27 familial relationships and territorial boundary areas.

28

29 Thank you, Mr. Chair.

30

31 CHAIRMAN LOHSE: Okay. We have no public  
32 comments, public testimony on record, so at this point in  
33 time a motion to put WP04-26 on the table is in order.

34

35 MR. CHURCHILL: Mr. Chairman, I'd like to  
36 move that we put Proposal WP04-26 as written on page 95  
37 of our book on the table.

38

39 MS. WELLS: Second.

40

41 CHAIRMAN LOHSE: It's been moved and  
42 seconded that we put WP04-26 as written on page 95,  
43 amendments proposed by the Staff, on the table. At this  
44 point in time we're open for discussion, comments,  
45 questions. Bob.

46

47 MR. CHURCHILL: Before we get into  
48 discussion, I'd like to offer an amendment that the  
49 beginning date be moved to August 1st.

50

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1 CHAIRMAN LOHSE: Bob, is that for both  
2 moose and caribou or is that for just moose, which is  
3 open on August 1st.

4  
5 MR. CHURCHILL: Sorry. Just moose.

6  
7 CHAIRMAN LOHSE: We have an amendment on  
8 the table to open the moose season on August 1st as it  
9 currently stands.

10  
11 (No audible second)

12  
13 CHAIRMAN LOHSE: We've got a second on  
14 it. Any discussion on that part of the proposal. Bob.

15  
16 MR. CHURCHILL: Yeah, given the dates of  
17 the camp and the objective of the permit, I think it  
18 would probably give the folks a better lead time, more  
19 opportunity prior to the camp and it conforms with the  
20 existing season.

21  
22 CHAIRMAN LOHSE: Thank you, Bob. Any  
23 other discussion.

24  
25 (No comments)

26  
27 CHAIRMAN LOHSE: If not, the question is  
28 in order.

29  
30 MR. CHURCHILL: Call the question.

31  
32 CHAIRMAN LOHSE: The question has been  
33 called on the amendment to move the seasons to August 1st  
34 to September 20th for moose, August 10th through  
35 September 20th for caribou. All in favor signify by  
36 saying aye.

37  
38 IN UNISON: Aye.

39  
40 CHAIRMAN LOHSE: All opposed signify by  
41 saying nay.

42  
43 (No opposing votes)

44  
45 CHAIRMAN LOHSE: Motion carries. We now  
46 have an amended proposal in front of us. Do we have any  
47 further amendments. Any further discussion.

48  
49 (No comments)

50

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1 MR. ELVSAAS: Question.

2

3

4 CHAIRMAN LOHSE: Hearing none. The  
5 question has been called. All in favor of the motion as  
6 written on 95 with our amendment signify by saying aye.

6

7

IN UNISON: Aye.

8

9

10 CHAIRMAN LOHSE: All opposed signify by  
11 saying nay.

11

12

(No opposing votes)

13

14

15 CHAIRMAN LOHSE: Motion carries. We have  
16 two abstentions. I think from our written record we've  
17 pretty well established that the intention of this was to  
18 be before the camp and for the camp and the permit writer  
19 will probably write the permit so that it ends when the  
20 camp ends.

20

21

22 With that in mind, let's go on to  
23 WP04-27. Shorten the season for moose in part of Unit  
24 13, submitted by the Alaska Department of Fish and Game.  
25 Directly deals with what we just directly dealt with.

25

26

27 Oh, I said we'd have a break. Let's have  
28 that break.

28

29

(Off record)

30

31

(On record)

32

33

34 CHAIRMAN LOHSE: I will call this meeting  
35 of Southcentral Regional Subsistence Advisory Council  
36 back in session. We're considering WP04-27. I've looked  
37 at the clock and what time we've got left and I'll just  
38 make the statement that when I look at the next proposal  
39 that we won't go on to it. We will recess when we finish  
40 Proposal WP04-27. Chuck.

40

41

42 MR. ARDIZZONE: Mr. Chair, Council  
43 Members. Chuck Ardizzone. Proposal WP04-27 was  
44 submitted by Alaska Department of Fish and Game and  
45 requests that Federal harvest dates for moose in Unit 13  
46 remainder be shortened by 14 days and that reporting of  
47 the harvest to BLM be done within three days. The  
48 harvest season would be changed from August 1st to  
49 September 20th to August 15th through September 20th.

49

50

Proponent requests that the Federal

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1 subsistence harvest regulations for moose hunting be  
2 changed to align with existing State seasons and harvest  
3 reporting requirements be changed. Proponent wants the  
4 season changed for several reasons. The first reason is  
5 that the first two weeks of August are often very warm  
6 and wet. To ensure the proper care of meat, reducing or  
7 eliminating meat spoilage, cool and dry weather is  
8 required. Typically, this weather does not occur until  
9 mid to late August.

10

11 The second reason has to deal with  
12 enforcement issues. The proponent believes that many of  
13 the moose taken under the Federal subsistence regulations  
14 are harvested outside of Federal lands. If the season  
15 were aligned with the State's Tier II season, there would  
16 be more enforcement officers in the field helping to  
17 address enforcement issues.

18

19 A three-day reporting requirement and the  
20 reporting of the exact kill location would allow law  
21 enforcement officials to more easily investigate  
22 suspected illegal harvest by returning to the kill site.

23

24 A little bit of regulatory history. The  
25 Federal moose harvest in Unit 13 has a long history of  
26 discussion by the Federal Subsistence Board. Existing  
27 Federal moose regulations have been in place since 1995  
28 when the season start was changed from 25 August to 1  
29 August, providing a 14-day period for subsistence users  
30 to harvest moose without interference of State Tier II  
31 hunters.

32

33 The moose population in Unit 13 has  
34 fluctuated broadly since the 1940s. The most recent peak  
35 in 1987. ADF&G's overall moose population goal for Unit  
36 13 is to increase the population to 25,000 moose and be  
37 able to increase harvest from 1,200 to 2,000 animals  
38 annually. The current population is considered stable.

39

40 If you look at Table 1, they haven't done  
41 any complete censuses, however they do composition  
42 counts. Then in 2003 the moose per square mile in the  
43 area surveyed was 1.3 and the total moose in the surveyed  
44 area was 4,457. That doesn't represent the whole unit,  
45 just the surveyed area.

