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SOUTHCENTRAL FEDERAL SUBSISTENCE  
REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING

VOLUME I

MARRIOTT HOTEL  
Anchorage, Alaska  
March 15, 2005  
1:00 o'clock p.m.

COUNCIL MEMBERS PRESENT:

- Ralph Lohse, Chairman
- Doug Blossom
- Tom Carpenter
- Gilbert Dementi
- Fred Elvsaas
- Richard Greg Encelewski
- Pete Kompkoff.
- Harley McMahan.
- James Showalter
- Gloria Stickwan
- Dean L. Wilson, Jr.

Regional Coordinator, Donald Mike

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1 P R O C E E D I N G S

2  
3 (Anchorage, Alaska - 3/15/2005)

4  
5 CHAIRMAN LOHSE: I'd like to call the  
6 spring meeting of the Southcentral Subsistence Regional  
7 Advisory Council in session. I'd like to welcome  
8 everybody that's here. You'll need to give your names to  
9 the person with the mikes that's keeping the record. For  
10 those of us that are at the table, turn your mikes on so  
11 that he can get it all. With that, we'd like to go into  
12 a roll call. Normally Bob Churchill would do the roll  
13 call. Bob's not here today. Donald, can you do the roll  
14 call.

15  
16 MR. MIKE: Yes, Mr. Chair. Robert  
17 Churchill. Mr. Chair, Mr. Churchill sent me an e-mail.  
18 He said he's on jury duty this week. Pete Kompkoff.

19  
20 MR. KOMPKOFF: Here.

21  
22 MR. MIKE: Doug Blossom.

23  
24 MR. BLOSSOM: Here.

25  
26 MR. MIKE: Greg Encelewski.

27  
28 MR. ENCELEWSKI: Here.

29  
30 MR. MIKE: Gilbert Dementi.

31  
32 MR. DEMENTI: Here.

33  
34 MR. MIKE: Sylvia Lange. Sylvia Lange  
35 couldn't make it. She had some other emergency. Fred  
36 Elvsaas.

37  
38 MR. ELVSAAS: Here.

39  
40 MR. MIKE: Gloria Stickwan.

41  
42 MS. STICKWAN: Here.

43  
44 MR. MIKE: Dean Wilson, Jr.

45  
46 MR. WILSON: Here.

47  
48 MR. MIKE: James Showalter.

49  
50 MR. SHOWALTER: Here.

1 MR. MIKE: Ralph Lohse.  
2  
3 CHAIRMAN LOHSE: Here.  
4  
5 MR. MIKE: Tom Carpenter.  
6  
7 MR. CARPENTER: Here.  
8  
9 MR. MIKE: Harley McMahan.  
10  
11 MR. McMAHAN: Here.  
12  
13 MR. MIKE: Mr. Chair, you have a quorum.  
14  
15 CHAIRMAN LOHSE: Thank you, Donald. I'd  
16 like to again welcome everyone that's here. Normally  
17 what we do is start with a round of introductions just so  
18 everybody knows who everybody is. We'll start with  
19 Council and then we'll go through the people in the  
20 audience. I'm just going to ask Greg to introduce  
21 himself and go around the table and then go up and down  
22 the line and get everybody.  
23  
24 MR. ENCELEWSKI: Greg Encelewski and I'm  
25 from Ninilchik.  
26  
27 MS. STICKWAN: Gloria Stickwan from  
28 Tazlina.  
29  
30 MR. DEMENTI: Gilbert Dementi from  
31 Cantwell.  
32  
33 MR. CARPENTER: Tom Carpenter from  
34 Cordova.  
35  
36 MR. ELVSAAS: I'm Fred Elvsaas from  
37 Seldovia.  
38  
39 CHAIRMAN LOHSE: Ralph Lohse from Lakina  
40 River in the Chitina Valley.  
41  
42 MR. McMAHAN: Harley McMahan from Gakona  
43 and the Copper River.  
44  
45 MR. WILSON: Dean Wilson from Kenny Lake  
46 and Copper River area also.  
47  
48 MR. BLOSSOM: Doug Blossom from Clam  
49 Gulch.  
50

1 MR. SHOWALTER: James Showalter from  
2 Sterling.  
3  
4 MR. MIKE: I'm Don Mike, Council  
5 coordinator.  
6  
7 (Audience introductions away from  
8 microphone)  
9  
10 CHAIRMAN LOHSE: Thank you. I'd like to  
11 welcome you all. We're ready to start the meeting and  
12 get going. The first thing we have to do as part of  
13 this meeting is to elect our officers for the coming  
14 year. We need to elect a chair. A motion is in order.  
15  
16 MR. CARPENTER: Mr. Chair, I move that we  
17 re-appoint Ralph Lohse as chairman.  
18  
19 MR. KOMPKOFF: Move that nominations be  
20 closed.  
21  
22 CHAIRMAN LOHSE: Greg.  
23  
24 MR. ENCELEWSKI: I was going to second  
25 it.  
26  
27 CHAIRMAN LOHSE: It's been moved and  
28 seconded to re-appoint Ralph Lohse as chairman and also  
29 moved and seconded to close nominations. I think I  
30 should have somebody else do this. Who is vice-chair?  
31  
32 MR. ELVSAAS: I'm the vice-chair.  
33  
34 CHAIRMAN LOHSE: Would you please call  
35 the motion.  
36  
37 MR. ELVSAAS: As the vice-chair, we have  
38 nominated Ralph Lohse for chairman. We will vote on the  
39 motion to close nominations. If it passes, we will have  
40 chairman by affirmation. Is there any discussion on  
41 this?  
42  
43 (No comments)  
44  
45 MR. ELVSAAS: Hearing none. All in favor  
46 of closing the nominations say aye.  
47  
48 IN UNISON: Aye.  
49  
50 MR. ELVSAAS: Those opposed.

1 (No opposing votes)  
2  
3 MR. ELVSAAS: Hearing none, we have a  
4 chairman by acclamation. Congratulations.  
5  
6 CHAIRMAN LOHSE: Thank you, Fred. With  
7 that, we need a nomination for vice-chair. Doug.  
8  
9 MR. WILSON: I nominate Fred Elvsaas. I  
10 move that nominations close.  
11  
12 CHAIRMAN LOHSE: I'm not sure, Doug, the  
13 same person that made the nominations can move that  
14 nominations close. So, with that, we'll take your  
15 nomination of Fred Elvsaas.  
16  
17 MR. KOMPKOFF: I just wanted to find out  
18 if Fred's going to be here long enough to accept that  
19 nomination. Because of the expected change, I'd rather  
20 have somebody else appointed vice-chair.  
21  
22 MR. ELVSAAS: Yes. It was my  
23 understanding that this would be my last meeting, but I  
24 understand from Donald I'll be here in the fall and there  
25 will be another election next year. So, if the Council  
26 is satisfied with me being the vice-chair, I will serve  
27 until I'm ousted.  
28  
29 MR. KOMPKOFF: I make a motion to close  
30 the nominations for vice-chair.  
31  
32 CHAIRMAN LOHSE: Do I hear a second.  
33  
34 MR. CARPENTER: Second.  
35  
36 CHAIRMAN LOHSE: It's been moved and  
37 seconded to close nominations for vice-chair. Fred  
38 Elvsaas has been nominated. Let's take a vote on the  
39 motion to close nominations. Discussion.  
40  
41 (No comments)  
42  
43 CHAIRMAN LOHSE: All in favor signify by  
44 saying aye.  
45  
46 IN UNISON: Aye.  
47  
48 CHAIRMAN LOHSE: All opposed signify by  
49 saying nay.  
50

1 (No opposing votes)  
2  
3 CHAIRMAN LOHSE: Motion carries  
4 unanimously, so we have a vice-chair by acclamation.  
5  
6 MR. ELVSAAS: Thank you. I don't know if  
7 I can do any good, but thank you anyway.  
8  
9 CHAIRMAN LOHSE: With that we need a  
10 nomination for secretary. Bob Churchill is our current  
11 secretary. He is not here today to speak to it because  
12 he's involved with jury duty, so I don't know if you can  
13 elect somebody that's not here, but we've done it before.  
14 So nominations are open for secretary. Doug.  
15  
16 MR. WILSON: I nominate Tom Carpenter.  
17  
18 CHAIRMAN LOHSE: Tom Carpenter has been  
19 nominated as secretary. Any other nominations.  
20  
21 MR. KOMPKOFF: I move that nominations be  
22 closed.  
23  
24 CHAIRMAN LOHSE: It's been moved that  
25 nominations be closed. Do I hear a second.  
26  
27 MR. ENCELEWSKI: I'll second it.  
28  
29 CHAIRMAN LOHSE: It's been seconded that  
30 nominations be closed. We will vote to close  
31 nominations. Any discussion.  
32  
33 MR. KOMPKOFF: Question.  
34  
35 CHAIRMAN LOHSE: The question has been  
36 called. All in favor of closing nominations signify by  
37 saying aye.  
38  
39 IN UNISON: Aye.  
40  
41 CHAIRMAN LOHSE: All opposed like sign.  
42  
43 (No opposing votes)  
44  
45 CHAIRMAN LOHSE: Motion carries. So we  
46 have a secretary by acclamation and I haven't heard him  
47 yell. If he was going to object, he had to object before  
48 we had the vote. Okay, Tom Carpenter is our secretary,  
49 Fred Elvsaas is our vice-chair and I have to serve  
50 another year.

1                   Now we are going on to review and  
2 adoption of the agenda. Have you all had a chance to  
3 look at the agenda. Do you see anything you'd like taken  
4 off, anything you'd like added to or anything you'd like  
5 in a different order.

6  
7                   MR. KOMPKOFF: Mr. Chair. I move to  
8 adopt the agenda as written.

9  
10                  MR. WILSON: Second.

11  
12                  CHAIRMAN LOHSE: It's been moved and  
13 seconded to adopt the agenda as written. This doesn't  
14 mean that in case there's somebody that has to leave or  
15 something that we can't make adjustments in the order,  
16 but we'll accept everything on the agenda if we pass  
17 this. Donald.

18  
19                  MR. MIKE: Thank you, Mr. Chair. Just  
20 one minor change on the agenda for presentation of  
21 proposals. On Proposal 01, Polly Wheeler from our office  
22 was going to present that proposal analysis and she's not  
23 available. In her place will be Mr. Tom Kron from our  
24 office to present the proposal.

25  
26                  Thank you.

27  
28                  CHAIRMAN LOHSE: It's been moved and  
29 seconded to accept the agenda. Do we have any other  
30 discussion.

31  
32                  MR. KOMPKOFF: Question.

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

36  
37                  IN UNISON: Aye.

38  
39                  CHAIRMAN LOHSE: All opposed signify by  
40 saying nay.

41  
42                  (No opposing votes)

43  
44                  CHAIRMAN LOHSE: Motion carries. We now  
45 go on to our ethics discloser if you turn to Page 6.  
46 It's been pointed out this may be the last time we have  
47 to do this, but for formality sake we have to go through  
48 it. Kind of pick one of those that fits your handle or  
49 you can make up one of your own. Basically what needs to  
50 be brought out is if you have any economic loss or gain

1 that has anything to do with any of the subjects we're  
2 dealing with this time. Pete.

3

4 MR. KOMPKOFF: Do we have to report on  
5 this individually?

6

7 CHAIRMAN LOHSE: We have to report on  
8 this individually. We'll just go around the circle.  
9 Each person pick one or make up your own and we'll do  
10 that.

11

12 MR. KOMPKOFF: In that case, I pick the  
13 first one for myself. My name is Pete Kompkoff and I  
14 live in Chenega Bay. I subsistence hunt and fish in  
15 Federal land and waters under consideration at this  
16 meeting. I do not hold any commercial permits or conduct  
17 any business activities directly affected by any agenda  
18 items before the Council.

19

20 CHAIRMAN LOHSE: Thank you, Pete. James.

21

22 MR. SHOWALTER: My name is James  
23 Showalter. I live in Sterling. I hold a commercial  
24 fishing salmon permit for Cook Inlet. I do not operate a  
25 guide service or have anything to do with sports fishing.

26

27 MR. BLOSSOM: My name is Doug Blossom. I  
28 live in Clam Gulch, Alaska. I do subsistence hunt and  
29 fish in the area we will be talking about. I am a  
30 commercial fisherman by trade and have been so for about  
31 58 years. I sit on advisory committees in the area. I'm  
32 a tree farmer in the area where I live and also a hay  
33 farmer. The only proposal that might raise a question  
34 with me is Proposal 07 because I do hunt that area.

35

36 CHAIRMAN LOHSE: But you don't have any  
37 economic impact by hunting in that area, do you?

38

39 MR. BLOSSOM: Mr. Chairman. No, just  
40 strictly hunting for winter food.

41

42 CHAIRMAN LOHSE: So then there's nothing  
43 to disqualify you from adopting Proposal 07.

44

45 MR. WILSON: I'm Dean Wilson and I live  
46 in Kenny Lake. I do subsistence hunt, trap and fish in  
47 Federal waters under consideration at this meeting. I do  
48 not hold any commercial permits, but I do run a  
49 commercial transportation business on the Copper River  
50 and I'm also an assistant guide in that area.

1 MR. McMAHAN: My name is Harley McMahan.  
2 I live in Gakona. I run an air taxi business there, do  
3 some transporting, have a big game guiding license, but  
4 mostly what I do is survey work for Fish and Game and  
5 other agencies, counting and keeping track of animals. I  
6 don't think any of these proposals are going to have any  
7 effect by what I do.

8  
9 CHAIRMAN LOHSE: My name is Ralph Lohse.  
10 I live in Lakina River in the Chitina Valley. I  
11 subsistence hunt and fish on Federal lands under  
12 consideration in this meeting. I don't do any business  
13 activity directly affected by any of the agenda items  
14 before this Council at this meeting.

15  
16 MR. ELVSAAS: I'm Fred Elvsaas. I  
17 subsistence hunt and fish and I have a commercial fishing  
18 license and I do not have any conflicts or financial  
19 interest in any of the proposals, especially Proposal 07.  
20 I don't see a conflict with myself participating.

21  
22 MR. CARPENTER: My name is Tom Carpenter  
23 from Cordova. I subsistence hunt, fish and trap on  
24 Federal lands and waters under consideration at this  
25 meeting. I hold an Area E gillnet permit. I also serve  
26 as the chair of the Copper River/Prince William Sound  
27 Advisory Committee and also I'm on the board of directors  
28 of Prince William Sound Aquaculture. I do not feel I  
29 have a conflict with anything under consideration at this  
30 meeting.

31  
32 MR. DEMENTI: My name is Gilbert Dementi.  
33 I live in Cantwell. I subsistence hunt and fish in the  
34 Federal lands and waters under consideration at this  
35 meeting. I do not hold any commercial permits or conduct  
36 any business activities directly affected by any agenda  
37 items before the Council.

38  
39 MS. STICKWAN: My name is Gloria  
40 Stickwan. I live in Tazlina. I subsistence hunt and  
41 fish in Federal lands and waters under consideration at  
42 this meeting. I do not hold any commercial permits or  
43 conduct any business activities directly affected by any  
44 agenda items before the Council.

45  
46 MR. ENCELEWSKI: My name is Greg  
47 Encelewski. I live in Ninilchik and I subsistence hunt  
48 and fish in Federal lands under consideration at this  
49 meeting. I also hold commercial setnet permits.  
50 Proposal No. 07 was submitted by Ninilchik Traditional

1 Council, which I am president and chairman of, but I have  
2 no financial interest or I don't think there's any  
3 conflict with that as far as my subsistence use.

4

5 MR. MIKE: Mr. Chair, the Southcentral  
6 Regional Advisory Council member body does not have any  
7 significant financial interest directly related to the  
8 matters before the Council at this meeting and may fully  
9 participate.

10

11 Thank you, Mr. Chair.

12

13 CHAIRMAN LOHSE: Thank you, Donald. With  
14 that, we'll go on to the next item on the agenda. We  
15 have review and adopt the minutes. You'll find them on  
16 Page 7. I hope you've all pre-read them before you sat  
17 down. Do I have a motion to accept the minutes as  
18 written.