46

47 A little bit of harvest information.  
48 Federal moose harvest in Unit 13 for August was 14  
49 animals in 2000, nine animals in 2001, and 10 animals in  
50 2002. Federal moose harvest before 15 August has been

00136

1 minimal. Six animals in 2000, seven animals in 2001 and  
2 five animals in 2002. The Federal harvest represents  
3 eight percent of the total moose harvest, State and  
4 Federal combined, in Unit 13 for 2000, 11 percent for  
5 2001 and just six percent for 2002.

6  
7 I'll skip right to the effects of this  
8 proposal. If this proposal is adopted, it would be more  
9 restrictive than the current regulation and would shorten  
10 the Federal harvest season by 14 days, thus reducing  
11 opportunities for qualified subsistence users to harvest  
12 moose. It would align State and Federal regulations,  
13 which would eliminate the current 14-day priority  
14 subsistence users currently have on Federal lands. The  
15 Federal Subsistence Board granted this 14-day priority in  
16 1995 for a number of reasons. The short hunting season  
17 was not meeting the subsistence users needs for moose,  
18 the influx of hunters from urban areas and their use of  
19 motorized vehicles hindered the local hunters from being  
20 successful in harvesting moose.

21  
22 Currently, the moose population is  
23 considered stable and the current harvest is considered  
24 sustainable. Subsistence harvest of moose during the  
25 first 14 days of August has been low, ranging between  
26 five and seven animals between 2000 and 2002. Shortening  
27 the season would lessen opportunity for the subsistence  
28 user, basically placing the burden on all subsistence  
29 users because of possible illegal harvest by some  
30 individuals.

31  
32 Adopting this proposal would not address  
33 the main concern of the proponent, which is Federal  
34 hunters harvesting moose on State lands, but reporting  
35 their harvest was taken from Federal lands. Shortening  
36 the season will not address this problem. If individuals  
37 are going to harvest illegally, a shortened season will  
38 not address this concern. Shortening the reporting time  
39 to three days and requiring the permit number and exact  
40 location of the harvest would also do little to curtail  
41 the concern of a legal harvest. Requiring reporting of  
42 the exact location would not alter the behaviors of  
43 violators but only further encumber users. Shortening  
44 the reporting time may aid in finding and investigating  
45 kill sites for enforcement purposes but does not address  
46 the concerns over meat spoilage or illegal harvest  
47 directly.

48  
49 There are very few moose harvested in  
50 early August in Unit 13. Subsistence users are aware of

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1 the possibility of meat spoilage during warm weather and  
2 take measures to prevent it from occurring. Also, the  
3 moose harvested on Federal lands are harvested very close  
4 to the road system and are brought out of the field  
5 quickly, thus preventing any spoilage.

6

7 The preliminary conclusion is to oppose  
8 this proposal. Are there any questions.

9

10 CHAIRMAN LOHSE: Do we have any questions  
11 for Chuck. Bob.

12

13 MR. CHURCHILL: If I remember correctly,  
14 the ADF&G in further comments suggested that they felt  
15 maybe three days was a little tight. They set a five-day  
16 reporting requirement. Any reaction to that, Chuck?

17

18 MR. ARDIZZONE: I would have to defer to  
19 BLM since they're the reporting agency. I'm not sure how  
20 much that would encumber them. I know three days was a  
21 fairly quick turnaround and we thought that might be  
22 cumbersome. I'm not sure about five days.

23

24 MR. WATERS: This is Elijah. I could  
25 address that if you'd like.

26

27 MR. CHURCHILL: I would. Thank you,  
28 Elijah.

29

30 MR. WATERS: The existing regulation is  
31 five days. Successful hunters are required to report  
32 within five days. The glitch in the system is the  
33 reporting goes to the OSM as opposed to here.

34

35 MR. CHURCHILL: Thank you.

36

37 CHAIRMAN LOHSE: Elijah, would there be  
38 any possibility of changing it so that the reporting goes  
39 right to the Glennallen field office instead of to the  
40 OSM?

41

42 MR. WATERS: I think the consensus is  
43 already that we're going to start that next year.

44

45 CHAIRMAN LOHSE: That would eliminate  
46 some of the problems then, wouldn't it?

47

48 MR. WATERS: Yes, it would. It would  
49 eliminate quite a bit of the problem, but I think the  
50 consensus we've been planning to do that. That applies

00138

1 to caribou as well as moose.

2

3 CHAIRMAN LOHSE: Thank you. Bob.

4

5 MR. CHURCHILL: Elijah, there seems to be  
6 this sense of a fair amount of illegal harvest. Do you  
7 have a feel for the majority of that is cows, bulls? Any  
8 sense of that?

9

10 MR. WATERS: I think the sense of illegal  
11 harvest is not cows, but I think it's bulls maybe that  
12 people think are coming off of Federal lands. Our ranger  
13 is pretty diligent about getting out there in the season  
14 and trying to track those down. I think maybe what is  
15 referred to in the original proposal, there was a case  
16 this year where he thought that somebody took one off  
17 Federal lands and he was trying to find it and spent  
18 quite a bit of time out in the field looking for a  
19 carcass and couldn't find it and assumed that it probably  
20 come off of Federal lands.

21

22 I don't have a sense as far as how many  
23 we think are illegal, but I think it's pretty low. The  
24 Federal harvest is pretty low in general, 30 to 40  
25 animals. Any guess would just be that, a guess. To my  
26 knowledge, there hasn't been any tickets written for a  
27 Federal moose coming off of Federal lands.

28

29 MR. CHURCHILL: Thank you.

30

31 CHAIRMAN LOHSE: Elijah, when you say  
32 Federal moose coming off of Federal lands, you mean  
33 Federal moose being taken on State land, right?

34

35 MR. WATERS: Right, right. I'm sorry.  
36 That was poorly worded.

37

38 CHAIRMAN LOHSE: While we have Elijah  
39 there, Doug, would you like to ask him a question?

40

41 MR. BLOSSOM: Mr. Chairman. Elijah, is  
42 five days enough time?

43

44 MR. WATERS: I think five days is plenty  
45 of time. The fact of the matter is the rangers are  
46 probably not going to be able to go out there and track  
47 down every 30 to 40 moose per year and look for 30 to 40  
48 gut piles. It's just not practical. Especially the way  
49 the hunt report is, when you send it in, you're being  
50 pretty specific about where you took that animal. For

00139

1 example, west fork of the Gulkana. That's not specific  
2 enough that the ranger is not going to be able to go up  
3 there and search the west fork of the Gulkana for a gut  
4 pile.

5  
6 CHAIRMAN LOHSE: Elijah, this is kind of  
7 tongue-in-cheek, but do you think we should make a  
8 requirement that all Federal hunters carry a GPS and  
9 punch the coordinates in and report the latitude and  
10 longitude of all gut piles?

11  
12 MR. WATERS: Absolutely not. That's been  
13 suggested. I think that's totally impractical.

14  
15 CHAIRMAN LOHSE: Thank you muchly. Any  
16 other questions for Chuck or Elijah. Bob.

17  
18 MR. CHURCHILL: One of the objectives of  
19 this seems to hint at the fact that there's an excessive  
20 amount of meat spoilage in the early harvest. What's  
21 your sense of that, either Chuck or Elijah.

22  
23 MR. ARDIZZONE: I'm going to have to  
24 defer to Elijah.

25  
26 CHAIRMAN LOHSE: Elijah, did you copy?

27  
28 MR. WATERS: I did. My sense is that's  
29 pretty low. Early in that season I think the people are  
30 hunting for moose who happened to wander too close to the  
31 road. I think it's a lot of road hunt in that time of  
32 year. You know, people just happened to see them close  
33 to the road and get it. I don't think that meat spoilage  
34 is significant.

35  
36 CHAIRMAN LOHSE: Any other questions for  
37 Elijah or Chuck.

38  
39 (No comments)

40  
41 CHAIRMAN LOHSE: Thank you, Elijah and  
42 Chuck. Alaska Department of Fish and Game.

43  
44 MS. KELLEYHOUSE: (Not near microphone)  
45 I'm sorry. This proposal did come from our Glennallen  
46 office from our staff, Bob Tobey and myself. This is a  
47 two-part proposal. As it's already been brought up here,  
48 the first part of it is the reporting requirement. We  
49 would not have a problem with an amendment to drop this  
50 three-day reporting requirement brought up in the

00140

1 proposal.

2

3

4 The problem has been pointed out, and I  
5 thank you, Elijah, for bringing that point to the table  
6 here, is that the reporting requirement gets reported to  
7 Anchorage. The local staff has no control over it.  
8 We've got a great biologist in the Glennallen office and  
9 we've got a great Federal law enforcement office in the  
10 area who does his best. But when he doesn't get the  
11 information on where these animals were taken, he has no  
12 recourse but to wait the 10 days or 15 days or whatever  
13 until he gets the information.

13

14

15 In terms of the reporting requirement,  
16 the only thing that I can add to that is the fact that  
17 there seems to be no catch. It's kind of the same way  
18 with a lot of the State hunts and it's been a long ordeal  
19 to try to get people to report their harvest on a more  
20 timely fashion. We do a lot of calling and checking up  
21 and making sure that people have responded. I don't know  
22 if this is the proper forum to address that at all.  
23 Elijah and I have talked about it a lot, just trying to  
24 get people to report better and more efficiently  
25 basically.

25

26

27 The second part of this proposal is  
28 really the one I want to talk to and it was really the  
29 main idea for putting this proposal in. It has to do  
30 with the number of animals harvested in a small amount of  
31 land. Unit 13 is a pretty large game management unit.  
32 1.7 percent of the GMU is Federal land, it's BLM, open  
33 for this moose hunt. About half of that is actually  
34 accessible to the Federal hunter. Somehow we managed to  
35 take about 10 percent of the annual moose harvest in Unit  
36 13 from this one percent of the land. It is not  
37 biologically possible. I understand it's a longer season  
38 and it's road hunting. A lot of these areas are not  
39 open. It's a small spot where moose cross the road. A  
40 small little postage stamp along the Denali Highway or  
41 along the Tiekel Block. In our viewpoint, it is simply  
42 not biologically possible to take that many moose from  
43 this small amount of land.

43

44

45 So, inherently, we feel that there is a  
46 problem. We feel that a lot of moose are taken on State  
47 land and claimed under the Federal harvest system. This  
48 is one reason that we thought that this would really be  
49 beneficial to everybody involved if the Federal season  
50 were shortened so that it started August 15th, so that it  
51 started at the same time that the State subsistence Tier

00141

1 II hunt started.

2

3

4 The Federally-qualified subsistence  
5 hunters are not going to be out there competing with a  
6 lot of other hunters at this time. They still have a  
7 two-week jump on the general season. There are 150 Tier  
8 II permits that are given out, 40 to 50 moose get  
9 harvested annually under the State subsistence hunt and  
10 these permittees have the entire GMU to hunt in. The  
11 same harvest gets taken under the Federal hunts on one  
12 percent of the land. The hunters are not out there  
13 competing with these subsistence hunters. It's just a  
14 space issue. They have 99 percent of the unit to hunt  
15 in.

15

16

17 We feel it would really help the  
18 situation is the fact that we've got three law  
19 enforcement officers in the Copper River Basin. We have  
20 two State enforcement officers and we have one Federal.  
21 They work together regularly through the hunting season.  
22 They do their best to monitor the well-used trails.

22

23

24 One of the trails that's been brought to  
25 our attention the last couple years that has the  
26 potential for being abused through this system is the  
27 DuRelle Trail south of Glennallen. It's a trail that  
28 leads to the west into 13(D) and it crosses a small  
29 postage stamp of Federal land. There's a large expanse  
30 of State land behind it.

30

31

32 A lot of hunters use this trail during  
33 the fall and a lot of moose are killed in the general  
34 vicinity and an awful lot of them are reported on the  
35 Federal harvest tickets. The antler requirements are  
36 different. It's more liberal on the subsistence hunt.  
37 So there's a wider variety of moose that can get taken  
38 under this subsistence hunt.