19

20 MR. CARPENTER: Mr. Chairman, I move we  
21 adopt the minutes from the October 12th and 13th meeting.

22

23 CHAIRMAN LOHSE: Do I hear a second.

24

25 MR. BLOSSOM: I'll second it.

26

27 CHAIRMAN LOHSE: It's been moved and  
28 seconded that we adopt the minutes of the October 12th  
29 and 13th meeting. Any discussion, any discrepancies, any  
30 changes or corrections that anybody would like to make.

31

32 MR. CARPENTER: Question.

33

34 CHAIRMAN LOHSE: Hearing none. The  
35 question has been called. All in favor signify by saying  
36 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: The minutes have been  
46 adopted. And I would just like to thank Donald for the  
47 way he writes the minutes up. They're nice and short and  
48 concise, they're easy to get through and I really  
49 appreciate it.

50

1 Thank you, Donald.

2

3 MR. MIKE: Thank you, Mr. Chair.

4

5 CHAIRMAN LOHSE: With that we are going  
6 to go on to the Chair's report. As was pointed out in  
7 our work session, the Chair attends the Board meetings.  
8 The Board consists of the heads of all of the different  
9 Federal departments and they're the ones that actually  
10 make the decision. That's one thing we have to remember  
11 and what we need to get to the public, is we don't make  
12 decisions, we make recommendations. Nothing that we do  
13 is final. Nothing that we do makes a regulation or makes  
14 a rule. We make recommendations to the Board, the Board  
15 makes the regulations.

16

17 I'd like to say at this time that the  
18 Board has been very good about including the Chairs. We  
19 give a report as to what our Councils recommend on an  
20 issue and then we're also allowed to take part in the  
21 discussion. We can question witnesses or testimony or  
22 reports or anything like that and we can be asked  
23 questions.

24

25 The Board actually, to me, is doing a  
26 much better job of it than they did when I first started  
27 working on this Council. The Board actually makes use of  
28 the Council Chairs that are there and not just on issues  
29 on your own area, but the Council Chairs can speak up on  
30 issues that are in other areas if they've got some  
31 insight to it from things that have gone on in their  
32 areas or from their experiences. So I think they've done  
33 a good job.

34

35 If you look in your packet, we have an  
36 805 letter which tells how the Federal Subsistence Board  
37 responded to our recommendations on the proposals that  
38 were before us in our fall meeting. In this case, we  
39 batted 100 percent. The Board accepted our  
40 recommendations on every proposal. It doesn't always  
41 happen that way. But you guys can look at it in your 805  
42 letter. The last thing in the world I'm going to do is  
43 read it to you.

44

45 I'll just say that it was a good meeting.  
46 It was really interesting to see the issues that come up  
47 in other areas. In some ways, we have a difficult area  
48 and in other ways, in comparisons with other places, we  
49 have a very, very peaceful area. So I really appreciate  
50 that.

1                   With that, we'll go on to any Council  
2 members that have a report on any meetings they attended  
3 or issues they have that they'd like to report to the  
4 Council at this time. I think Gloria and Tom attended a  
5 meeting on fisheries. Have you got anything to give us  
6 on that from either one of you?

7  
8                   MR. CARPENTER: Well, Mr. Chair, Gloria  
9 and I attended the meeting this fall. It was held in  
10 Anchorage. It was a strategic planning session regarding  
11 the Copper River. It was a couple days long. We got  
12 through the majority of it. We put in place basically --  
13 I believe this is to present to the Federal Board when  
14 it's finished the priority of species on the Copper  
15 River. We basically got through with chinook and sockeye  
16 salmon, which basically took most of the time because  
17 there were so many different areas that we had to cover.  
18 I think the remaining species are eulachon, steelhead and  
19 Delta salmon. I'm not sure when the completion of the  
20 plan is going to take place. There were quite a few  
21 people that participated, all kinds of different  
22 agencies, but I'd like to say that I hope that it can be  
23 completed because I think it's important.

24  
25                   That's all I have.

26  
27                   CHAIRMAN LOHSE: Thank you, Tom. Have  
28 you got anything to add to that, Gloria?

29  
30                   MS. STICKWAN: No, but I had a question  
31 about this letter. Did you hear anything about customary  
32 trade study?

33  
34                   CHAIRMAN LOHSE: Roger. How about if we  
35 come back to that as soon as we finish this members  
36 report and then we'll come back to the question on the  
37 letter. Pete.

38  
39                   MR. KOMPKOFF: Mr. Chairman. I just  
40 recently attended a working conference with the Chugach  
41 Regional Resources Commission, Chugach Alaska  
42 Corporation, University of Alaska and NOAA. We have a  
43 partnership agreement to work with traditional ecological  
44 knowledge with the village council members in Tatitlek,  
45 Chenega, Port Graham, English Bay, Nanwalek, those two  
46 are the same I guess, Valdez and Seward.

47  
48                   Anyway, they want to incorporate the  
49 traditional knowledge that's there existing in fisheries,  
50 forestry, water quality and make it so that the people

1 that are involved in that will get college credits. It's  
2 a lucrative thing that I think we're working on.

3

4 Thank you.

5

6 CHAIRMAN LOHSE: Thank you, Pete. That  
7 sounds like a good project to have going. Gloria would  
8 like to bring something back up on the 805. Did I miss  
9 something?

10

11 MS. STICKWAN: I just thought we had a  
12 research study requested. I was wondering if you heard  
13 anything about that.

14

15 CHAIRMAN LOHSE: Our request for  
16 research?

17

18 MS. STICKWAN: Customary trade.

19

20 CHAIRMAN LOHSE: Yeah, we sent that in as  
21 a separate letter. That wouldn't have been part of their  
22 Board action. That's the letter that we asked for the  
23 research on. Don.

24

25 MR. MIKE: Right. It was a resolution to  
26 the Federal Subsistence Board. If the Council wishes to  
27 pursue that, they can address it through the annual  
28 report process or bring it up again as part of your  
29 annual report process.

30

31 Thank you, Mr. Chair.

32

33 CHAIRMAN LOHSE: But that wouldn't have  
34 been answered in this letter, this 805.

35

36 MR. MIKE: No, it wouldn't.

37

38 CHAIRMAN LOHSE: Right. But we have  
39 given it to them, right?

40

41 MR. MIKE: Yeah, the resolution was  
42 submitted to the Board.

43

44 CHAIRMAN LOHSE: Any other member  
45 reports. Things the members would like to bring up at  
46 this point in time, meetings they've had that had an  
47 effect on this Council.

48

49 (No comments)

50

1 CHAIRMAN LOHSE: Hearing none, we'll go  
2 on to Agenda Item 10, which is public testimony. Donald,  
3 do we have any calls for public testimony at this time.

4  
5 MR. MIKE: No, but just to remind the  
6 public, if you wish to provide public testimony on the  
7 proposals or any other subsistence issues, please fill  
8 out a green testifier form in the back and then you can  
9 be recognized by the Chair.

10  
11 Thank you.

12  
13 CHAIRMAN LOHSE: Thank you, Donald. And  
14 we've never been one to limit public testimony. If you  
15 don't get in on this first time period where it's public  
16 testimony, if there's an issue, a proposal that comes up  
17 that you have concern on, you can always fill out a form  
18 and we'll always make room for you. We've never not  
19 given somebody a chance to testify or present their ideas  
20 before this Council.

21  
22 So, with that, we're going to go on to  
23 wildlife proposals for Council review and recommendation  
24 to the Federal Subsistence Board. We have a procedure  
25 for doing that. With that, we're going to go on to  
26 Proposal No. 01. It's a State wildlife proposal. Tom is  
27 going to be presenting this to us and give us the  
28 analysis on it.

29  
30 MR. KRON: Mr. Chairman, members of the  
31 Regional Council. My name is Tom Kron. I'm the  
32 statewide support division chief for OSM. The analysis  
33 for this proposal is found starting on Pages 19 through  
34 Page 57 in your Council books. Wildlife Proposal 01 was  
35 submitted by the U.S. Fish and Wildlife Service Regional  
36 Office to address the need for clearer definitions and  
37 regulatory language regarding the sale of handicrafts  
38 made from bear fur.

39  
40 The proposed changes to the definitions  
41 and the proposed new regulatory language are on Pages 21  
42 and 22 of your book. These changes are not intended to  
43 result in any new harvest opportunities or to provide any  
44 additional opportunities to sell handicrafts. They just  
45 provide language that clarifies our current understanding  
46 of the Federal Subsistence Board's previous decisions.

47  
48 This proposal affects all regions in the  
49 state because it clarifies the definition, but it does  
50 not change the current allowance for the sale of

1 handicraft articles made from fur or claws of the brown  
2 bear. This proposal is viewed as a housekeeping  
3 proposal.

4  
5 In 2002, the Federal Subsistence Board  
6 approved the sale of handicraft made from black bear fur.  
7 In 2004, they approved the sale of handicraft made from  
8 brown bear fur in Southeast Alaska, Bristol Bay and the  
9 Eastern Interior Regions. In 2004, the Federal  
10 Subsistence Board also clarified that the Federal  
11 regulations includes claws. Claws can be used in  
12 handicraft for sale.

13  
14 This is different from State regulations.  
15 The State does not allow the sale of handicraft that  
16 contain claws. The State appealed the Federal  
17 Subsistence Board's decision to include claws last summer  
18 in a Request for Reconsideration. However, the Federal  
19 Subsistence Board, upon review, rejected the Request for  
20 Reconsideration and maintained their regulation to allow  
21 the sale of handicraft that includes bear claws. This  
22 applies to black bears statewide and brown bears in  
23 Southeast, Bristol Bay and Eastern Interior Regions.

24  
25 Several questions were brought up by law  
26 enforcement, the State and others during these  
27 discussions. There were questions about what qualifies  
28 as a handicraft. Does a single claw on a string qualify  
29 as a handicraft. Can the handicraft be sold in urban  
30 gift shops or just by rural residents. Can the  
31 handicraft be manufactured outside of Alaska. Can the  
32 handicrafts be made from skin or just the hair. And  
33 what's the difference between skin, hide, pelt and fur.

34  
35 The Office of Subsistence Management  
36 addressed these questions with a question and answer  
37 sheet, which the Federal Subsistence Board approved last  
38 summer. It's found in Appendix C on Pages 55 and 56 of  
39 your books. I believe these were mailed out to Council  
40 members last summer as well.

41  
42 This proposal intends to address these  
43 questions with regulatory language. It provides a more  
44 complete definition of handicraft. It fixes the  
45 definition of skin, hide, pelt and fur. It states the  
46 regulatory language 25(j)(6) and (7) that claws can be  
47 used in handicrafts for sale. It clarifies that  
48 handicrafts must be made in Alaska by rural Alaskans.  
49 And it states clearly that sales are not allowed by  
50 anyone operating as a business; for example, commercial

1 sales.

2

3

4 This proposal does not change any  
5 subsistence opportunity. It basically take the  
6 information that was provided in the question/answer  
7 sheet and puts it into regulatory language. The Office  
8 of Subsistence Management believes that it facilitates  
9 the understanding of the existing regulations and  
10 supports the proposal with modification.

11

12 The preliminary Staff conclusion included  
13 in your books incorporates some additional language in  
14 the handicraft definition in Paragraph (8), which  
15 addresses sales by businesses. This can be found on  
16 Pages 29 and 30.

17

18 Mr. Chair, members of the Regional  
19 Council, that concludes my presentation. I'm available  
20 for questions. Thank you, Mr. Chair.

21

22 CHAIRMAN LOHSE: Thank you, Tom. Pete,  
23 do you have a question.

24

25 MR. KOMPKOFF: Tom, why is it that the  
26 Subsistence Board wants the claws on the black bears?  
27 Isn't that part of what you just said, claws should be  
28 attached?

29

30 CHAIRMAN LOHSE: Pete, what they're  
31 saying is the Federal definition of a bear hide is fur  
32 with the claws attached. In other words, it all becomes  
33 part of the hide, it all becomes sellable. The State  
34 regulation, the definition of fur does not include bear  
35 claws.

36

37 MR. KOMPKOFF: Okay. Thank you.

38

39 CHAIRMAN LOHSE: Any other questions for  
40 Tom. Basically this proposal, which is classed as a  
41 housekeeping proposal, goes along pretty much with what  
42 was stated in this sheet that came out to us in the  
43 middle of summer, right, Tom?

44

45 MR. KRON: Yes, Mr. Chairman. Again,  
46 this handout, which I believe most of you probably  
47 received last summer, the regulatory language that's  
48 before you right now basically embraces the understanding  
49 that we received from the Federal Subsistence Board in  
50 developing this.

51

1 Thank you, Mr. Chair.

2

3 CHAIRMAN LOHSE: Perhaps you can explain  
4 something to me because I feel I see a contradiction in  
5 it and I think at this point would be a good place to  
6 bring it up. In the first part it says handicraft means  
7 a finished product made in Alaska by a rural Alaskan from  
8 non-edible products, the fish or wildlife, which is  
9 composed wholly or in some significant respect of natural  
10 materials. But then it says by the skillful use of hands  
11 by sewing, weaving, lacing and beading. If I drill a  
12 whole through a bear claw and add a string and make a  
13 necklace, that's lacing. In this sheet that you came out  
14 with here it says, no, that's not a handicraft. Yet in  
15 this one it says that lacing is a handicraft. Do you see  
16 that as a contradiction?

17

18 MR. KRON: Mr. Chairman, that's  
19 definitely an issue to address. Again, if there is  
20 better wording that the Council could propose to address  
21 that in a way that you think is appropriate, now would be  
22 the time. Thank you, Mr. Chair.

23

24 CHAIRMAN LOHSE: Thank you. Any other  
25 questions for Tom. Tom.

26

27 MR. CARPENTER: Yes, Tom, I actually have  
28 the same concerns Chairman Lohse has. This is a proposal  
29 being submitted by U.S. Fish and Wildlife as a  
30 housekeeping issue. It seems to me like you might have  
31 the same concerns that we both have and I guess my  
32 question is, if that's the case, why is it being  
33 presented to us this way if you or Fish and Wildlife  
34 Service have the same concerns?

35

36 CHAIRMAN LOHSE: Tom.

37

38 MR. KRON: Mr. Chairman, Mr. Carpenter.  
39 The intent of the proposal, as I explained, was to try to  
40 address many of the questions that came up last spring  
41 and summer and we were trying to address many of those in  
42 this flyer which went out to people. Again, it's a  
43 challenging issue and we want to get the words right so  
44 people understand what the regulations are and, at the  
45 same time, so the enforcement officers can enforce the  
46 laws that are implemented.

47

48 Again, this is a statewide proposal. We  
49 are going to all Regional Councils asking for their input  
50 and direction and trying to do the best we can to get the

1 best language that's understandable by the subsistence  
2 users.

3

4 Thank you.

5

6 CHAIRMAN LOHSE: Tom.

7

8 MR. CARPENTER: Just to follow up. I  
9 guess the point that I'd like to make just for the  
10 Council to consider, I mean these are interpretations  
11 that are going to be used by the general public and I  
12 think we need to make them very clear as to what they can  
13 and cannot do. In my opinion, weaving, lacing or  
14 beading, taking a claw and turning that into some article  
15 to be sold would definitely fall within this guideline.  
16 In my opinion, I'm not sure exactly the language we need  
17 to use, but we need to incorporate something into this  
18 language that excludes the alteration of individual claws  
19 from being used in weaving, lacing and beading. To me,  
20 that would seem like the only logical explanation or  
21 definition to put on it and still try to get the result  
22 you're looking for. Am I correct?

23

24 MR. KRON: Mr. Chairman, Mr. Carpenter.  
25 Again, we're here to seek your wisdom how to address this  
26 and we're getting input from the other Regional Councils  
27 as well, but we'd like to be able to bring back your  
28 input and directions, recommendations to the Board.

29

30 Thank you, Mr. Chairman.

31

32 CHAIRMAN LOHSE: Thank you, Tom and Tom.  
33 I'd just like to say I don't really have a concern on it  
34 being used that way. I just felt that it was interesting  
35 to me that the one that came out in the summer  
36 specifically says that that doesn't qualify, yet we're  
37 adding words to the housekeeping one that basically  
38 qualifies what we said didn't qualify. That was kind of  
39 interesting in my way of looking at it. Tom.

40

41 MR. KRON: Mr. Chairman. I think this  
42 discussion, perhaps people will have suggested wording.  
43 If you don't have any here, we can take it back and work  
44 with it and discuss it with others and discuss it with  
45 the Staff Committee and the Board and see if there are  
46 ways to better craft this, but what you've raised seems  
47 like a very appropriate and valid issue and concern.