38

39

40 So I guess I'll just cut this short and  
41 that's basically the main reason why we decided that we  
42 feel that an August 15th opening would better suit the  
43 biological situation in Unit 13. It's been repeated a  
44 number of times that the moose population in the unit is  
45 quite low. We're on the verge of pretty much a unit-wide  
46 Tier II hunt because our State harvest is so low. We've  
47 been able to avoid it and, with any luck, our moose  
48 population will be coming up in the next few years.

48

49

50 But, for now, it would definitely suit  
all the hunters and the residents of the valley and

00142

1 everybody who hunts there that everybody involved in  
2 hunting in the unit was basically hunting where their  
3 permit told them they were allowed to hunt. So that's  
4 our main concern.

5  
6 And the fact that we threw in the idea  
7 that hunting moose between August 1st and August 15th may  
8 lead to meat spoilage. I didn't mean to imply that any  
9 of the hunters out there had spoiled any of their meat.  
10 Obviously, they wouldn't have shot a moose if they felt  
11 like it was going to get ruined. It would be a lot of  
12 work for nothing. That's why the harvest is fairly low.  
13 I believe it's been between five and seven or eight  
14 animals annually, and Elijah can answer that if I'm  
15 wrong, in that early part of the August season, so it  
16 would not be taking away a substantial number of moose  
17 that do get harvested in the Federal season. However, it  
18 would make enforcement a lot tighter out there.

19  
20 I think that's it. Thanks.

21  
22 CHAIRMAN LOHSE: Thank you. Any  
23 questions. Tom.

24  
25 MR. CARPENTER: Just one question. Has  
26 the State Public Safety or the Federal officers in that  
27 area actually prosecuted any cases or is a lot of this  
28 problem that you're talking about just word of mouth that  
29 you're finding out the actual areas, the problem areas  
30 that you think these moose are reported on Federal  
31 tickets?

32  
33 MS. KELLEYHOUSE: That's a good question  
34 and, honestly, Elijah brought up the one case last year  
35 that really brought this to kind of a head and, no, there  
36 was no prosecution involved. A lot of this is word of  
37 mouth and a lot of this came from our three law  
38 enforcement officers and that's one of the reasons we  
39 were spurred to write this proposal in the first place.  
40 There's just not enough enforcement out there for the  
41 amount of land that gets hunted.

42  
43 CHAIRMAN LOHSE: Bob.

44  
45 MR. CHURCHILL: If I understand  
46 correctly, you're saying that you worked with the three  
47 law enforcement folks you have in generating this  
48 proposal and have their support on it?

49  
50 MS. KELLEYHOUSE: Bob, I'm not going to

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1 speak for them. However, they were instrumental in  
2 supplying comments and that's one of the reasons we put  
3 the proposal together.

4

5 MR. CHURCHILL: Thank you.

6

7 CHAIRMAN LOHSE: Doug.

8

9 MR. BLOSSOM: Mr. Chairman, I've got a  
10 couple questions. First of all, a comment. When I go  
11 back into a subsistence area in 15(B) or 15(C), I'm in  
12 there about two or three days just to get in, so it takes  
13 the same amount of time to come out. So that's why I'm  
14 not for this three-day thing. By the time I get out and  
15 put the moose away and go to a Fish and Game office it's  
16 five days minimum.

17

18 Secondly, I heard you say that this is a  
19 small area they hunt in. How big an area?

20

21 MS. KELLEYHOUSE: The first part of the  
22 question, I understand your concern. Like Elijah said,  
23 the majority of the Federal lands that are hunted are BLM  
24 lands in Unit 13 and they're almost entirely along the  
25 highway system. The only areas that are off the highway  
26 system are a couple postage stamps along the Denali  
27 Highway system, which are accessible by highway vehicle.  
28 The Federal land goes up the west fork of the Gulkana,  
29 which is the one area that requires considerable time to  
30 get up there if you plan on hunting in that area. So  
31 it's not quite the same situation.

32

33 Like Elijah said, I believe a five-day  
34 reporting requirement is plenty good for this area and I  
35 think that that should be supported. If it requires an  
36 amendment to take that out of this proposal, we support  
37 that.

38

39 MR. BLOSSOM: Mr. Chairman, a follow up.  
40 When you say a postage stamp, how big is that? Where I  
41 go hunting subsistence on the 10th of August, it's  
42 probably a 10 square mile area. How many moose in that  
43 area. You're talking about half a dozen moose getting  
44 shot. That doesn't seem like too many.....

45

46 MR. WATERS: Can I address that? This is  
47 Elijah.

48

49 MR. BLOSSOM: Go ahead.

50

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1 MR. WATERS: I'm looking at a map and if  
2 I was there I would provide maps to everybody to look at,  
3 but if you start at the Sourdough area, just south of  
4 Sourdough starts Federal land and it goes along the  
5 Richardson Highway and it's essentially about a 30-mile  
6 section that the highway pretty much bisects and it goes  
7 anywhere from a mile one side of the highway to four or  
8 five miles the other side of the highway. There are  
9 small sections that's commonly referred to as the postage  
10 stamp, the area around Ten Mile along the Denali Highway,  
11 but to call the whole area a postage stamp is a little  
12 misleading.

13

14 It's very common for people to use So  
15 it's not quite a postage stamp area we're talking about,  
16 not highway accessible miles.

17

18 CHAIRMAN LOHSE: Thank you, Elijah.

19

20 MR. WATERS: Thank you.

21

22 MS. KELLEYHOUSE: It's not something that  
23 we've been able to extend. We basically don't have the  
24 high country it's not at all corridors are. However,  
25 standing back and looking at it from a perspective one  
26 percent and 10 percent of this area.

27

28 MR. WATERS:

29

30 MS. KELLEYHOUSE: I have to disagree

31

32 CHAIRMAN LOHSE: Gilbert.

33

34 MR. DEMENTI: Do you have any data for  
35 2003?

36

37 MR. WATERS: I don't have enough data as  
38 far as the 2003 season.

39

40 MR. DEMENTI: We're dealing with 13,  
41 right, not 20(D)?

42

43 MR. WATERS: We're dealing with the  
44 hunting area in Unit 13, but the residents of Delta  
45 Junction have a C&T determination for 13.