48

49 Thank you, Mr. Chairman.

50

1 CHAIRMAN LOHSE: Thank you, Tom. I guess  
2 my question I would be asking you as a member of the  
3 Staff, was the intention of this new wording to allow  
4 what they said wasn't allowable in the thing that came  
5 out in the summer? Did they get enough feedback in the  
6 summertime that they felt like they needed to write the  
7 wording to allow what they said wasn't allowed? Tom.

8  
9 MR. KRON: Mr. Chairman. My  
10 understanding is they tried to craft wording, regulatory  
11 wording, to embrace all of the issues and questions here.  
12 It's pretty clear from this questioning and discussion  
13 that that didn't occur relative to the one claw on a  
14 string idea, so I think we need to go back and work on it  
15 again. Again, we definitely welcome wording and  
16 suggestions from this Council if there are some.

17  
18 Thank you, Mr. Chairman.

19  
20 CHAIRMAN LOHSE: Thank you, Tom. I'm not  
21 speaking for the Council and I don't know what the  
22 Council feels like as to whether that's a handicraft or  
23 not, and I wasn't questioning whether or not it was a  
24 handicraft. It just was interesting to me because the  
25 two are in conflict with each other. Thank you.

26  
27 Any other questions for Tom.

28  
29 (No comments)

30  
31 MR. PROBASCO: Mr. Chair.

32  
33 CHAIRMAN LOHSE: Pete.

34  
35 MR. PROBASCO: Mr. Chair. Just to add to  
36 Mr. Kron's comments and you were present at the Federal  
37 Subsistence Board meeting and there was a great deal of  
38 discussion on exactly your point, does drilling a hole  
39 through a claw constitute a handicraft. When the  
40 regulation was based, unfortunately the Board wasn't very  
41 clear of their intent. Of course, that put OSM to the  
42 task of drafting language based on what the Board  
43 adopted. As a result of that, and we couldn't get clear  
44 agreement throughout what the regulations actually said,  
45 particularly in this case, resulted in drafting this  
46 proposed regulation change to bring it back before the  
47 Councils, then to the Board, to clarify that intent as  
48 well as other parts of the regulation.

49  
50 So this is to sort of take the action the

1 Board did last spring and bring it back and let's get it  
2 clearer so that there are no misunderstandings, just as  
3 Council members have pointed out. We encourage the  
4 Councils to be very clear, from your viewpoint, what  
5 should be legal and what shouldn't.

6  
7 Mr. Chair.

8  
9 CHAIRMAN LOHSE: Thank you, Pete. I was  
10 thinking of the  
11 same discussion and I was thinking of the comments from  
12 Southeastern and the idea of lacing bear claws on  
13 necklaces and head gear and things like that. And that's  
14 what I was wondering, was this done inadvertently or was  
15 this done on purpose to allow something that at the time  
16 this other paper came out they looked at as something  
17 that shouldn't be done because of input from the Board?

18  
19 MR. PROBASCO: That's correct, Mr. Chair.  
20 I think it's important to review with the Council the  
21 process that goes through with the proposal. The  
22 proposal is brought forth out in the book and then it's  
23 drafted and an analysis is conducted along with reviews  
24 of various agencies. Now we're at a step before you with  
25 language that we believe captures the intent but it's not  
26 saying that it's accurate.

27  
28 There may be some misunderstandings, just  
29 as you pointed out, Mr. Chair.

30  
31 CHAIRMAN LOHSE: Thank you, Pete. Tom.

32  
33 MR. KRON: Mr. Chairman. Mr. Berg has a  
34 summary of what the other Councils have done. Again,  
35 over the past couple weeks the other Councils have been  
36 reviewing that. If you'd like, he can give you a brief  
37 summary of what the other Council comments have been if  
38 that would be helpful.

39  
40 CHAIRMAN LOHSE: I think that would be  
41 legitimate at this time if there is no disagreement from  
42 any member of the Council.

43  
44 MR. BERG: Yes, Mr. Chair. I guess  
45 Donald said that this is also in your folders that he  
46 provided supplemental materials, but I'll try to  
47 summarize as best I can what some of the other Councils  
48 have done so far. The Eastern Interior Council supported  
49 with some modification. My understanding is the most  
50 significant change they made was that if you are a

1 business as defined under Alaska statute, you may not  
2 purchase these bear parts as part of your business  
3 transaction. So they just tried to clarify that, that  
4 you could still purchase them, but it just couldn't be  
5 part of your business transaction. They wanted to kind  
6 of separate that. My understanding is that one of their  
7 Council members did have a business license and does  
8 participate in that.

9

10 CHAIRMAN LOHSE: So basically you could  
11 purchase it for your own use, but you couldn't resell.

12

13 MR. BERG: Right, right. And there is a  
14 provision before that that says you cannot sell the  
15 handicrafts to a business defined under Alaska statute.  
16 So you couldn't sell it to anybody with a business  
17 license.

18

19 The Western Interior Council took no  
20 action on this proposal because of the cultural concerns  
21 in that area. The Southeast Regional Council supported  
22 it with some modifications and they did add some of the  
23 wording what's defined as the bear parts that are allowed  
24 to be made into handicrafts. That's the only difference  
25 that jumps out at me right here at this time.

26

27 The Y-K Delta Regional Council supported  
28 the proposal with modifications. They're identified on  
29 the errata sheet. Then the Seward Peninsula deferred to  
30 the other home regions.

31

32 So, I guess in general there's overall  
33 support with some modifications to kind of regionalize  
34 it, to try to make it more clear, some of the similar  
35 concerns you're struggling with today. I hope that helps,  
36 Mr. Chair.

37

38 CHAIRMAN LOHSE: Thank you. Was the  
39 Southeastern's inclusion to include bones or something  
40 like that? This one here basically says from the fur,  
41 which means this, this and this, but it doesn't say  
42 anything about bones or anything like that.

43

44 MR. BERG: Right. They did include fur, claws,  
45 bones, teeth, sinew or skull of a brown bear. So, yeah,  
46 they did include maybe teeth and bones.

47

48 CHAIRMAN LOHSE: Thank you. Any other  
49 questions for him. Thank you for that information.

50

1 MR. CARPENTER: I have a question.  
2  
3 CHAIRMAN LOHSE: Tom.  
4  
5 MR. CARPENTER: Just one more question.  
6 If we were to pass or give our recommendation that the  
7 language you brought in this proposal be accepted, would  
8 the sheet that you handed out last summer to answer a lot  
9 of the questions, would that go away?  
10  
11 MR. KRON: Mr. Chairman, Mr. Carpenter.  
12 The sheet that was developed last year was informational  
13 and we tried to build the regulatory language from that  
14 as I've talked about. It's still there. It's part of  
15 the public record. What I think we were trying to do was  
16 get that into regulation and we're trying to fine-tune  
17 that process to get there. So I don't think it goes  
18 away, but it's an evolving process and we're working with  
19 the Councils on that.  
20  
21 Thank you, Mr. Chairman.  
22  
23 CHAIRMAN LOHSE: Thank you, Tom. If I  
24 understand correctly, the reason for this language was to  
25 mirror the sheet, not to change something on the sheet.  
26  
27 MR. KRON: Mr. Chairman, that is my  
28 understanding as well. Thank you.  
29  
30 CHAIRMAN LOHSE: Thank you. Dean, you  
31 had a question?  
32  
33 MR. WILSON: Yeah, it was very similar to  
34 what Tom just asked a minute ago. Because of the  
35 contradiction, it has to override it, your Appendix C,  
36 the proposal we're looking at right now or else it's  
37 going to have to be taken out of there. It's a direct  
38 contradiction.  
39  
40 CHAIRMAN LOHSE: Thank you, Dean. Tom.  
41  
42 MR. KRON: Mr. Chairman, we can. I think  
43 I would propose, based on what I'm hearing here from my  
44 boss, it probably makes sense when we go through this  
45 next cycle, this next Board meeting, and a decision is  
46 made on these wordings, it probably makes sense to update  
47 this sheet. We did the best we could last summer working  
48 with the Board, but when a decision is made this coming  
49 summer, I think the intent was to have this really  
50 user-friendly, answer people's questions. So based on

1 the actions the Board takes in May, based on your  
2 recommendations and the other Council recommendations, it  
3 sounds like it makes sense to update this sheet and  
4 correct or change as needed.

5  
6 Thank you, Mr. Chairman.

7  
8 CHAIRMAN LOHSE: Thank you, Tom.  
9 Depending on what comes out of the meetings. Doug.

10  
11 MR. WILSON: The one bear claw versus  
12 many. In my estimation, it might be more desirable to  
13 buy a necklace with one claw on it than with all the  
14 claws. That's what I'm hung up on. I don't see why that  
15 isn't just as good as many claws. And then the other  
16 thing is I think things like the bones should be included  
17 in this proposal.

18  
19 CHAIRMAN LOHSE: Thank you, Doug. Tom,  
20 do you have anything to add?

21  
22 MR. KRON: Yeah, Mr. Chairman. I know  
23 that other Federal regulations, I believe Park Service  
24 regulations, talk about non-edible by-products, which  
25 would include bones, for example. We heard from Mr. Berg  
26 that Southeast is addressing some of these same sorts of  
27 issues. So if you would like to see things like bones  
28 included, the one claw versus multiple claws, we're all  
29 ears.

30  
31 Thank you, Mr. Chairman.

32  
33 CHAIRMAN LOHSE: Thank you, Tom. And I  
34 think that's one thing the Council has to realize, that  
35 this is our opportunity to give our recommendations on  
36 the subject. The Board is going to take our  
37 recommendations and the recommendations of all the other  
38 Councils into account and their solicitor and the State  
39 and everybody else when they come up with what they want.  
40 This is not a local proposal. This is a statewide  
41 proposal. With that, we are only a small part of the  
42 recommendations, we're not the one they have to defer to.

43  
44 Any other questions for Tom.

45  
46 (No comments)

47  
48 CHAIRMAN LOHSE: Hearing none. We'll go  
49 on to the Alaska Department of Fish and Game comments.  
50 Thank you, Tom.

1 MR. KRON: Thank you, Mr. Chairman.

2

3 MR. HAYNES: Mr. Chairman. My name is  
4 Terry Haynes. I'm the statewide Federal subsistence  
5 wildlife coordinator for the Department of Fish and Game.  
6 The Department's comments on this proposal are on page 57  
7 of the meeting book.

8

9 The Department does not support this  
10 proposal because it does not address concerns raised by  
11 the Department in a Request for Reconsideration submitted  
12 to the Federal Subsistence Board last year regarding the  
13 Federal regulation authorizing the sale of handicraft  
14 items made from the skin and claws of brown and black  
15 bears.

16

17 It is unclear how the proposed changes  
18 would address conservation concerns associated with the  
19 sale of handicrafts made from bear fur and claws, in the  
20 absence of a tracking system that documents how many  
21 bears are being harvested for the purpose of making  
22 handicraft items for sale.

23

24 So we haven't really addressed the  
25 proposal itself. We objected to the regulation that was  
26 adopted last year, so we're not going to speak out in  
27 support of a supposed housecleaning proposal and I think  
28 you brought up some points here that suggest there may be  
29 differences proposed in the housecleaning proposal.

30

31 I do remember, as you probably do, Mr.  
32 Chairman, one of the Board members at the meeting last  
33 spring posed that very question about whether punching a  
34 hole in the claw, running a piece of leather through it,  
35 whether that constituted a handicraft. I'm not convinced  
36 that Board member thought it was, but that's not a  
37 decision I have to make.

38

39 In any event, even though it's well  
40 intended, this proposal does have some problems with it,  
41 as you pointed out, and other Councils have suggested  
42 changes as well, so you certainly should feel like it's  
43 appropriate to raise questions and concerns and get them  
44 on the table.

45

46 Thank you.

47

48 CHAIRMAN LOHSE: Thank you, Terry. Any  
49 questions for Terry.

50 Fred.

1 MR. ELVSAAS: Thank you. I see the  
2 concerns of taking the bears and leaving the carcass to  
3 rot because they just want the claws, but doesn't the  
4 State Fish and Game law say you have to salvage the meat  
5 also when you take a bear?

6  
7 MR. HAYNES: Mr. Chairman. Actually the  
8 Federal regulations require that the meat be salvaged, so  
9 that is a safeguard under the Federal regulations. If  
10 you do harvest a brown bear, for example, you do have to  
11 salvage the meat. I think what we are concerned about is  
12 that this regulation, as far as covering brown bears,  
13 applies only in three areas of the state.

14  
15 So we don't see any evidence of a system  
16 in place that would make it very clear where bears were  
17 harvested that were being taken for the purpose of making  
18 handicraft items. Because when you have regulations that  
19 don't apply equally statewide, you do have areas where  
20 people could be hunting off of Federal lands, they could  
21 be taking animals in areas not covered under the  
22 regulation, but there's no way to know that because  
23 there's no tracking system. So we have no idea how many  
24 bears were actually killed this regulatory year that are  
25 being used for the purpose of making these handicrafts.

26  
27 That's all we're asking, is that there be  
28 a system in place so that we can see what the effects of  
29 this regulation might be. Whether they're beneficial,  
30 whether they create problems in some areas, whether they  
31 have any effect at all.

32  
33 CHAIRMAN LOHSE: Thank you. Doug.

34  
35 MR. WILSON: Mr. Chairman. If I hear you  
36 right, you're saying you would prefer it was a statewide  
37 regulation, that you'd be for it if it was statewide?

38  
39 MR. HAYNES: Mr. Chairman. No, I did not  
40 say that. I'm just saying any time you have a regulation  
41 that is different from area to area that you have  
42 potential problems. I'm not supporting it any place.  
43 The primary issue, just to clarify, our primary concern  
44 is the claws. As I think this Council discussed in the  
45 past, these claws have value, so there's a high demand  
46 for bear claws outside the state, so there is a potential  
47 for misuse.

48  
49 CHAIRMAN LOHSE: Terry, can I ask you a  
50 couple questions real quick. You said there's only three

1 areas this applies?

2

3

MR. HAYNES: For the brown bears.

4

5

CHAIRMAN LOHSE: Under this regulation,  
6 don't brown bears include all Interior grizzlies, too?

7

8

MR. HAYNES: For the purpose of using  
9 brown bear furs and claws for making handicrafts under  
10 Federal regulations, that regulation applies only to  
11 three areas, does it not?

12

13

CHAIRMAN LOHSE: I thought it applied  
14 statewide and it applied to any kind of a bear that's  
15 basically -- in other words, a grizzly and a brown bear  
16 are the same bear. Tom.

17

18

MR. KRON: Mr. Chairman, that is correct.  
19 When we talk about brown bear, that's our standard term  
20 for either a grizzly or a brown bear. As I mentioned in  
21 the presentation, the use of brown bear fur and claws in  
22 handicraft under Federal regulations only applies in  
23 Southeast Alaska, Eastern Interior and Bristol Bay. The  
24 rest of the state it does not currently apply. Those  
25 were the three regions which had supported this type of  
26 thing. Black bear fur and claws under Federal  
27 regulations may be made into handicraft anywhere in the  
28 state, all 10 regions, including your region.

29

30

Thank you, Mr. Chairman.

31

32

CHAIRMAN LOHSE: Okay, Tom. Then if I'm  
33 understanding you correct, this regulation really  
34 doesn't apply to our area at this present time because  
35 the use of brown bear fur in our area is not legal. Tom.

36

37

MR. KRON: Mr. Chairman, the only portion  
38 of this that under current regulations would be a  
39 consideration here is the use of black bear fur and black  
40 bear claws and a portion of these regulations addressed  
41 that. But the whole brown bear issue isn't on the plate  
42 right now for you.

43

44

Thank you, Mr. Chairman.

45

46

CHAIRMAN LOHSE: Thank you, Tom. Thank  
47 you, Terry, for clarifying that. I was under the  
48 impression this was brown and black bear statewide. The  
49 next question I have, currently, is there any kind of  
50 tracking system in place not dealing with handicrafts,

1 but dealing with subsistence take of bear, black or brown  
2 bear? Is there any kind of reporting required for  
3 subsistence bear any place in the state?

4  
5 MR. HAYNES: Mr. Chairman, I won't speak  
6 about the Federal regulations. I'll let Federal Staff do  
7 that. But the State does have reporting requirements.  
8 For example, in some of the areas where the State has  
9 brown bear management areas, a registration permit is  
10 required. In some areas of the state, the Department  
11 does household surveys to document how many fish and  
12 wildlife resources have been taken during the year, so we  
13 do have a general understanding of how many bears are  
14 being taken in some communities, either through required  
15 permitting processes in the Department or through  
16 subsistence household surveys that are conducted.

17  
18 CHAIRMAN LOHSE: But all bears, even  
19 under State regulations, there's not a reporting  
20 requirement for all bears in the state, even under State  
21 regulations.

22  
23 MR. HAYNES: In the case of brown bears,  
24 just as an example, in the management areas the state has  
25 set up in some parts of the state, those bears don't have  
26 to be sealed unless they're removed from the unit. But  
27 in some cases there still is a registration permit that's  
28 required. So the sealing mechanism is not a statewide  
29 requirement for all bears that are harvested. It is for  
30 bears taken under general regulations or bears are being  
31 taken to be removed from the unit where they were  
32 harvested.

33  
34 CHAIRMAN LOHSE: Tom.

35  
36 MR. KRON: Mr. Chairman. Mr. Haynes  
37 talked about the brown bear management areas. Your  
38 Federal regulations on those issues, the brown bear  
39 management areas in Bristol Bay and the Yukon-Kuskokwim  
40 Delta, Kotzebue area, Northwest Alaska, are the areas  
41 where these brown bear management areas apply. The  
42 Federal regulations mirror what is in State regulation.  
43 Basically it's a joint cooperative process recognizing  
44 the State registration permit.

45  
46 Thank you, Mr. Chairman.

47  
48 CHAIRMAN LOHSE: So, if I'm correct, and  
49 correct me if I'm wrong because I'm trying to get this  
50 straight in my mind, in those areas that have brown bear

1 management areas, if a brown was being used, it really  
2 doesn't make any difference whether a brown bear is being  
3 used for handicrafts or being used for meat because under  
4 Federal regulations the meat has to be salvaged, but  
5 there would be a record of how many brown bears are  
6 taken. So it's not a question of whether they were taken  
7 for handicraft or taken for meat, it's how many brown  
8 bears are taken. So we would have a tracking thing in  
9 place that would tell us what the overall harvest is and  
10 whether the harvest was sustainable or not sustainable.  
11 Tom.

12  
13 MR. KRON: Mr. Chairman. The records on  
14 bear harvest over time, I had the opportunity to look at  
15 this in the proposal that you addressed back in 2002, but  
16 essentially I think that the harvest data in Alaska for  
17 bears has been getting better and better. There's data  
18 that goes all the way back to the 1700s. But over time  
19 and with statehood I think the sealing process that the  
20 State goes through with requirements for sealing for  
21 sports harvested bears statewide for brown bear and in  
22 most units for black bear sealing requirement, I think we  
23 in Alaska are getting a lot better handle on what the  
24 harvest is.

25  
26 We were talking about brown bear  
27 management areas and I know that the State Board of Game  
28 and the Federal Subsistence Board have been working to  
29 implement this, working closely with the public to spread  
30 the information, but I know from some of the subsistence  
31 surveys that I saw for some portions of western Alaska  
32 there would be a Subsistence Division survey that would  
33 go into the village, talk to the people, assess how many  
34 bears were harvested and then you compare that to the  
35 number that got actually these subsistence bear harvest  
36 permits and there were differences. There were a number  
37 of folks that basically didn't understand, hadn't gotten  
38 a permit, had harvested a bear.

39  
40 So we know it's not a perfect system, but  
41 again there's been progress throughout the years,  
42 throughout the decades over time to try to get a better  
43 handle on what the harvests really are.

44  
45 Thank you, Mr. Chairman.

46  
47 CHAIRMAN LOHSE: Thank you, Tom. I see  
48 another hand up. Tom Carpenter.

49  
50 MR. CARPENTER: I guess I have just a

1 comment and a question for both of them. I think Terry  
2 straightened us out a little bit. We're really not  
3 dealing with brown bears. This issue before this  
4 Council, there are no current proposals or past Board  
5 action dealing with brown bears with this issue in this  
6 region. I guess the question I have for you, Tom, and I  
7 was just at the Board of Game meeting when we were  
8 talking about black bear populations in Prince William  
9 Sound for example. There is no baseline study. The  
10 State or the Federal government has no baseline data for  
11 black bear populations in the Sound. The harvest the  
12 last five years has increased from 150 to 450 bears. Do  
13 you not think that potentially proposing this is going to  
14 increase the black bear harvest in Prince William Sound  
15 to the point it can be damaging without having a  
16 population estimate?

17  
18 MR. KRON: Mr. Chairman. This is always  
19 an issue that we need to keep in front of us. Again, I  
20 had the opportunity to look at this several years ago.  
21 The situation at that time in terms of population status  
22 was that the view was statewide black bear populations  
23 were healthy at that time. Again, it may have been the  
24 record-keeping process. The harvest levels were at an  
25 all-time high. Brown bear, at that time, there were  
26 conservation concerns on the Kenai Peninsula and Montague  
27 Island. The rest of the state though the feeling was  
28 that they were in good shape. Again, brown bear harvest  
29 as well -- again, record keeping has probably gotten  
30 better, reporting has probably gotten better, but the  
31 harvest levels were at an all-time high in Alaska's  
32 history in recent years.

33  
34 But, again, it's always something to keep  
35 an eye on, keep close tabs on. As Mr. Haynes pointed  
36 out, Federal regulations require you to salvage the meat  
37 if you're going to take a bear under these Federal  
38 regulations. That requirement is not the case in the  
39 sport harvest regulations as you know. So, again, you've  
40 got that control, plus subsistence is a priority in this  
41 issue as well. I can't directly answer your question,  
42 but there are a lot of issues here.

43  
44 Thank you, Mr. Chairman.

45  
46 CHAIRMAN LOHSE: Thank you, Tom. Tom  
47 again.

48  
49 MR. CARPENTER: I guess just a follow up  
50 question then. Agreeing with what you have to say then,

1 why is this being brought to the Councils on a statewide  
2 level instead of a regional level?

3

4 CHAIRMAN LOHSE: Tom.

5

6 MR. KRON: Mr. Chairman, Mr. Carpenter.  
7 Basically we're dealing with statewide regulations. This  
8 is the part of the book that's statewide regulations.  
9 Again, we're trying to clarify regulations for bear parts  
10 being used for handicraft. Right now the regulations do  
11 not allow the use of brown bear claws, for example, in  
12 Southcentral, but this is your opportunity to comment.  
13 It's before all the Councils and if you have statewide  
14 concerns relative to enforcement or other issues, this is  
15 the time to voice them.

16

17 Thank you, Mr. Chairman.

18

19 CHAIRMAN LOHSE: Thank you, Tom. That  
20 was one thing that I wanted to bring out. We're not  
21 voting on whether or not it should be legal to sell brown  
22 or black bear parts for handicrafts. That's already been  
23 passed by the Board. What we're looking at in this  
24 proposal before us is clarification of language to define  
25 what we mean by this proposal that's already been passed  
26 or this regulation that's already been passed. As it's  
27 been pointed out, it doesn't apply to brown bear in our  
28 area because the regulation that's passed does not allow  
29 the taking of brown bear for handicraft in our area  
30 anyhow.

31

32 What we're looking at here is what kind  
33 of language do we want in the book to define the  
34 regulation that the Board has already passed as to what  
35 is a handicraft, you know, what parts of the bear can be  
36 used for the handicraft and how they can be used. From  
37 that standpoint, it's hard because we always want to get  
38 back on the main issue of whether or not it should be  
39 allowed. It is allowed. The regulation is in place. In  
40 certain areas of the state brown bear can be sold as a  
41 handicraft, in certain areas it can't be sold as a  
42 handicraft, now what do we think about the language.  
43 Tom.

44

45 MR. KRON: Mr. Chairman, excellent  
46 summary. Thank you. Appreciate the help.

47

48 CHAIRMAN LOHSE: James.

49

50 MR. SHOWALTER: Why can't they just make

1 it simple and say any and all parts of the bear.

2

3 CHAIRMAN LOHSE: James, I'm going to  
4 expect an amendment from you when the time comes. Pete,  
5 did you have something to add?

6

7 MR. KOMPKOFF: I recommend a break.

8

9 CHAIRMAN LOHSE: Okay. It's been asked  
10 by one of the Council members that we have a break. So  
11 we're going to have a break before we go on to other  
12 Federal, State, Tribal Agency comments. We're going to  
13 break for 10 minutes.

14

15 (Off record)

16

17 (On record)

18

19 CHAIRMAN LOHSE: I'd like to call the  
20 spring meeting of the Southcentral Subsistence Regional  
21 Advisory Council back into session. We're on Proposal 01  
22 and we're on the third part of our procedure, which is  
23 other Federal, State and Tribal Agency comments. Do we  
24 have any comments? Wilson.

25

26 MR. JUSTIN: Thank you, Mr. Chairman.  
27 Wilson Justin with Cheesh-na Tribal Council. I just  
28 wanted to add a few comments to the handicraft claw issue  
29 which has been ongoing for quite some time. Off and on  
30 the past few years I tried to throw in some  
31 clarification. I guess partly my fault. I never really  
32 articulated the issue from our perspective as good as I  
33 should have.

34

35 I was born in Nabesna, which put us in  
36 Unit 12 and part of Unit 12's neighboring unit is Unit  
37 11. Cheesh-na has weighed in on the bear and  
38 handicrafts take before and we've always opposed it, and  
39 we've opposed it for a number of reasons. Not  
40 particularly brown bear. We have to remember in our area  
41 we usually refer to the bears as grizzly bears, even  
42 though it's now acknowledged that there's no genetic  
43 difference between the two bears.

44

45 In my region, in my family, we come from  
46 a medicine man family. Like the Chusana Caribou Herd,  
47 which used to be called the Mentasta Herd, they were the  
48 province. Grizzly bears were the province of medicine  
49 people.

50

1 My comments on claws is very basic.  
2 We've never considered claws as handicraft or art. When  
3 grizzly bears were killed in that particular region as a  
4 matter of initiation and a rite of a young warrior and  
5 normally the Naltsine Clan or the Sky People Clan reserve  
6 that rite to themselves and that's how, for instance, I  
7 would recognize another like individual from the  
8 Tsimshian or Tlingit nation by the bear claws they wore.  
9 I would recognize that as a passage or a rite or as a  
10 badge, but not as handicraft. It's a subtle but, in my  
11 mind, a very useful distinction.

12  
13 I know that there's a tendency to  
14 generally draw a large picture from practices within  
15 Native communities and apply it in a large context, but  
16 I've always felt, and I have yet to be able to back this  
17 up with actual conversations from other regions, but I've  
18 always felt that in most indigenous populations in the  
19 state of Alaska bear claws were treated like that. They  
20 were not really for sale or for barter. They symbolized  
21 an act of passage within that particular clan and they  
22 symbolized the warrior's step into the higher realm.

23  
24 For instance, if a medicine man's son was  
25 to go into the initiation rite of killing a grizzly bear,  
26 which we used a specially made spear for it, we used a  
27 short-haft spear with a copper point of about three foot  
28 to kill the bear. When the bear was killed, the claws  
29 were individually gifted to other members of the family  
30 or clan to symbolize that this occurred within that  
31 family. So it meant a lot to me when I saw a bear claw  
32 and single bear claw. When you see a number of bear  
33 claws on another clan member, that usually meant he's  
34 like the head medicine man of that clan because he takes  
35 his cut of the bear claws.

36  
37 But that's aside from the point. The  
38 point I wanted to make from the tribal standpoint from  
39 the Cheesh-na perspective is that we never considered  
40 claws to be handicraft or art in any way, shape or form.  
41 I think that's where the one objection from the Council  
42 member last year came up, I think, because in part of my  
43 discussions before I mentioned that it was hard for us to  
44 view claws in an artistic way or in a handicraft way.  
45 They never were like that within our clan.

46  
47 Now I'll go on to say that things do  
48 change, yes. What I'm speaking about is the way our  
49 traditions were practiced quite a while back. Today we  
50 still don't kill grizzly bears for fur or handicrafts in

1 our area. There's still the lingering sense of this is a  
2 particularly closed subject relegated to only certain  
3 clans and we still act like that. But all around us  
4 there is the more Westernized version of these animals;  
5 if they're valuable, why not take advantage of it. But  
6 that doesn't change the way we look at it. I just wanted  
7 to go on record saying that.

8

9 Thank you, Mr. Chair.

10

11 CHAIRMAN LOHSE: Thank you, Wilson. Any  
12 question. I think that bore a lot of impact on why, as  
13 Southeastern, we decided to go the direction we did when  
14 we discussed this before. From looking at the different  
15 things that we've gotten in the past, the people that  
16 were indigenous to our area didn't look at brown bear the  
17 same way as they did in other areas and I think that's  
18 one of the reasons that we did go in the direction we  
19 did. I appreciate your insights on that. I always  
20 appreciate your insights, Wilson.

21

22 MR. JUSTIN: Thank you. Everybody else  
23 has thrown a comment in, so I thought why not.

24

25 CHAIRMAN LOHSE: Thank you. Any other  
26 comments.

27

28 (No comments)

29

30 CHAIRMAN LOHSE: Interagency Staff  
31 Committee comments. Is it pretty well covered in the  
32 introduction? Thank you. Unless anybody has any  
33 questions for the Interagency Staff Committee, we'll go  
34 on to the next one. Fish and Game Advisory Committee  
35 comments. Do we have any, Donald?

36

37 MR. MIKE: We have none, Mr. Chair.

38

39 CHAIRMAN LOHSE: Thank you. Summary of  
40 written public comments. I know we have a few of those.

41

42 MR. MIKE: Mr. Chair. You'll find your  
43 summary of written public comments on Page 57 and also in  
44 your blue folder we have comments we received after the  
45 book was published, SRC recommendations from Denali and  
46 Wrangell-St. Elias.

47

48 We have Don Quarberg from Delta Junction.  
49 His comment was to oppose or modify to exclude the claws.  
50 Including claws is only encouraging poaching in which the

1 claws are quickly removed and the carcass left to rot in  
2 the field. The claws are the most economically desirable  
3 part for handicraft.

4  
5 The AHTNA Subsistence Committee supports  
6 the proposal to clarify the definition of handicrafts and  
7 prevent the commercialization of bear handicrafts. We  
8 support rural subsistence users being able to make  
9 handicrafts out of the skin, hide, pelt, including the  
10 claws, for black and brown bears. We support efforts to  
11 prohibit commercialization of the skin, hide, pelt or fur  
12 of a black or brown bear, including claws.

13  
14 The Department of Public Safety, Alaska  
15 State Troopers oppose this proposal. We believe that  
16 allowing the sale of bear parts will increase illegal  
17 take and waste of bears, will exasperate the black market  
18 issues, will go against a North American trend that is  
19 more restrictive concerning sale and is not consistent  
20 with customary and traditional practices.

21  
22 The Denali Subsistence Resource  
23 Commission would like to clarify the definition of  
24 handicraft as skin, pelt or fur under Federal subsistence  
25 regulations to allow the sale of handicrafts made in  
26 Alaska by rural Alaskans from bear fur and claws. The  
27 Commission considered the proposal but took no action.  
28 Their justification is that they felt if excessive bears  
29 were harvested in Denali area in the future, then the  
30 Commission would want to take action to protect the  
31 population.

32  
33 Wrangell-St. Elias Subsistence Resource  
34 Commission unanimously supports the proposal as modified  
35 in the Staff analysis. Commission members expressed  
36 concern about the potential commercialization of bear  
37 handicrafts and feel that this proposal addresses those  
38 concerns.

39  
40 CHAIRMAN LOHSE: Thank you muchly,  
41 Donald. Any questions for Donald on any of the written  
42 comments.

43  
44 (No comments)

45  
46 CHAIRMAN LOHSE: With that, we're ready  
47 to go into Regional Council deliberation, recommendation  
48 and justification. So we need a motion to put this  
49 Proposal No. 01 on the table. Normally, for this  
50 Council, we usually make our motions in the affirmative

1 and then we make our modifications and suggestions. Do I  
2 hear a motion to put this proposal on the table.