46

47 MR. DEMENTI: Okay. Thanks.

48

49 CHAIRMAN LOHSE: Becky, do we have  
50 somebody else?

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1 MS. KELLEYHOUSE: Did you get the answer  
2 you were looking for on that question? The harvest is  
3 quite low during August.

4  
5 MR. DEMENTI: This was for 13 and 20(D),  
6 right?

7  
8 MS. KELLEYHOUSE: No, this is Unit 13,  
9 sub-units (A), (B), (C) and (D), excluding (E).

10  
11 CHAIRMAN LOHSE: But some of these  
12 hunters come from 20.

13  
14 MS. KELLEYHOUSE: Right. Sorry.

15  
16 CHAIRMAN LOHSE: So the total take was 10  
17 in 2002, the total take was 10 in August 5, prior to  
18 August 15th. If we take the last three years, the  
19 average was six prior to August 15th.

20  
21 Becky, I'm going to just make a comment.  
22 I, myself, don't see any problem with 10 percent of the  
23 harvest coming off one percent of the land, because I'm  
24 going to talk as a trapper now. I can trap 150 miles of  
25 trap line and I'll catch most of the animals in three  
26 miles of trap line in 150 miles.

27  
28 There's two things that you're dealing  
29 with. You're dealing with accessibility. If you've got  
30 a vast area of land and only a small portion of it is  
31 accessible and open, that's where you're going to take  
32 your harvest. I ran my trap lines up rivers. I caught  
33 my animals on the rivers. The animals didn't live on the  
34 rivers. The rivers are barren. They're just a sheet of  
35 ice and snow going up there. All the animals I was  
36 catching on the rivers were coming off of the hills and  
37 the woods on both sides of the river. So they weren't  
38 living there, I was catching them there though because I  
39 could get access to it.

40  
41 The other thing is, even on the rivers it  
42 wasn't consistent. The consistentness was that on certain  
43 places of the rivers things came together in the right  
44 way that animals consistently crossed there. So you  
45 could have 60 miles of river line and you caught all of  
46 your animals in three or four miles on that 60 miles and  
47 you did it year after year after year and you did it and  
48 still maintained the population of your animals around  
49 there.

50

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1 I'm going to speak about the one down by  
2 Tiekel for example. We have hillsides on both sides of  
3 Richardson. The only accessible hunting is basically in  
4 that strip. The animals feed from both sides. Nobody  
5 goes on the other side of the strip to do much hunting  
6 because they can catch them right there. I really don't  
7 see any problem with 10 percent coming off of one  
8 percent, especially when I see that six animals is the  
9 average take for the whole 15 days over the last number  
10 of years. You can do that on a trap line year after year  
11 after year and you can still take those same animals in  
12 the same place on the same trap line.

13

14 MS. KELLEYHOUSE: Ralph, I understand 100  
15 percent. That's one of the reasons I snowmachined 120  
16 miles round trip this year to catch one wolverine.  
17 However, from a biological perspective for myself and the  
18 area biologist that's been in the area for over 20 years  
19 that these areas that are outlined in the Federal  
20 subsistence reg books are not the areas where you would  
21 expect to take the 10 percent of the harvest. That's all  
22 I'm saying.

23

24 CHAIRMAN LOHSE: Then can you explain to  
25 me why consistently -- I mean obviously these areas do  
26 not produce these animals. The areas aren't large enough  
27 to physically produce this amount of animals year after  
28 year after year is what you're saying. I mean they  
29 shouldn't be able to support that kind of harvest year  
30 after year after year, yet they do.

31

32 MS. KELLEYHOUSE: It's not necessarily a  
33 matter of whether it can support it or not. There's no  
34 fences, there's no boundaries. The critters move. We  
35 all understand that. I think the concern in our eye is  
36 that it is not possible each hunting season to find that  
37 many animals within those boundaries.

38

39 CHAIRMAN LOHSE: So what you're saying is  
40 that some of these animals that are reported in those  
41 areas have to be coming from some place else because you  
42 physically shouldn't be able to find that many animals  
43 there.

44

45 MS. KELLEYHOUSE: I'm trying to make it  
46 as simple as possible, but, yes, that's my contention.

47

48 CHAIRMAN LOHSE: Doug.

49

50 MR. BLOSSOM: Mr. Chair. I have gone

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1 back to the same spot probably 40 years now and I get a  
2 moose every year and I get it within five miles of that  
3 one spot. It shouldn't produce that much either, but we  
4 just keep going back and we keep getting them. They're  
5 not there year round. So that's why I'm asking these  
6 questions. You find areas where you can just keep  
7 getting moose at a certain time of year. I'm just asking  
8 because I don't know this area.

9

10 MS. KELLEYHOUSE: Well, I agree, and I  
11 think that was the question that I had just addressed for  
12 Ralph, was that that was not what I was contending. I  
13 don't believe that it's a matter of that small amount of  
14 land producing that many moose every year. You're right,  
15 you find a good hunting spot and you can consistently get  
16 a moose there every year. The idea is that these Federal  
17 areas were not set up around these kind of great hunting  
18 spots.

19

20 CHAIRMAN LOHSE: Susan.

21

22 MS. WELLS: Mr. Chair. I'm looking at  
23 the map and you've referenced 13(A)(B)(C) and (D) and  
24 Federal lands is a postage stamp in comparison. We can  
25 use that analogy. The majority of the road access in  
26 Units (A)(B)(C)and (D) transverses that postage stamp and  
27 that's where the majority of the subsistence hunters  
28 would have to go is by the road. So that's why you'd  
29 have those six moose caught in that 15 days. So I think  
30 the analogy of this, it's impossible to be catching this  
31 amount of moose every year on that small amount of land.  
32 I think it's statistics incorrectly used, is how I'm  
33 interpreting it. I may be wrong and I apologize for  
34 offending you, but that's the way I see it.

35

36 MS. KELLEYHOUSE: No, don't apologize.  
37 You didn't offend me at all. I'm not stating that I  
38 believe that six moose annually is causing a biological  
39 problem. That's not why we put this proposal in. The  
40 proposal was because we believed that a substantial  
41 amount of illegal reporting was going on based on the  
42 dates of this hunt and the specific trails we know are  
43 well used during the hunting season and I'm not going to  
44 go into the specifics on the hunting areas and I didn't  
45 mean to imply that each of the Federal areas were postage  
46 stamps. We have two in particular along the Denali that  
47 locals refer to as postage stamps. That's where that  
48 reference came from. There are large sections several  
49 miles along the highway, but a lot of those highway  
50 corridors are forested right up to the edge of the trees

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1 and it's not a moose hunting spot.