3

4 MR. CARPENTER: Mr. Chairman. I move we  
5 adopt Proposal 01 clarifying the definition of  
6 handicrafts and prevent commercialization of bear  
7 handicrafts.

8

9 MR. KOMPKOFF: I second the motion.

10

11 CHAIRMAN LOHSE: It's been moved and  
12 seconded, so Proposal 01 is on the table ready for  
13 discussion. Discussion, Council members. Pete.

14

15 MR. KOMPKOFF: I'd just have the  
16 regulatory wording that should clarify in legally  
17 identifying what is said in this proposal is in order so  
18 there won't be any question of what's being said and  
19 what's going to be used as handicraft. I think the whole  
20 bear, like James said, should be in there as handicraft.  
21 That's all I have.

22

23 CHAIRMAN LOHSE: Thank you, Pete. Dean.

24

25 MR. WILSON: Yeah, Mr. Chair, I think  
26 there's some confusion. Just reading through the  
27 comments here, it seems like some are still thinking this  
28 proposal is whether or not we can sell claws, use them in  
29 handicraft and then, in turn, for sale. My understanding  
30 is nearly a year ago we voted that black bear claws could  
31 be used as a handicraft and not brown bear. This is just  
32 clarifying a lot of questions that were asked because of  
33 that, is that correct?

34

35 CHAIRMAN LOHSE: Yeah, I think you're  
36 correct on that, Dean. And it wasn't even a matter that  
37 we voted on because our vote was only for a  
38 recommendation. It is legal in our area to sell the  
39 black bear hide, which includes the claws, if they're  
40 made into handicrafts. What this proposal does is it  
41 defines what handicrafts are and defines how you can sell  
42 them in relationship to businesses. That's pretty much  
43 all this proposal covers. Tom.

44

45 MR. CARPENTER: Mr. Chairman. Just  
46 recognizing the fact that it is legal to do this, I think  
47 the thing we need to concentrate on is the wording that  
48 the Staff has brought in the proposal in regards to the  
49 possible contradiction in regards to the weaving, lacing  
50 and beading. In my opinion, that's really the only thing

1 that we have to deal with right now. We need to decide  
2 as a Council what constitutes a substantial change in  
3 value, I guess.

4  
5 I was just reading some of the comments  
6 from the Southeastern Council. They changed a few  
7 things, they added a few more things. Maybe that's  
8 something we could incorporate. I do agree with what the  
9 Eastern Interior says, that these items shouldn't be for  
10 resale to commercial enterprises. I don't know where we  
11 need to go from there.

12  
13 CHAIRMAN LOHSE: Thank you, Tom. Well,  
14 one thing we could do is go through this paragraph by  
15 paragraph and take a look at it for discussion and see  
16 whether Council members feel like something needs to be  
17 changed in each paragraph or whether we can accept it as  
18 the paragraph is written. Again, remember that this is  
19 an advisory thing and it's to show our regional feelings  
20 on this, but it's going to enter into a statewide  
21 regulation, so it's going to be a composite of all the  
22 different Councils. Our decision is not final. So if we  
23 see something as a Council that we don't like, this is  
24 our opportunity to bring it up.

25  
26 So let's just take a look at the first  
27 paragraph in the proposed regulation. The first  
28 paragraph defines what a handicraft is as far as it  
29 relates to brown or black bear. In our case, it's black  
30 bear in Unit 15, not brown bear. It says handicraft  
31 means a finished product made in Alaska by a rural  
32 Alaskan from non-edible byproducts of fish or wildlife  
33 which is composed wholly or in some significant respect  
34 of natural materials. That part of it I don't think any  
35 of us have any disagreement with.

36  
37 Then it says, in which the shape and  
38 appearance of the natural material has been substantially  
39 changed by the skillful use of hands. That part is  
40 already in regulation. The part that is in dark is the  
41 part that's being added to try to clarify what's in  
42 light. Originally it said substantially changed by the  
43 skillful use of hands by sewing, carving, etching,  
44 scrimshawing, painting, or other means, and which has  
45 substantially greater monetary and aesthetic value than  
46 the unaltered natural material alone. That part of it is  
47 already in regulation. The part that we're looking at is  
48 this addition that says weaving, lacing, beading.

49  
50 Whether or not we want to comment on

1 that, change that, leave that in, add to that is up to  
2 this Council. That would be on the part of what is a  
3 handicraft.

4  
5 The next part is what is a skin. Let's  
6 take the first paragraph first. I want to kind of direct  
7 this as the Chair this time and ask if there's any  
8 Council member who has a comment or a proposed change or  
9 anything that they would like to see done with this first  
10 paragraph. Tom.

11  
12 MR. KRON: Mr. Chairman. Just for some  
13 clarification, we had talked earlier when you raised the  
14 idea about putting a single claw on a leather strap and  
15 doing a single lace. Again, if you look at this  
16 definition, in addition to the words there sewing,  
17 weaving, lacing, et cetera, there's the word and, which  
18 has substantially greater monetary and aesthetic value  
19 than the unaltered natural material alone. I guess I  
20 just wanted to note that there's some bracketing around  
21 that word lacing. It's not just used by itself. There's  
22 some other things in the sentence. It's a very long  
23 sentence, but I just wanted to point that out.

24  
25 Thank you, Mr. Chairman.

26  
27 CHAIRMAN LOHSE: Yes, Tom, but we all  
28 know how easy that is to get around. You put a bead on  
29 both sides of it and you tie a pretty knot on the end of  
30 the string and you've done some substantial lacing and  
31 it's worth more than it was when it was just laying there  
32 in your pocket. It's up to this Council as to whether or  
33 not they want to go along with those words, whether they  
34 want to change those words. Fred.

35  
36 MR. ELVSAAS: Well, Mr. Chairman, it says  
37 changed by the skillful use of hands by sewing, carving,  
38 etching, scrimshawing, painting, or other means. Other  
39 means are weaving lacing and beading. What the heck are  
40 we doing?

41  
42 CHAIRMAN LOHSE: I don't know. That's  
43 what I'm asking you. Do we take it as it is, do we  
44 change it? How does the Council feel on this first one  
45 which defines handicrafts?

46  
47 MR. KOMPKOFF: Just leave it as is.

48  
49 CHAIRMAN LOHSE: Leave it as it is. Is  
50 that the consensus of this Council?

1 MR. KOMPKOFF: As it's written.

2

3 CHAIRMAN LOHSE: As it's written. Okay.

4 We have a motion on the table to accept this as it's

5 written. Unless somebody wants to add an amendment when

6 we come to these different things, we're going to be

7 voting on it as it's written.

8

9 Let's look at paragraph two. Skin, hide,

10 pelt or fur means any tanned or untanned external

11 covering of an animal's body; however, for bear, the

12 skin, hide, pelt or fur means the external covering with

13 claws attached. That basically means that the claws are

14 part of the fur and the claws can be sold cut off just

15 like you can cut the fur up in any kind of pieces and

16 sell it in pieces, too. Do we have a problem here? Do

17 we want to leave it as it? What's the consensus of the

18 Council? This is a definition now of what the skin,

19 hide, fur or pelt of a bear is. Basically what it says

20 is claws are attached. Doug.

21

22 MR. WILSON: Mr. Chairman. As I read it,

23 it means the whole hide. So you couldn't take a hide and

24 cut it up and make artifacts out of it.

25

26 CHAIRMAN LOHSE: Negative. It means you

27 can use the whole hide including the claws to cut up and

28 make any kind of artifact that you want.

29

30 MR. WILSON: Okay.

31

32 CHAIRMAN LOHSE: Specifically, in our

33 little thing, it says that selling the whole hide is not

34 altering it for a handicraft. Any other comments on this

35 one right here. Do we accept that definition? Anybody

36 want to put changes in on it?

37

38 (No comments)

39

40 CHAIRMAN LOHSE: Okay. If you are a

41 Federally qualified subsistence user, you may sell

42 handicraft articles made from the skin, hide, pelt or fur

43 of a black bear (including claws). Now this is telling

44 who can sell it and what you can sell. Anybody see

45 anything they want to leave out, add to that, leave it as

46 it is, change? Tom.

47

48 MR. CARPENTER: Mr. Chair. When I look

49 at this and look at the areas that are allowed or this

50 particular rule would apply to, you know, just what

1 Wilson Justin had to say about the fact that in our area  
2 this was not a traditional custom of selling the claws.  
3 I just find it hard to believe that -- I guess this is  
4 why I don't like statewide proposals. I don't like  
5 commenting on them because it's not pertinent to our  
6 area. So I don't really know if we need to make a  
7 recommendation in regard to this part of this proposal.  
8 I guess that's my comment.

9

10 CHAIRMAN LOHSE: Okay, Tom. Would you  
11 like to make an amendment to leave that part of it out?

12

13 MR. CARPENTER: I guess that my idea is  
14 that if we're going to recommend to the Federal Board  
15 that this language, skin, hide, pelt or fur of a black  
16 bear including claws be language that should be  
17 incorporated, it's not really pertinent right now because  
18 we have no units within the Southcentral Region it would  
19 apply to and we've heard testimony from individuals and  
20 different Councils stating this was not a traditional  
21 format in the past. I guess I don't know where I want to  
22 go with this. I just don't necessarily know that we need  
23 to comment on this particular part of this.

24

25 CHAIRMAN LOHSE: I kind of think you're  
26 right on that, Tom, because it's already in regulations  
27 that the skin of the bear in Federal regulations is the  
28 pelt or the fur of the external covering with the claws.  
29 If you look one paragraph up, you see it in the small  
30 print. I think what they're putting that down here for  
31 is just like Southeastern added more parts to it, they  
32 didn't take anything off, if you felt like something more  
33 needed to be added.

34

35 Pete, correct me if I'm wrong on this,  
36 but current regulation allows the sale in our area of  
37 black bear fur including the claws, am I correct?

38

39 MR. PROBASCO: That's correct, Mr. Chair.  
40 If I may, the bold language there is to provide that  
41 clarification. When you get a host of people to look at  
42 it and they start getting technical on you, they say does  
43 that mean hide, does that mean skin, does it mean fur,  
44 does it mean pelt, so we captured all that language so  
45 there is no opportunity for misunderstanding what is  
46 meant when we say the outer covering of a black bear,  
47 including claws. So that's just a clarification so we  
48 don't come back next year and say, hey, guys, we got more  
49 confused on this regulation, we're trying to clarify  
50 black bear. Black bear does apply, as you stated Mr.

1 Chair, to your region.

2

3 CHAIRMAN LOHSE: Thank you, Pete. Any  
4 other questions for Pete on that one? James.

5

6 MR. SHOWALTER: Yes. For bear  
7 handicraft, all this refers to is the skin, hide, pelt,  
8 including claws. I've seen it here some place, but what  
9 about the bones of the bear, either black or brown, where  
10 would that be encompassed and in which proposal?

11

12 CHAIRMAN LOHSE: James, I don't think  
13 that is encompassed in this one here. I think that was  
14 an addition that Southeastern asked to be added to it  
15 because of the use of the bones and the teeth in some of  
16 their handicrafts. Pete.

17

18 MR. PROBASCO: Thank you, Mr. Chair.  
19 That indeed is correct. There was a Proposal 03 that was  
20 submitted by the Southeast Regional Advisory Council that  
21 requested that additional parts of the bears, and you  
22 mentioned them, skulls, bones, teeth, to be incorporated  
23 for Southeast only. So this section that Southeast added  
24 for their parts currently applies to Southeast only and  
25 doesn't affect this area.

26

27 Mr. Chair.

28

29 CHAIRMAN LOHSE: Thank you, Pete. If I'm  
30 recognizing right, what we have in front of us right here  
31 is a spelled-out definition of what the Federal  
32 government considers the outer covering of the bear as  
33 opposed to the State definition, which excludes the  
34 claws.

35

36 MR. PROBASCO: Mr. Chair. That's correct  
37 and the Board wanted to specifically mention claws so  
38 that there was no confusion as there was last year.

39

40 Mr. Chair.

41

42 CHAIRMAN LOHSE: Thank you, Pete. So,  
43 with that, we really can't change that part of it. That  
44 part of it is a definition of what the Federal government  
45 has. What we can do is look, as we go farther down, if  
46 you're a Federally-qualified subsistence user you may  
47 sell -- okay. And then the next one is for brown bear in  
48 Units 1-5, 9(A)-(C), 9(E), 12, 17, 20 and 25, so that  
49 doesn't apply to us, the next paragraph. The first one  
50 is the black bear one and that does apply to us.

1                   Then the last thing we can comment on  
2 would be: If you are a business as defined under Alaska  
3 statute 43.70.110(1), you may not purchase, receive, or  
4 sell handicrafts made from the skin, hide, pelt or fur of  
5 a black or brown bear (including claws). That's the part  
6 that deals with commercialization. Do we have any  
7 comments or anything on that part of it. Do we agree,  
8 disagree with that.

9  
10                   I'm going to throw a little something  
11 out. I heard some things while I was out there. Other  
12 areas have disagreed with it because what happens if you  
13 are a handicrafter and you've got your own business  
14 license, then you couldn't sell one the way it's written  
15 right here. Under State law, I think if you make  
16 handicrafts, somebody was telling me that you had to have  
17 a business license. Now maybe somebody can correct me.  
18 Is there a dollar limit at which you have to have a  
19 business license or do you just have to have a State  
20 business license if you sell something in the state?

21  
22                   UNIDENTIFIED SPEAKER: You're supposed  
23 to.

24  
25                   CHAIRMAN LOHSE: You're supposed to.  
26 Fred.

27  
28                   MR. ELVSAAS: Mr. Chairman. You know,  
29 this poor damn bear has been picked to pieces here. I  
30 think the real concern statewide is where people are  
31 selling the gall bladders of the black bear. So it was  
32 just a case where Koreans were convicted of this and so  
33 forth. But in regards to here if you're a Federally-  
34 qualified subsistence user, I think you should be able to  
35 utilize all of the bear for subsistence purposes,  
36 including sale, except the gall bladder. Just take the  
37 gall bladder as an exception and not worry about whether  
38 you're going to take the hind claw, the front claw, the  
39 ear or whatever. If we're going to make a  
40 recommendation, I think we should simplify it. Some  
41 people want the bones, some want the claws, some want the  
42 hide. Well and good. We're talking statewide here. I  
43 think if we just exempted the gall bladder from sale for  
44 any bear, for any purpose, we'd be done with it.

45  
46                   Thank you.

47  
48                   CHAIRMAN LOHSE: Thank you, Fred.  
49 There's always room for an amendment or we can leave it  
50 as it is. I've tried to get some discussion going. It's

1 been awful quiet. James.

2

3 MR. SHOWALTER: Yes. You indicated that  
4 there's room for a friendly amendment to this.

5

6 CHAIRMAN LOHSE: Yes, there's always room  
7 for an amendment. Whether it passes or not, I'm not  
8 going to tell you.

9

10 MR. SHOWALTER: As I have stated before,  
11 and Fred just stated, this poor bear has been picked to  
12 death. The bones are even scattered. I'd like to make a  
13 friendly amendment to the proposed regulation, the use of  
14 any and all parts of the bear, except gall bladder. This  
15 part is a question. I think that's the only part right  
16 now that is against the law to sell. So that's what I  
17 would propose.

18

19 CHAIRMAN LOHSE: Where would you put that  
20 in this proposal? Under 25(j)(6) If you are a Federally  
21 qualified subsistence user, you may sell handicraft  
22 articles made from the skin, hide, pelt, fur or any other  
23 part of the bear except the gall bladder?

24

25 MR. SHOWALTER: Yes. That would be on  
26 black bear and brown bear.

27

28 CHAIRMAN LOHSE: Yeah, except brown bear  
29 doesn't apply to us.

30

31 MR. SHOWALTER: Oh, okay. So then it  
32 would apply just to black bear.

33

34 CHAIRMAN LOHSE: So if you are a  
35 Federally-qualified subsistence user, you may sell  
36 handicraft articles made from the skin, hide, pelt, fur  
37 or any and all parts of the black bear except the gall  
38 bladder. Do I hear a second for that amendment.

39

40 MR. ELVSAAS: Second.

41

42 CHAIRMAN LOHSE: Okay, it's been moved  
43 and seconded. Discussion. Tom. I saw you come up here,  
44 so I figured you had something to say on it.

45

46 MR. KRON: Mr. Chairman. I guess just an  
47 issue for you to think about. The regulations talk about  
48 non-edible byproducts. There is a market in the Orient  
49 for bear meat. Gall bladders are an expensive item, but  
50 the bear meat itself goes for a hefty price as well. As

1 I understand the friendly amendment, it would include and  
2 allow the sale of bear meat and I just wanted to point  
3 that out to you.

4

5 Thank you, Mr. Chairman.

6

7 CHAIRMAN LOHSE: Thank you, Tom. I don't  
8 think that was the intention of the person that made it.  
9 So all we have to do is add and all other non-edible  
10 parts of the bear except for the gall bladder. Is that  
11 basically what you were intending, James?

12

13 MR. SHOWALTER: That's correct.

14

15 CHAIRMAN LOHSE: As a second, is that  
16 what you were intending?

17

18 MR. ELVSAAS: I'll go with that. I'm not  
19 happy with it, but I'll go with it.

20

21 CHAIRMAN LOHSE: Okay. So we have an  
22 amendment on the table that we need to vote on. This  
23 would come under 25(j)(6) and it would basically read if  
24 you are a Federally-qualified subsistence user, you may  
25 sell handicraft articles made from the skin, hide, pelt,  
26 fur or any other non-edible parts of the black bear  
27 except the gall bladder. Discussion. Fred, you're not  
28 happy with it.

29

30 MR. ELVSAAS: No. Just a question. Does  
31 this mean then they can leave the meat in the woods?

32

33 CHAIRMAN LOHSE: Definitely not. They  
34 are required to take the meat for their own use in order  
35 to shoot a bear under subsistence regulations.

36

37 MR. ELVSAAS: Thanks.

38

39 CHAIRMAN LOHSE: What this is saying is  
40 that they can use the non-edible parts for handicrafts,  
41 but the edible parts have to be salvaged for human  
42 consumption. Any other discussion.

43

44 MR. SHOWALTER: Question.

45

46 CHAIRMAN LOHSE: The question has been  
47 called on the amendment to the motion. All in favor of  
48 the amendment signify by saying aye.

49

50 IN UNISON: Aye.

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

3  
4 MR. BLOSSOM: Nay.

5  
6 CHAIRMAN LOHSE: The motion carries.  
7 We've got an amended motion in front of us. We haven't  
8 made it through the whole thing. Does anybody want to do  
9 anything with 25(j)(8) or should we leave it as it is?  
10 Doug.

11  
12 MR. BLOSSOM: Mr. Chairman. I'm afraid  
13 you're right, like in the Kenai Borough, I think anyone  
14 that sells anything has to have a business license, no  
15 matter who they are. I guess because of that, unless the  
16 Federal people don't think we can, I think we should omit  
17 that part. I think no matter who you are, in the Kenai  
18 Borough for instance, you have to have a business license  
19 and that would make it you couldn't do anything.

20  
21 CHAIRMAN LOHSE: That would make it so  
22 that you couldn't sell what you made yourself. But I  
23 think the intention on this was not to close down what  
24 you made yourself. The intention was for it entering the  
25 commercial market and being sold for resale. That's how  
26 I read this last part of it. It says you may not  
27 purchase, receive, or sell handicrafts because they're  
28 looking at somebody that's making handicrafts and selling  
29 to an Alaska business for resale. But unintentionally  
30 they're saying if you have a business license, you can't  
31 sell it either. Tom.

32  
33 MR. KRON: Mr. Chairman. On Page 30,  
34 this proposal -- the Staff had been thinking about it  
35 after it had been submitted as a proposal and the dark  
36 wording at the top of Page 30, there's a  
37 phrase that was added to the end of Section 8 which says  
38 as part of your business transaction. I think the intent  
39 was to try to address what we just heard here and, again,  
40 as Jerry Berg commented, the Eastern Interior Region  
41 tried to work on this particular part as well.

42  
43 Thank you, Mr. Chairman.

44  
45 CHAIRMAN LOHSE: Thank you, Tom. I think  
46 that addresses the fact that if you have a business  
47 license you could buy something for your own use, but it  
48 doesn't address the fact that if you have a business  
49 license you couldn't sell a handicraft that you made  
50 yourself. Whether or not this Council wants to do

1 anything with that, I know some other Councils have.  
2 This is the point in time to either add an amendment or  
3 it will go into final motion as it is. Dean.

4  
5 MR. WILSON: So my understanding is that  
6 the intent of that Section 8 at the end was strictly to  
7 keep businesses from buying up claws, is that correct?

8  
9 UNIDENTIFIED SPEAKER: Yes.

10  
11 MR. WILSON: So I would make a motion  
12 also to omit Section 8.

13  
14 MR. KOMPKOFF: Second.

15  
16 CHAIRMAN LOHSE: It's been moved and  
17 seconded to omit Section 8. Discussion. Tom.

18  
19 MR. CARPENTER: I guess just one comment  
20 there. I'm not sure if we necessarily need to omit the  
21 whole thing. I think if it would read if you are a  
22 business as defined under Alaska Statute 43.70.110(1),  
23 you may not purchase or receive. If you take out the  
24 next part of that, or sell handicrafts, I think a person  
25 that has a business license that generates or produces  
26 the handicrafts themselves, if they're a rural resident,  
27 they would be able to sell them. I think that person  
28 shouldn't be able to take that to a commercial operator  
29 and sell them, but I don't think if that person created  
30 them themselves, this would keep them from selling it.  
31 As long as we take out that one little section instead of  
32 eliminating the whole thing. Maybe that's not correct,  
33 but that's the way it would appear to me.

34  
35 CHAIRMAN LOHSE: Thank you Tom. I didn't  
36 see that. I know what the intention here is and I know  
37 that's a concern all over the state, is that these things  
38 will enter the commercial market. They won't be sold  
39 strictly by the person who takes it, they'll enter the  
40 commercial market and that's why this was written. It's  
41 been expressed all over the state. I didn't catch that.  
42 If you said they can't purchase or receive, then they  
43 couldn't buy them from other handicraft person and resell  
44 them, but if you made it, you could sell it if you just  
45 left out or sell.

46  
47 We have an amendment on the floor right  
48 now to just delete 25(j)(8). If that's the intention of  
49 this Council that we want to allow these to enter the  
50 commercial market, we can vote for that amendment. If

1 our intention is we want to allow the handicrafter to be  
2 able to sell his handicraft but not put it on the  
3 commercial market, then we can amend this with a further  
4 amendment. It's up to the rest of the Council. Dean.

5  
6 MR. WILSON: Yeah. Along with what Tom  
7 was talking about here, the reason why I would bring it  
8 up to eliminate it would be to strictly get rid of the  
9 portion where these businesses are buying up black bear  
10 claws to turn around and resell them. So an amendment  
11 that would eliminate the purchase portion, I'd agree with  
12 that. The receiving and selling them, receive, I don't  
13 know about that. Of course we want to keep the selling  
14 portion in there. I have some experience. My family  
15 owns a small gift shop out on the Copper River. I asked  
16 my mom about this and she's never had anybody ask her  
17 about black bear claws for sale. She said she has been  
18 asked about brown bear claws in the past.

19  
20 I have a feeling a lot of the same  
21 questions came up before the carving of horns and antlers  
22 were allowed also. She sells those in her shop. I would  
23 guess antlers and carved horns and different other things  
24 are going to go for a whole lot more than a black bear  
25 claw. There's just not much there. It's just a black  
26 bear claw. They're just little, tiny things. I  
27 understand if you start talking brown bear claws, it's a  
28 whole different situation. I'm not really good at  
29 amending things, but if we can come up with better  
30 wording on that, I would go for an amendment and drop the  
31 idea of omitting 8 all together.

32  
33 CHAIRMAN LOHSE: Pete.

34  
35 MR. KOMPKOFF: Can we just eliminate one?  
36 Let's say if you are a business as defined under Alaska  
37 Statute, you may purchase, receive or sell handicrafts  
38 made from the skin, hide, pelt or fur of a black or brown  
39 bear including claws as part of your business  
40 transaction. Is that what our intent is then, just  
41 making it so a business can sell?

42  
43 CHAIRMAN LOHSE: I don't think that was  
44 the intent that Dean was talking about. If I understand  
45 right, what he was saying that somebody with a business  
46 could receive one, in other words they could get one for  
47 their own use from somebody. Somebody who made it could  
48 sell it, but somebody with a business couldn't purchase  
49 yours and yours and yours so that he could resell them.  
50 I think that's a good way to do it. I would probably add

1 you may not purchase or resell handicrafts from skin,  
2 hide and stuff like that and that would cover it with  
3 what you're trying to do, Dean. Because the receive part  
4 is the part that OSM addressed. The fact that if you  
5 have a business license, this basically says that if I've  
6 got a business license to sell coffee out on the McCarthy  
7 Road and my neighbor wants to sell me a bear claw  
8 necklace, which I wouldn't buy from him anyhow, but if he  
9 wants to sell a bear claw necklace, I couldn't buy it  
10 from him because I have a business license even if I  
11 don't resell it. So I thought your idea was real good  
12 there, Dean, because basically I could purchase one --  
13 no, I couldn't purchase one the way you said it either.

14

15 MR. WILSON: It's a Catch-22.

16

17 CHAIRMAN LOHSE: It's a Catch-22, yeah.  
18 Why not just say you can't -- if you have a business, you  
19 cannot resell. If you'd say resell, that means they can  
20 purchase one themselves, that mean they could receive one  
21 from a friend and if they made it themselves they could  
22 sell it, but they can't buy Dean's bear claw necklace and  
23 resell it, so they have no profit motive involved. I  
24 think that's what we're trying to get at, is the fact  
25 that you shouldn't be able to commercially resell these  
26 items. Do you think that would work.

27

28 Do I hear any amendments so we can move  
29 on.

30

31 MR. KOMPKOFF: We've just got to find the  
32 proper wording like you just said and put it down in  
33 black and white and we'll vote on it.

34

35 CHAIRMAN LOHSE: Because if you cut out  
36 the resale, they have no incentive to purchase. Maybe  
37 what we would rather do is just not have any of them be  
38 able to be sold completely. So we should have an  
39 amendment that way, too. Whatever. Or we can leave it  
40 like it is.

41

42 MR. CARPENTER: So basically all we need  
43 to do is scratch the whole thing and basically insert you  
44 may not resell. You can receive and you can sell, you  
45 just couldn't resell.

46

47 CHAIRMAN LOHSE: Right. I think that  
48 would cover it, Tom. I really do. If you are a business  
49 as defined under Alaska Statute, you may not resell  
50 handicrafts made from the skin, hide, pelt or fur of a

1 black or brown bear.

2

3 MR. CARPENTER: Mr. Chairman, I would  
4 move to amend with the language stating if you are a  
5 business as defined under Alaska Statute 43.70.110(1),  
6 you may not resell handicraft made from the skin, hide,  
7 pelt or fur of a black or brown bear, including claws, as  
8 part of your business transaction.

9

10 CHAIRMAN LOHSE: And you're adding that  
11 part they suggested, as part of your business  
12 transaction.

13

14 MR. CARPENTER: Uh-huh. (Affirmative)

15

16 CHAIRMAN LOHSE: Do I hear a second.

17

18 MR. ELVSAAS: Second.

19

20 CHAIRMAN LOHSE: Okay. It's been moved  
21 and seconded. Any more discussion on this amendment.

22

23 MR. KOMPKOFF: Question.

24

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

27

28 IN UNISON: Aye.

29

30 CHAIRMAN LOHSE: All opposed signify by  
31 saying nay.

32

33 (No opposing votes)

34

35 CHAIRMAN LOHSE: Motion carries. Okay.  
36 We have in front of us an amended proposal. Any further  
37 discussion on the proposal as amended.

38

39 MR. KOMPKOFF: Question.

40

41 CHAIRMAN LOHSE: The question has been  
42 called on the proposal. All in favor of the proposal as  
43 amended -- do I need to reread the amendments or do we  
44 all understand the amendments?  
45 Dean.

46

47 MR. WILSON: Could you reread the final  
48 under 8.

49

50 CHAIRMAN LOHSE: If you are a business as

1 defined under Alaska Statute 43.70.110(1), you may not  
2 resell handicraft made from the skin, hide, pelt or fur  
3 of a black or brown bear, including claws, as part of  
4 your business transaction. Like I said before, we aren't  
5 writing the final language. We're trying to get this  
6 Council's idea on the subject, which is basically, what I  
7 gathered from listening, is that it's okay for the person  
8 who makes it to sell it, but it's not okay to enter the  
9 marketplace.

10

11 With that, if there's no further  
12 clarification needed on the amendments -- Terry, did you  
13 have something you'd like to add at this point in time?

14

15 MR. HAYNES: Mr. Chairman. It would be  
16 beneficial for me to make sure I understand what  
17 amendments you've adopted and what language you're  
18 keeping the same. So if you could run through it.

19

20 CHAIRMAN LOHSE: Run through the whole  
21 proposal then?

22

23 MR. HAYNES: That would help me.

24

25 CHAIRMAN LOHSE: Okay. The first  
26 paragraph at the top is left the same, paragraph 25(a) as  
27 written. The second part is as written and with the  
28 changes that they have in there. The next one, 25(j)(6)  
29 if you are a Federally-qualified subsistence user, you  
30 may sell handicraft articles made from the skin, hide,  
31 pelt, fur and other non-edible parts of a black bear,  
32 excluding the gall bladder. We skipped 25(j)(7) because  
33 it doesn't apply to us. We went on to 25(j)(8) if you  
34 are a business as defined under Alaska Statute  
35 43.70.110(1), you may not resell handicrafts made from  
36 the skin, hide, pelt or fur of a black or brown bear --  
37 and I would imagine that we probably, since we defined it  
38 up above, we don't need to put that in or should we put  
39 in there or other non-edible parts at this point in time.

40

41 Pete, do you think that's necessary or  
42 have we made ourselves clear?

43

44 MR. PROBASCO: Mr. Chair. For  
45 clarification, I would add that, but also by reference  
46 when you've been reading these you've been excluding that  
47 part that we've been trying to clarify, including claws.  
48 So is the Council's wishes to continue to allow claws as  
49 well? Mr. Chair.

50

1 CHAIRMAN LOHSE: Pete, I think that was  
2 the whole idea behind the way we wrote it, was we've  
3 talked claws all of the time. Claws are part of the non-  
4 edible parts of a bear and all non-edible parts of a bear  
5 excluding the gall bladder would automatically include  
6 claws.

7  
8 MR. PROBASCO: Thank you, Mr. Chair. You  
9 just clarified it on the record. Thank you.

10  
11 CHAIRMAN LOHSE: While I have you there,  
12 do you think we need to add that part 25(j)(8) or since  
13 we have it up above in our definition that is  
14 understandable down there in 25(j)(8)?

15  
16 MR. PROBASCO: Mr. Chair. If I may,  
17 25(j)(8) speaks specifically to businesses. It's  
18 separate from what you said in 25(j)(6), so you would  
19 have to add that part if you wish about the other parts.  
20 Mr. Chair.

21  
22 CHAIRMAN LOHSE: Okay. Thank you, Pete.  
23 To the maker of the amendment, were you having it in line  
24 with the part that we had up above, Tom? Was that your  
25 intention?

26  
27 MR. CARPENTER: Yes.

28  
29 CHAIRMAN LOHSE: Okay. And the second,  
30 was that your intention?

31  
32 MR. ELVSAAS: Yes.

33  
34 CHAIRMAN LOHSE: So then it's okay if I  
35 read that in as part of that one right there. Okay. If  
36 you are a business as defined under Alaska Statute  
37 43.70.110(1), you may not resell handicrafts made from  
38 the skin, hide, pelt, fur or other non-edible parts of a  
39 black bear, excluding the gall bladder -- wait a second.  
40 That doesn't work. Or just other non-edible parts of a  
41 black bear, period.

42  
43 MR. KOMPKOFF: Yeah, just chop it off  
44 right there.

45  
46 CHAIRMAN LOHSE: As part of your  
47 business. Dean.

48  
49 MR. WILSON: One question I want to  
50 clarify here. Somebody makes a necklace and they would

1 want to put it in a gift shop to sell. Would this  
2 eliminate them from -- what about consignment? Would this  
3 eliminate that or how would this work now? This is  
4 really going to confuse things with the resell word in  
5 there, too.