2

3

4 MS. WELLS: Mr. Chair, if I could follow  
5 up. Well, from this perspective I do see Federal lands  
6 in comparison to State land, the postage stamp is a good  
7 analogy. But going back to the amount of moose that are  
8 caught, to establish -- you know, I'm hearing that  
9 there's a great concern that maybe those moose are not  
10 really caught on Federal lands, they're caught on State  
11 lands. They're not on the postage stamp when they're  
12 shot and killed, but they're reported that and that's the  
13 problem.

14

15 Of the average of six a year, is there  
16 any data or proof that those moose are not on Federal  
17 lands when they're shot?

18

19 MS. KELLEYHOUSE: We're mixing up two  
20 parts of the proposal. We're not talking six moose.  
21 We're talking 50 moose.

22

23 CHAIRMAN LOHSE: No.

24

25 MS. KELLEYHOUSE: In the season wide,  
26 that's my analogy, was the 50 moose in the hunt.

27

28 MS. WELLS: I'm talking about the total  
29 harvest before August 15th.

30

31 MS. KELLEYHOUSE: Absolutely. In terms  
32 of those six moose, no, I don't have any numbers. This  
33 is stuff that, like I said, came out of our local law  
34 enforcement officers and we tried to craft a proposal to  
35 try to solve the problem that we perceive.

36

37 CHAIRMAN LOHSE: Becky, I think what  
38 Susan was getting at was since the proposal we have in  
39 front of us only deals with shortening those 15 days off,  
40 it doesn't really go into how much illegal -- and I,  
41 myself, have seen illegal harvest out there in the  
42 caribou season, so I know it does exist. But in that 15  
43 days that we're dealing with, in that six moose that  
44 we're dealing with, if half of them are illegal, three  
45 doesn't make a very substantial number. I mean as far as  
46 the impact on the moose in general. If half of them are  
47 illegal. If the feeling is that half of them is illegal,  
48 we're dealing with three moose. If the feeling is that  
49 33 percent are illegal, we're dealing with two moose.  
50 We're dealing with on the average for the last three  
51 years, and I don't know what this year is and it may be

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1 way up and it may be way down, but we're dealing with six  
2 moose a year.

3

4 So we're not dealing with a substantial  
5 number. We're dealing with a substantial number over the  
6 season, but not in that time period. Unless, from our  
7 standpoint, we're to the point where six moose, if  
8 they're all illegal, is a substantial number. If we are,  
9 then we need to do more than shorten the season for 15  
10 days.

11

12 MS. KELLEYHOUSE: Just a quick response.  
13 I didn't mean for this to be a real long discussion.  
14 This was supposed to be quick. Half of our concern I  
15 think really will be taken care of in the fact that maybe  
16 next year reporting will be directly to the BLM office.  
17 I think that's a great step and that's something that  
18 we've all been working for. So that solves half of our  
19 concern right there. The extra 15 days in the season was  
20 just another step for us that we believed would help  
21 improve the enforcement in the field and the idea among  
22 subsistence hunters that maybe there was a little more  
23 enforcement out there.

24

25 CHAIRMAN LOHSE: Thank you, Becky. Any  
26 more questions. Bob.

27

28 MR. CHURCHILL: Yeah, you know, this is  
29 not the first time we've looked at things that are an  
30 issue of perception. Perception of fairness and ethical  
31 conduct in the field. I can remember a proposal about  
32 king fishing in Bethel and a number of them where it  
33 really is a perception issue and deals with user  
34 conflict. Quite a number of arenas we get into that  
35 don't allow people to work well together. I'm not  
36 sensing that you're saying this is biologically  
37 significant at all. I am sensing that this is an issue  
38 of kind of building a better community between  
39 enforcement and subsistence and non-subsistence users and  
40 that's the sense of it I have. So I'm going to make my  
41 decision along those lines.

42

43 MR. WATERS: This is Elijah. Can I just  
44 make one final comment.

45

46 CHAIRMAN LOHSE: Make sure it's the final  
47 one, Elijah.

48

49 MR. WATERS: One of the benefits of being  
50 at my desk is I can look things up. For clarification,

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1 there's a total of 836 square miles that is open to  
2 Federal hunting in Unit 13.

3

4 CHAIRMAN LOHSE: Is that your final  
5 comment?

6

7 MR. WATERS: That's my final comment.

8

9 MS. KELLEYHOUSE: Elijah, how many  
10 square miles are in Unit 13?

11

12 MR. WATERS: Whatever, 1.7. Do you want  
13 me to punch the numbers in the calculator?

14

15 MS. KELLEYHOUSE: No thanks.

16

17 CHAIRMAN LOHSE: Thank you, Elijah.  
18 Okay. So, Harley, you had a question.

19

20 MR. McMAHAN: I don't have a question. I  
21 just have a comment. I'm going to have to speak up in  
22 support of what Becky's been saying and it seems like  
23 it's being misconstrued here a little bit for some  
24 reason. I have the same concerns that are addressed in  
25 this proposal, but it seems like the seasons and bag  
26 limits and permits just continue to get more and more  
27 liberal. There's more hunters in the field and there's  
28 more access. I would think that maybe this is a  
29 biological issue, having lived there all my life, flying  
30 over the area during hunting season several times a day I  
31 see what's going on there. Even if there is 800 and some  
32 square miles of land there, there's only certain parts of  
33 that land that have moose on it where people hunt.

34

35 So I think it is a real issue and it may  
36 be the urgency of it, but the importance of this is being  
37 overlooked a little bit here. That would be my comment.

38

39 CHAIRMAN LOHSE: Harley, can I ask you  
40 one question real quick because that would go along with  
41 what Becky has presented. You've flown over it quite a  
42 bit. You have a pretty good idea of where Federal land  
43 and State land is. What is your perception during the  
44 early season when State land is closed and Federal land  
45 is open how much illegal activity actually takes place.  
46 Do you have any perception on that at all?