6  
7 CHAIRMAN LOHSE: Thank you, Dean. Maybe  
8 that could be why the word receive was in there to begin  
9 with. We're not so smart.

10  
11 MR. McMAHAN: Mr. Chair. At some point I  
12 want to go on the record as having said something on  
13 this, but it's so confusing I don't know what to say. It  
14 seems like the first part of this provides for people who  
15 make handicrafts to be able to sell the stuff and the  
16 last part eliminates the possibility to sell it. I  
17 understand you don't want some company buying up a bunch  
18 of bear claws and providing motivation to go out and kill  
19 bears just for the claws, but I don't understand this  
20 thing at all. It's just a big mess and it's hard to even  
21 comment on it.

22  
23 CHAIRMAN LOHSE: We have an amended  
24 motion on the table in front of us. We're still under  
25 discussion of the amended motion. Another amendment can  
26 be added if somebody so wishes or we can vote on the  
27 motion as amended. Has the question been called?

28  
29 MR. KOMPKOFF: I did. I'll withdraw the  
30 question.

31  
32 CHAIRMAN LOHSE: You'll withdraw the  
33 question, Pete. Okay. Now we're right back where we  
34 started. Tom.

35  
36 MR. KRON: Mr. Chairman. Back to the  
37 question and answer sheet and the consignment question.  
38 It's pretty clear we're going to have to rework this when  
39 we're through with this process with all the Councils and  
40 the Board. The second paragraph on the left side talks  
41 about the consignment issue. Again, the original  
42 thinking last summer was that's not an appropriate thing  
43 either. Essentially that's commercialization and they  
44 were trying to prevent that.

45  
46 Thank you, Mr. Chairman.

47  
48 CHAIRMAN LOHSE: Tom.

49  
50 MR. CARPENTER: I think we can present

1 this language to the Board and I think all we need to do  
2 is include a paragraph that says the intent of the  
3 Southcentral Regional Council is not to provide for  
4 commercialization of handicrafts. The Federal Board  
5 is familiar with these legal definitions. They have  
6 Staff at hand. They're going to be able to come up with  
7 the best way of putting this into code. I think we just  
8 need to express our intent and I think we've done that.  
9 We might not be able to come up with the best language,  
10 but I think our intent is that we do not want  
11 commercialization.

12  
13 CHAIRMAN LOHSE: Thank you, Tom. I think  
14 all of our discussion has made that very clear and when I  
15 would go before the Board I would also make that very,  
16 very clear. With that in mind, I think we've done that  
17 with our amendments. Do we want to go on and go over the  
18 question or does anybody else have an amendment they  
19 think they could add right now that would make things  
20 more clear to give our intent or have we beat this horse  
21 to death? Doug.

22  
23 MR. BLOSSOM: Mr. Chairman. I guess the  
24 only other thing that we could do instead of that is put  
25 if produced by said business. That states then that the  
26 person that made this, if they had a business license,  
27 they could sell it. I think they understand what our  
28 intent is and they can rewrite it to suit them.

29  
30 MR. CARPENTER: Question.

31  
32 CHAIRMAN LOHSE: For the record, we're  
33 going to vote again because the Chair didn't have his  
34 mike on. All in favor of the motion as amended signify  
35 by saying aye.

36  
37 IN UNISON: Aye.

38  
39 CHAIRMAN LOHSE: All opposed signify by  
40 saying nay.

41  
42 (No opposing votes)

43  
44 CHAIRMAN LOHSE: Motion carries. Thanks  
45 for your patience. Shall we go on to Proposal 02 or take  
46 a break.

47  
48 UNIDENTIFIED SPEAKER: Take a break.

49  
50 CHAIRMAN LOHSE: Okay. Short break this

1 time. That means less than 10 minutes.

2

3 (Off record)

4

5 (On record)

6

7 CHAIRMAN LOHSE: Call to order. Let's  
8 take Proposal No. 02.

9

10 MR. ARDIZZONE: Good afternoon, Mr.  
11 Chair, Council members. My name is Chuck Ardizzone.  
12 I'll be presenting WP05-02 and I'll keep it brief.  
13 Proposal WP05-02 was submitted by Karen Deatherage of the  
14 Defenders of Wildlife here in Anchorage, Alaska. It  
15 requests that the starting date for wolf hunting seasons  
16 be changed to September 15th for a number of units and  
17 the season would still end on April 30.

18

19 This proposal would reduce the length of  
20 the current Federal subsistence wolf hunting season in  
21 Units 1, 3, 4, 5A by 45 days and by 36 days in Units 6,  
22 7, 9, 10, 11-13, 14C, 15-21 and 24-26.

23

24

25 The proponent references Section 802(2)  
26 of ANILCA which mandates that non-wasteful subsistence  
27 uses of fish and wildlife and other renewable resources  
28 be the priority consumptive use on Federal public lands  
29 in Alaska. Additionally, she claims that wolf pelts hold  
30 no apparent value during the month of August; therefore,  
31 any harvest under Federal subsistence wolf hunting  
32 seasons for August are considered a waste of public  
33 resources and all Federal subsistence wolf hunting  
34 seasons should be changed to begin on September 15.

35

36 A brief regulatory history. The current  
37 Federal subsistence regulations governing wolf hunting  
38 seasons for the subject units are, for the most part, a  
39 reflection of State hunting regulations that became  
40 effective on July 1, 1990. There have been some changes  
41 here and there.

42

43 I'd like to mention that Federal law  
44 enforcement personnel from the Fish and Wildlife Service,  
45 National Park Service, Forest Service and BLM have no  
46 records of any wanton waste violations regarding the  
47 hunting of wolves occurring on Federal public lands  
48 during the last five to ten years.

49

50 I'll give you a quick biological

1 background. The wolf population in the State is  
2 considered healthy and the estimated population statewide  
3 is approximately 7,500 to 10,000 wolves. The wolf range  
4 covers about 85 percent of the state. Densities range as  
5 high as one wolf per 25 square miles in some of the  
6 southern and interior portions of the State to as low as  
7 one wolf per 150 square miles or less in the coastal  
8 portions of western and northern Alaska. Wolf  
9 distribution has remained fairly constant during recent  
10 times.

11  
12 A little harvest history. Most wolves  
13 are harvested for trade or monetary value and are taken  
14 during the winter months when pelts are prime and travel  
15 conditions are most conducive. Wolves are also harvested  
16 traditionally during the early fall on an opportunistic  
17 basis before the pelts are prime. Subsistence users will  
18 harvest wolves incidentally in an early part of the  
19 season if the opportunity presents itself. The sub-prime  
20 fur is generally not put up for commercial sale but is  
21 valuable for personal use. Many rural users still make  
22 hats, gloves, headbands, parkas, mukluks, and other fur  
23 handicrafts from wolf fur that is considered less than  
24 prime but still very functional. Table 1 shows ADF&G  
25 hunting harvest records for reported statewide wolf  
26 harvest from 1979 to 2001. Of the 25,405 total wolves  
27 reported taken statewide, only 360 were reported taken in  
28 August between those years, which represents less than  
29 one percent of the total harvest. You can see that on  
30 Table 2. There is insufficient data to determine where  
31 these wolves have been taken or if they were taken by  
32 non-rural or rural residents.

33  
34 The effects of this proposal. This  
35 proposal would shorten wolf hunting seasons on Federal  
36 public lands by 45 days in Units 1, 3, 4 and 5(A) and 36  
37 days in Units 6, 7, 9, 10, 11-13, 14(C), 15-21, and 24-  
38 26. This would reduce subsistence wolf harvest  
39 opportunities on Federal public lands. If this proposal  
40 is adopted, the State and Federal regulations would be  
41 out of alignment.

42  
43 This proposal would eliminate the  
44 opportunity for hunters to take wolves while moose, deer  
45 or caribou hunting during the August and early September  
46 seasons. Hunters would still be able to hunt wolves on  
47 Federal public lands during August and early September  
48 under corresponding State hunting regulations, unless  
49 Federal public lands are specifically closed to wolf  
50 hunting by non-Federally qualified users for the proposed

1 period.

2

3 The proposed change of season length  
4 would, however, deny subsistence users traditional  
5 harvest of sub-prime wolf fur generally used for  
6 traditional personal use. This proposal does not respond  
7 to any specific biological concerns in wolf populations  
8 in the State. Wolf populations are currently considered  
9 to be healthy throughout nearly all of their historical  
10 range in Alaska.

11

12 The preliminary conclusion for this  
13 proposal is to oppose the proposal. That concludes my  
14 presentation. Are there any questions.

15

16 CHAIRMAN LOHSE: Do we have any questions  
17 for Chuck.

18

19 (No comments)

20

21 CHAIRMAN LOHSE: Hearing none. We'll go  
22 on to Alaska Department of Fish and Game.

23

24 MR. HAYNES: Mr. Chairman. The  
25 Department's comments are on Page 67 of your Council  
26 meeting book. The Department does not support this  
27 proposal. Adoption of this proposal would reduce  
28 opportunity for Federally-qualified subsistence users and  
29 eliminate their opportunity to harvest wolves  
30 opportunistically during moose and caribou seasons that  
31 begin before September 15 in many areas of the state.  
32 Consistency with State regulations also is important in  
33 areas with mixed land ownership patterns. Finally,  
34 adoption of this proposal would not have the effect  
35 sought by the proponent unless Federal public lands also  
36 were closed to wolf hunting by non-Federally qualified  
37 subsistence users. No evidence of a conservation issue  
38 is indicated that would support implementation of such  
39 closures.

40

41 Thank you.

42

43 CHAIRMAN LOHSE: Do we have any questions  
44 for Terry. Terry, if I understand this correct, under  
45 current State law with a State hunting license, unless  
46 something changed, anybody would be able to take a wolf  
47 during this time period on Federal land anyway, am I  
48 right?

49

50 MR. HAYNES: Mr. Chairman. That would be

1 true on Federal lands, excluding National Park lands  
2 because National Parks already restrict eligibility to  
3 local rural residents. But in other Federal lands, State  
4 regulations would apply unless the Federal Subsistence  
5 Board said we are closing these Federal public lands to  
6 non-Federally-qualified subsistence users.

7  
8 CHAIRMAN LOHSE: Thank you, Terry. Any  
9 other questions for Terry. Dean.

10  
11 MR. WILSON: So as it is now, with the  
12 exception of the National Park Service, out-of-state  
13 people are allowed to come in and they are hunting  
14 probably some of these wolves also in August, is that  
15 correct, on subsistence land, Chuck?

16  
17 MR. ARDIZZONE: Mr. Chair. I can't be  
18 sure who's harvesting what wolves when, but it's open,  
19 yes.

20  
21 CHAIRMAN LOHSE: Any other questions for  
22 Terry.

23  
24 (No comments)

25  
26 CHAIRMAN LOHSE: Are there any Federal or  
27 Tribal agencies.

28  
29 (No comments)

30  
31 CHAIRMAN LOHSE: Summary of written  
32 public comments.

33  
34 MR. MIKE: Thank you, Mr. Chair. You'll  
35 find your summary of written comments on Page 67. Don  
36 Quarberg from Delta Junction opposes this proposal,  
37 believing there's no biological reason for this proposal.  
38 Robert Jahnke of Ward Cove opposed the proposal.

39  
40 The AHTNA Subsistence Committee opposes  
41 the proposal to reduce wolf hunting seasons. They do not  
42 support aligning State of Alaska and Federal seasons for  
43 hunting wolves just for the sake of aligning hunting  
44 seasons under the two management systems. We support the  
45 more liberal hunting season so that more wolves can be  
46 taken to reduce the wolf population. Reducing the  
47 numbers of wolves will prevent them from killing calves  
48 of caribou and moose in Units 11-13.

49  
50 The Wrangell-St. Elias Subsistence

1 Resource Commission opposes the proposal as written.  
2 They see no reason for the proposed changes in the wolf  
3 hunting season.

4  
5                   The Denali Subsistence Resource  
6 Commission unanimously opposed the proposal and their  
7 justification is the proposal would reduce the  
8 subsistence harvest opportunity for Denali Park  
9 subsistence users, although past harvest during this fall  
10 period have been very small, it does not represent an  
11 opportunity to harvest wolves during the fall ungulate  
12 hunting season. Early season wolf pelts have low  
13 commercial value but are a resource for local subsistence  
14 users making crafts and clothing for personal use. The  
15 wolf population in the Denali area is considered healthy  
16 and there is no conservation reason to reduce the  
17 opportunity.

18  
19                   The Eastern Interior Regional Council  
20 unanimously opposed the proposal. The proposal would  
21 reduce subsistence harvest opportunity. The Western  
22 Interior basically opposes the proposal also, believing  
23 there is another resource conservation issue. The Y-K  
24 Delta Subsistence Council opposes the proposal and  
25 basically the reduction of wolf hunting opportunities  
26 within the Y-K Delta and parts of the state will further  
27 jeopardize caribou and moose calving.

28  
29                   That concludes the written public  
30 comments, Mr. Chair.

31  
32                   CHAIRMAN LOHSE: Thank you, Donald. Any  
33 clarification needed by anybody on any of the written  
34 public comments.

35  
36                   (No comments)

37  
38                   CHAIRMAN LOHSE: Donald, do we have  
39 anybody signed up for public testimony?

40  
41                   MR. MIKE: We have none, Mr. Chair.

42  
43                   CHAIRMAN LOHSE: Thank you. Regional  
44 Council deliberation, recommendation and justification.  
45 We need a motion on the table to accept this proposal.

46  
47                   MR. CARPENTER: Mr. Chairman. I move we  
48 adopt Proposal 02.

49  
50                   CHAIRMAN LOHSE: It's been moved that we

1 adopt Proposal WP05-02. Discussion.  
2  
3 MR. CARPENTER: We need a second.  
4  
5 CHAIRMAN LOHSE: Oh, we don't have a  
6 second yet.  
7  
8 MR. DEMENTI: Second.  
9  
10 CHAIRMAN LOHSE: It's been seconded by  
11 Gilbert. Discussion. Tom.  
12  
13 MR. CARPENTER: Mr. Chair. In lieu of  
14 the Department's comments, the Staff comments, the public  
15 comments, there seems to be no biological reason and this  
16 would ultimately reduce the opportunity for Federally-  
17 qualified subsistence users. I call for the question.  
18  
19 CHAIRMAN LOHSE: The question has been  
20 called for. A positive vote votes in favor of this  
21 proposal. A nay vote votes against this proposal. All  
22 those in favor of Proposal WP05-02 signify by saying aye.  
23  
24 (No aye votes)  
25  
26 CHAIRMAN LOHSE: All opposed signify by  
27 saying nay.  
28  
29 IN UNISON: Nay.  
30  
31 CHAIRMAN LOHSE: Proposal fails. We will  
32 now go on to WP05-05.  
33  
34 MS. ARMSTRONG: Thank you, Mr. Chair.  
35 Helen Armstrong with the Office of Subsistence  
36 Management. If you could turn to Page 69 in your book.  
37 It starts with the analysis there. As I said earlier,  
38 I'm taking Pat Petrivelli's place, but fortunately she  
39 was able to do the work on these analyses before she  
40 left.  
41  
42 This Proposal WP05-05 was submitted by  
43 the Copper River/Prince William Sound Advisory Committee.  
44 It requests setting age guidelines for Federal permits to  
45 harvest big game in Unit 6.  
46  
47 The current regulations for determining  
48 the age eligibility to harvest big game are very  
49 subjective. The proposed guidelines are intended to  
50 parallel the State regulations. One issue that we'll

1 talk a little more about later is that the terminology  
2 used by the State is not terminology we use in the  
3 Federal program. That is we don't talk about big game,  
4 we talk about large mammals. We use terms like harvest  
5 limits instead of bag limits. Those are some differences  
6 we have.

7  
8 If you look at Page 69, there is the  
9 proposed language for the regulation. The subsistence  
10 hunters are required to possess State hunting licenses  
11 and comply with State provisions for any tags, harvest  
12 tickets or permits unless superseded by Federal  
13 regulations. The Federal regulations only require that  
14 you must be old enough to have reasonably harvested that  
15 species yourself or under the guidance of an adult.

16  
17 In the beginning of the program, the  
18 guidelines were adopted to allow for flexibility to  
19 recognize variations in age requirements throughout the  
20 state. Because the State regulations supersede the  
21 Federal regulations, the only place that this proposal  
22 would actually apply at the moment is in Unit 6D for goat  
23 and Unit 6C for moose because those are two hunts that  
24 require Federal permits.