47

48 MR. McMAHAN: What I would say to that is  
49 I don't fly over it much before season and nobody else is  
50 out there either. So if there's illegal activity,

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1 there's nobody out there to really report it or know  
2 about it. That's one of the problems with seasons that  
3 don't coincide. Even if I did fly over it and see  
4 somebody out there hunting illegally, I wouldn't know  
5 whether they were illegal or not from the air.

6

7 CHAIRMAN LOHSE: But you would know  
8 whether they were on Federal land or State land, wouldn't  
9 you?

10

11 MR. McMAHAN: Well, they cross State land  
12 to get to Federal land and they go beyond the Federal  
13 land to get to more State land, so where do they kill the  
14 moose. I don't know. I see the moose hanging on the  
15 rack. Where did they get it?

16

17 CHAIRMAN LOHSE: Doug.

18

19 MR. BLOSSOM: Is there a biological  
20 problem with this?

21

22 MS. KELLEYHOUSE: When you're talking six  
23 moose or 50 moose, not necessarily it's going to cause an  
24 irreversible decline; however, the fact that as many  
25 moose are taken in the annual season under the Federal  
26 regulations on the amount of land that Federal  
27 regulations cover, we do not feel that it's biologically  
28 possible for the harvest to be taking place where hunters  
29 say it does. So, in that sense, yes, I believe that's a  
30 biological problem.

31

32 MR. BLOSSOM: Do we have a shortage of  
33 moose?

34

35 MS. KELLEYHOUSE: We don't want to go  
36 there.

37

38 CHAIRMAN LOHSE: Do we have any more  
39 questions for Fish and Game?

40

41 (No comments)

42

43 CHAIRMAN LOHSE: Other Tribal Agency  
44 comments.

45

46 (No comments)

47

48 CHAIRMAN LOHSE: Boy, it got quiet out  
49 there. Inter-Agency Staff Committee comments.

50

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1 MR. BOS: I'll be very brief, Mr. Chair.  
2 I think when the Staff looked at this proposal we were  
3 not persuaded by the State's arguments that the solution  
4 being offered, if in fact there is an enforcement  
5 problem, that shortening of the season will address that.  
6 If a significant number of the total Federal harvest is  
7 coming from State lands, much of that is occurring in the  
8 later part of the season when it overlaps with the State  
9 season. It's not those early season moose, those six  
10 moose that are causing the problem.

11  
12 Shortening the Federal season to begin  
13 August 15th to coincide with the State season doesn't  
14 eliminate the enforcement problem because unless the  
15 Federal subsistence user has a State Tier II permit,  
16 they're still going to be in violation if they take a  
17 moose on State lands. So it's really an issue of  
18 determining whether there's an enforcement problem and  
19 putting more enforcement effort into monitoring where  
20 people are hunting.

21  
22 We don't feel that it would be solved by  
23 delaying the opening to August 15th when only six moose  
24 are being taken in the early period.

25  
26 CHAIRMAN LOHSE: Thank you. Any  
27 questions.

28  
29 (No comments)

30  
31 CHAIRMAN LOHSE: Fish and Game Advisory  
32 Committee comments.

33  
34 (No comments)

35  
36 CHAIRMAN LOHSE: I don't hear any.  
37 Summary of written public comments.

38  
39 MR. MIKE: Mr. Chairman, we have three  
40 written public comments. AHTNA, Incorporated opposes the  
41 proposal to shorten the moose season from an August 1 to  
42 September 20 season to an August 15 to September 20  
43 season.

44  
45 Wrangell/St. Elias National Park  
46 Subsistence Resource Commission supports the proposal as  
47 written.

48  
49 The Denali Subsistence Resource  
50 Commission unanimously opposed this proposal to shorten

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1 the moose season in part of Unit 13 by 14 days in August  
2 and to require harvest reporting be done in three days.

3

4 The harvest reporting dates are very  
5 unreasonable. There are a very few Federal harvests  
6 during this time period in August and it would reduce  
7 subsistence opportunity in general. This is an  
8 enforcement issue not a biological issue and the  
9 Commission is not convinced about illegal harvests.

10

11 Thank you, Mr. Chair.

12

13 CHAIRMAN LOHSE: Thank you. So we had  
14 two opposed and one in support, right?

15

16 MR. MIKE: Right.

17

18 CHAIRMAN LOHSE: Thank you. Public  
19 testimony. Do we have any public testimony on this one?  
20 I don't have any in front of me, Donald.

21

22 MR. MIKE: I did not receive any.

23

24 CHAIRMAN LOHSE: Thank you. At this  
25 point in time, a motion to put this on the table is in  
26 order.

27

28 MR. CHURCHILL: I move we adopt WP04-27  
29 as it appears on page 100 of our workbook.

30

31 CHAIRMAN LOHSE: Do I hear a second.

32

33 MR. ELVSAAS: Second.

34

35 CHAIRMAN LOHSE: It's been moved and  
36 seconded that we adopt WP04-27 to shorten the season for  
37 moose in parts of Unit 13 from  
38 August 1 to September 20th to August 15th to September  
39 20th.

40

41 Discussion. Bob.

42

43 MR. CHURCHILL: Yeah, I'd like to offer  
44 an amendment at the beginning that it be changed instead  
45 to read as it does within three days of harvest to read  
46 within five days of harvest.

47

48 CHAIRMAN LOHSE: Do I hear a second to  
49 the amendment.

50

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1 MR. CARPENTER: Second.

2

3 CHAIRMAN LOHSE: It's been moved and  
4 seconded to amend the proposal to read within five days  
5 of harvest instead of three days of harvest. Any  
6 discussion on the amendment.

7

8 MR. CHURCHILL: I'll speak to it briefly.  
9 Both the State and Federal land managers seem to think  
10 this is an existing and reasonable requirement and more  
11 in keeping with the area.

12

13 MS. STICKWAN: I oppose shortening the  
14 season.

15

16 CHAIRMAN LOHSE: Right now, Gloria, what  
17 we're going to deal with though is the reporting thing.  
18 We have an amendment on the reporting thing and then  
19 we'll go on to the next one. Any more discussion on the  
20 amendment.

21

22 MR. CHURCHILL: Call the question.

23

24 CHAIRMAN LOHSE: The question has been  
25 called. All in favor of the amendment to lengthen it to  
26 five days reporting for the harvest signify by saying  
27 aye.

28

29 IN UNISON: Aye.

30

31 CHAIRMAN LOHSE: All opposed signify by  
32 saying nay.

33

34 MS. STICKWAN: Nay.

35

36 CHAIRMAN LOHSE: One opposed. Dean. Two  
37 opposed. Any abstainers.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: Okay. Two opposed, the  
42 rest are pro.

43

44 With that, we now have an amended  
45 proposed regulation in front of us, which is August 15th  
46 through September 30th within five days of harvest.  
47 Gloria, you had something you were going to say on that  
48 before?

49

50 MS. STICKWAN: I'm against shortening the

00155

1 moose season. I don't see any biological reason like  
2 Federal -- I don't know his name, but he said he didn't  
3 see a reason for it, it's an enforcement problem, so I  
4 agree. I'm against this proposal.

5  
6 CHAIRMAN LOHSE: Any other discussion.  
7 Dean.

8  
9 MS. WILSON: The reason for shortening  
10 the season, of course, is going to be to allow more  
11 enforcement is what the proposer is saying. I don't  
12 really see that. I have firsthand knowledge of hunting  
13 before the 15th, I've taken out my uncles, and I can't  
14 say we were successful, but we have seen plenty of moose  
15 with horns on them in that Tiekel drainage. There has  
16 been plenty of opportunities to take them in that area.  
17 Knowing local pilots right in the Kenny Lake area and  
18 people that have flown ultralights, they tell me that  
19 they see a fair amount in there even after August 1st,  
20 which is early in the season. So I know that there's  
21 plenty in there. We're just talking a few here, half a  
22 dozen.

23  
24 I understand there's also, it comes with  
25 the enforcement issue of being on Federal land, a concern  
26 that people are going to be taking them on State land,  
27 but I don't think we should penalize everybody by  
28 shortening the season because of an idea that somebody  
29 has that isn't -- or an idea that several people have  
30 that really up to this point right now hasn't been  
31 proven. I think we should keep with the original dates  
32 we have right now and I would oppose the initial  
33 proposal.

34  
35 CHAIRMAN LOHSE: Bob.

36  
37 MR. CHURCHILL: Through the Chair. Dean,  
38 you're saying that you've been in the Federal hunt area  
39 and seen sufficient moose to support the harvest that  
40 we're talking about. Is that in a nutshell?

41  
42 MR. WILSON: Yeah, I've seen that. I've  
43 seen quite a few of them just recently and not only last  
44 year but in the years past. I drive through there  
45 several times a week because of my job and I see a fair  
46 amount of them in the Tiekel drainage. I'm not speaking  
47 for the entire area, although I have hunted up there  
48 before in the 1st to the 15th, but usually it's after  
49 that.

50

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1 I guess what I'm saying is this hunt is  
2 primarily for the subsistence users in our area and this  
3 gives them an advantage, which is what it's meant to be.  
4 It's speaking for the advantage for local hunters. This  
5 gives them that. By taking that away, we're taking  
6 advantages away from local hunters. If we're going to  
7 trim out some dates and trim out some hunters, let's trim  
8 it out somewhere else, not from the local subsistence  
9 users.

10

11 MR. CHURCHILL: Just as a clarification,  
12 you said you've been in this area in August 1st through  
13 August 15th and seen moose sufficient to support the  
14 harvest level that we're talking about.

15

16 MR. WILSON: I have.

17

18 MR. CHURCHILL: Thank you very much.

19

20 CHAIRMAN LOHSE: Any other discussion.

21 Fred.

22

23 MR. ELVSAAS: Well, I think we've spent  
24 an awful long time on something that -- if the State has  
25 a problem with the seasons being out of whack or so  
26 forth, my response to that is to extend the State season  
27 if they have such a problem. We're looking at five to  
28 six moose and maybe half of them are legal. If that's a  
29 problem, I can't see shortening the season just for that.  
30 When you look at the totals here of 500 moose, we're  
31 talking one percent of which half of that might be  
32 illegal. It's not the 54 on the Tier II hunt, it's the  
33 five.

34

35 So, with that, I can't support the  
36 proposal. Thank you.

37

38 CHAIRMAN LOHSE: Any other discussion.

39

40 MR. CHURCHILL: Call the question.

41

42 CHAIRMAN LOHSE: The question has been  
43 called. All in favor of the Proposal WP04-27 as amended  
44 to make it within five days of harvest signify by saying  
45 aye.

46

47 UNIDENTIFIED SPEAKER: Aye.

48

49 CHAIRMAN LOHSE: All opposed to the  
50 proposal signify by saying nay.

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1 IN UNISON: Nay.

2

3 CHAIRMAN LOHSE: Motion fails. Do we  
4 have any abstentions?

5

6 (No comments)

7

8 CHAIRMAN LOHSE: Okay. With that, we are  
9 going to recess until tomorrow.

10

11 (PROCEEDINGS TO BE CONTINUED)

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1 C E R T I F I C A T E  
2  
3 UNITED STATES OF AMERICA )  
4 )ss.  
5 STATE OF ALASKA )  
6

7 I, Joseph P. Kolasinski, Notary Public in and for  
8 the state of Alaska and reporter for Computer Matrix  
9 Court Reporters, LLC, do hereby certify:

10  
11 THAT the foregoing pages numbered 02 through 158  
12 contain a full, true and correct Transcript of the  
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14 COUNCIL MEETING, VOLUME I, taken electronically by  
15 Computer Matrix Court Reporters, LLC on the 10th day of  
16 March 2004, beginning at the hour of 8:30 o'clock a.m. in  
17 Anchorage, Alaska;

18  
19 THAT the transcript is a true and correct  
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24 THAT I am not an employee, attorney, or party  
25 interested in any way in this action.

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27 DATED at Anchorage, Alaska, this 28th day of  
28 March 2004.

29  
30  
31  
32 \_\_\_\_\_  
33 Joseph P. Kolasinski  
34 Notary Public in and for Alaska  
My Commission Expires: 03/12/2008 \_