25  
26 The reason this proposal came about was  
27 last year in Unit 6C there was a child younger than 10, I  
28 believe he was 8, who was drawn for a Federal moose  
29 permit, so the Staff at the Cordova Ranger District  
30 weren't sure whether they should allow him or not because  
31 our regs were not real specific. So they ended up giving  
32 a test loosely based on the hunter education requirements  
33 sponsored by ADF&G and the hunter actually passed the  
34 test and he was given the permit.

35  
36 The minimum age requirements for hunting  
37 under State provisions are all Alaska residents 16 years  
38 or older must possess a valid license to hunt. Alaska  
39 residents 15 years or younger are not required to possess  
40 a license to hunt. All hunters must carry any required  
41 harvest tickets, permits and/or tags while hunting.  
42 Children less than 10 years old are not allowed to have  
43 their own harvest tickets or permits. A hunter who is  
44 younger than 10 may take big game only under the direct,  
45 immediate supervision of a licensed adult at least 18  
46 years old. The animal taken must be counted against the  
47 adult's bag limit. The adult is responsible for ensuring  
48 that all legal requirements are met.

49  
50 If this proposal were passed, it would

1 then set a minimum age requirement providing clear  
2 guidance to subsistence users as to eligibility to apply  
3 for Federal permits and it would aid the managers in  
4 distributing Federal permits in Unit 6. The proposal  
5 would be consistent with the minimum age requirement for  
6 obtaining State harvest tickets for non-permit harvests.  
7 The proposed modifications would make the language  
8 consistent with the terminology used in the Federal  
9 Subsistence Management Program and to have brevity in the  
10 special provisions.

11  
12 Our recommendation is to support this  
13 with modification to use Federal terminology,  
14 substituting a list of comparable species in Unit 6 for  
15 the term big game, replacing the phrase Federal  
16 subsistence bag with harvest limit and deleting the last  
17 sentence for brevity.

18  
19 So the proposed language that you see on  
20 Page 72 is Unit 6 Federal harvest permit, a hunter  
21 younger than 10 years old at the start of the hunt cannot  
22 be issued a Federal subsistence permit to harvest black  
23 bear, deer, goat, moose, wolf and wolverine. That was E.

24  
25 This is F. A hunter younger than 10  
26 years old may harvest black bear, deer, goat, moose, wolf  
27 and wolverine under the direct, immediate supervision of  
28 a licensed adult, at least 18 years old. The animal  
29 taken is counted against the adult's harvest limit. The  
30 adult is responsible for ensuring that all legal  
31 requirements are met.

32  
33 That concludes my analysis, Mr. Chair.

34  
35 CHAIRMAN LOHSE: Thank you. Anybody have  
36 any questions.

37  
38 (No comments)

39  
40 CHAIRMAN LOHSE: Hearing none. We'll go  
41 on to Alaska Department of Fish and Game.

42  
43 MR. HAYNES: Thank you, Mr. Chairman.  
44 The Department's comments are on Page 72 of your meeting  
45 book. We support this proposal. A clearly defined  
46 policy on when younger hunters are eligible to  
47 participate in moose and mountain goat hunts in Unit 6  
48 eliminates the need for arbitrary determinations of when  
49 a person is "old enough to have reasonably harvested that  
50 species yourself." The wording of the proposed

1 regulation matches the State's regulations on issuance of  
2 permits to youngsters.

3  
4 I would add that that comment was written  
5 with reference to the proposal itself and we have no  
6 problem with the proposal as modified by Staff in the  
7 preliminary conclusion.

8  
9 Thank you.

10  
11 CHAIRMAN LOHSE: Thank you, Terry. Any  
12 questions for Terry. Doug has one.

13  
14 MR. BLOSSOM: Mr. Chair. While I've got  
15 you up here. Even kids over 10 have to have that hunter  
16 safety class, don't they, or not?

17  
18 MR. HAYNES: Mr. Chairman. If they're  
19 born after, I think, 1986. I believe there's a date set  
20 in the regulations. I can't remember what the exact  
21 wording is.

22  
23 MR. CARPENTER: There is no requirement  
24 for a hunter safety card in Unit 6.

25  
26 MR. BLOSSOM: There is not? Why is there  
27 in our area?

28  
29 MR. CARPENTER: I believe when the State  
30 put that whole hunter safety act in motion they did not  
31 make it a statewide blanket proposal. It went unit by  
32 unit. We don't have as many issues with young hunters, I  
33 think, as in a lot of areas. So they just didn't include  
34 it at the time. I have a feeling it will be included in  
35 the future.

36  
37 CHAIRMAN LOHSE: I didn't realize that.  
38 Thank you, Tom. I didn't realize that. I thought that  
39 was a State requirement all over the state. In this case  
40 here, Terry, if I understand right, these are basically  
41 applying to drawing hunts anyhow as the only Federal  
42 hunts in the area are drawing hunts in which a younger  
43 hunter of this age would then be competing with the older  
44 hunters, am I correct?

45  
46 MR. HAYNES: I believe that's correct,  
47 Mr. Chairman.

48  
49 CHAIRMAN LOHSE: Thank you. Any other  
50 questions for Terry.

1 (No comments)  
2  
3 CHAIRMAN LOHSE: Okay. With that we're  
4 going to go on to other Federal, State, Tribal agency  
5 comments. Do we have any? Donald.  
6  
7 MR. MIKE: I think Wrangell-St. Elias  
8 would like to present their comments presented by Barbara  
9 Cellarius.  
10  
11 MS. CELLARIUS: Actually not this  
12 proposal.  
13  
14 MR. MIKE: Oh, sorry about that. I take  
15 that back.  
16  
17 CHAIRMAN LOHSE: Okay. Interagency Staff  
18 Committee comments. Pretty much the Interagency Staff  
19 Committee supports the proposal. Do we have other  
20 comments.  
21  
22 (No comments)  
23  
24 CHAIRMAN LOHSE: Fish and Game Advisory  
25 Committee comments.  
26  
27 MR. CARPENTER: Let me step away to talk.  
28  
29 CHAIRMAN LOHSE: You're excused from the  
30 Council and you can speak as the chair of the Cordova  
31 Advisory Committee.  
32  
33 MR. CARPENTER: Mr. Chair. For the  
34 record, Tom Carpenter, Chair, Copper River Advisory  
35 Committee. I'll just make this brief. It's a pretty  
36 self-explanatory type proposal. It was one that was  
37 self-generated in Cordova. We had public testimony at an  
38 Advisory Committee meeting. We didn't have any dissent  
39 at all. It was pretty well recognized that it was a  
40 proposal that was driven to allow a hunter younger than  
41 10 to still participate with a designated hunter  
42 application, but it also didn't allow a hunter to -- a  
43 minor that was 10 years old to be able to walk into the  
44 Forest Service and have a registration permit or a  
45 drawing permit in his name. We didn't feel he or she was  
46 old enough to properly make the best judgments in tough  
47 situations.  
48 So it's basically mirroring the State's proposal and  
49 other than that I don't have anything further.  
50

1 CHAIRMAN LOHSE: Any questions for Tom.  
2 Tom, don't get up. I have a question or two for you.  
3 Now does this apply to any other Federal hunts in Unit 6?  
4 Are there any other Federal hunts in Unit 6? I can think  
5 of one.

6  
7 MR. CARPENTER: The only Federal hunt we  
8 have is a moose drawing hunt in 6C, which is in Cordova,  
9 and there are Federal registration hunts in Prince  
10 William Sound for goats. My understanding is it would  
11 pertain to all Federal hunts, including the species that  
12 were listed in the modified language.

13  
14 CHAIRMAN LOHSE: So this basically would  
15 apply in Valdez, Chenega, Tatitlek, Cordova and/or  
16 Whittier?

17  
18 MR. CARPENTER: This would apply to all  
19 Federally-qualified users in Unit 6, which would be  
20 Chenega, Tatitlek, Cordova and I believe that's it. So  
21 it doesn't disallow somebody under 10 from participating  
22 because they can still hunt under the designated hunter  
23 program, it just does not allow them to have a big game  
24 or subsequent language permit in their name.

25  
26 CHAIRMAN LOHSE: Thank you, Tom. Any  
27 other questions for Tom.

28  
29 (No comments)

30  
31 CHAIRMAN LOHSE: Summary of written  
32 public comments.

33  
34 MR. MIKE: Mr. Chair. You'll find the  
35 written public comments on Page 72. We have one written  
36 public comment by Wrangell-St. Elias Subsistence Resource  
37 Commission who unanimously supports the proposal as  
38 modified in the Staff analysis. The proposal addresses  
39 the proponent's stated concern about having a clear  
40 minimum age limit for Federal permit eligibility.

41  
42 Thank you, Mr. Chair.

43  
44 CHAIRMAN LOHSE: Thank you, Donald. Is  
45 there any public testimony.

46  
47 MR. MIKE: There is none.

48  
49 CHAIRMAN LOHSE: There is none. Regional  
50 Council deliberation, recommendation and justification.

1 We need a motion to put this proposal on the table.  
2 Pete.  
3  
4 MR. KOMPKOFF: Mr. Chairman. I move that  
5 we adopt this proposal.  
6  
7 CHAIRMAN LOHSE: It's been moved that we  
8 adopt Proposal WP05-05. Is there a second.  
9  
10 MR. CARPENTER: Second.  
11  
12 CHAIRMAN LOHSE: It's been moved and  
13 seconded. Discussion.  
14  
15 MR. KOMPKOFF: Question.  
16  
17 MS. ARMSTRONG: Mr. Chair. Can I just  
18 have some clarification. Is that the proposal with the  
19 modification suggested by Staff or the original proposal?  
20  
21 CHAIRMAN LOHSE: I think that's the  
22 original proposal.  
23  
24 MS. ARMSTRONG: Without the  
25 modifications?  
26  
27 CHAIRMAN LOHSE: Tom.  
28  
29 MR. CARPENTER: Just to clarify, I was contacted  
30 by Pat Petrivelli after this proposal was submitted,  
31 understanding that the modified language that OSM  
32 provided in here was adequate enough to meet the demands  
33 of the proposer. The substitute language was fine with  
34 us.  
35  
36 CHAIRMAN LOHSE: Tom, what I can see is  
37 both of them say the same thing and I'm sure at the Board  
38 meeting they'll decide which language they want to use,  
39 but out intention is clear with either one of them.  
40 Unless somebody specifically requests the modified  
41 language, the motion is on the original proposal.  
42  
43 MS. ARMSTRONG: Mr. Chair. The  
44 difference will be that if the Staff Committee and the  
45 State agree with the modification, then this won't go  
46 consent agenda, it will be brought before the Board, so  
47 you probably should sort that out here if that's what  
48 your intent is.  
49  
50 CHAIRMAN LOHSE: As the maker of the

1 proposal to begin with, do you feel like the modified  
2 language meets what you wanted?

3

4 MR. CARPENTER: Mr. Chairman. Speaking  
5 as the person that put the proposal in, we would accept  
6 the modified language as a friendly amendment.

7

8 CHAIRMAN LOHSE: The question has been  
9 called. Will the person who called the question remove  
10 his question so we can put a friendly amendment?

11

12 MR. KOMPKOFF: Yes, I will.

13

14 CHAIRMAN LOHSE: So a friendly amendment  
15 to accept the modified language would be in order.  
16 Gloria, so moved?

17

18 MS. STICKWAN: Move.

19

20 CHAIRMAN LOHSE: Do I hear a second.

21

22 MR. KOMPKOFF: Second.

23

24 CHAIRMAN LOHSE: It's been moved and  
25 seconded to accept the modified language as a friendly  
26 amendment. All in favor signify by saying aye.

27

28 IN UNISON: Aye.

29

30 CHAIRMAN LOHSE: All opposed signify by  
31 saying nay.

32

33 (No opposing votes)

34

35 CHAIRMAN LOHSE: Motion carries. We now  
36 have the amended motion in front of us. Is there any  
37 other discussion.

38

39 (No comments)

40

41 CHAIRMAN LOHSE: The question is in  
42 order.

43

44 MR. KOMPKOFF: Question.

45

46 CHAIRMAN LOHSE: The question has been  
47 called. All in favor of the motion WP05-05 as amended  
48 signify by saying aye.

49

50 IN UNISON: Aye.

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

3  
4 (No opposing votes)

5  
6 CHAIRMAN LOHSE: Motion carries.

7  
8 MS. ARMSTRONG: Thank you, Mr. Chair. We  
9 now turn to Proposal WP05-06 on Page 75 in your book.  
10 This proposal was submitted by Cheesh-na Tribal Council  
11 of Chistochina and they request adding a provision for a  
12 joint elder and youth permit in the special late sheep  
13 seasons in Units 11 and 12.

14  
15 The proposed language you can find in  
16 your Council books on Page 75 going into Page 76, but I'm  
17 not going to read the whole thing.

18  
19 This proposal would establish a joint  
20 permit for use in the elders-only sheep seasons in Unit  
21 11 and Unit 12. The age requirement proposed for the  
22 youth is between 8 and 15 years old, the age of the elder  
23 would remain the same, 60 years of age or older.

24  
25 Based on discussions with the proponent  
26 and Wrangell-St. Elias National park staff who helped  
27 draft the proposal, the relationships listed in the  
28 proposal were meant to be considered as options and the  
29 broadest definition possible within the second degree of  
30 kindred should be used.

31  
32 The Cheesh-na Tribal Council submitted  
33 this proposal with the goal of allowing elders to resume  
34 their traditional practices of teaching their  
35 grandchildren how to hunt sheep. The proponent  
36 acknowledged that the late season was established to  
37 allow only elders to hunt when the sheep would be more  
38 accessible to the elders, but they also want to allow  
39 grandchildren and similar younger relatives to accompany  
40 the elders for educational purposes.

41  
42 The proponent also stated that current  
43 regulation neglects one aspect of the traditional  
44 instructional process, that the young people should have  
45 the opportunity to take the animal, rather than simply  
46 observing their elders doing so.

47  
48 This proposal would apply to only  
49 Wrangell-St. Elias National Park and Preserve lands in  
50 Units 11 and 12.

1                   The customary and traditional use  
2 determinations are listed on Page 78. I'm not going to  
3 read through those. They're a little lengthy.

4  
5                   The regulatory history for this proposal.  
6 In 1998, the Federal Subsistence Board created a late  
7 sheep season in Unit 11 for persons 60 years of age or  
8 older. Then in 2004 there were two proposals for Unit 11  
9 and Unit 12 sheep hunts. For Unit 11, WP05-24 requested  
10 that designated hunting be allowed for the late season  
11 elder hunt. The proposal was opposed by the Southcentral  
12 and Eastern Interior Advisory Councils and rejected by  
13 the Federal Subsistence Board. It was felt that the  
14 season was established to allow elders the opportunity to  
15 hunt and pass on their knowledge.

16  
17                   As you will remember, during  
18 consideration of Proposal WP04-24, there was discussion  
19 during both Council meetings regarding the opportunity  
20 for youth to accompany the elders, but it was realized  
21 that the proposal under consideration dealt only with  
22 designated hunting provisions and there was a lack of  
23 detail about the provisions for allowing youth to  
24 accompany elders during the late sheep season.

25  
26                   In Unit 12, a new season that paralleled  
27 the Unit 11 special late season hunt for elders was  
28 proposed in WP04-80 and there were suggestions by some  
29 Council consideration that the youth provisions also be  
30 included for Unit 12. Eventually, the recommendation  
31 from both Councils was to support the late season hunt in  
32 Unit 12 for elders only, as originally proposed, and  
33 consider the youth provisions when more details were  
34 available.

35  
36                   In May 2004, the Federal Subsistence  
37 Board adopted Proposal 80 for the last sheep season for  
38 elders only in Unit 12, consistent with the Councils'  
39 recommendation.

40  
41                   From 1998 to 2003, for the late season in  
42 Unit 11 for elders, 53 permits have been issued, 21 of  
43 those receiving permits hunted and five sheep have been  
44 harvested. For the 2004 late sheep season for elders in  
45 Unit 11, 21 permits were issued and 16 reports returned.  
46 In Unit 12, eight permits were issued and seven reports  
47 returned. Four hunts were conducted and no sheep were  
48 harvested. We're not talking about a lot of sheep that  
49 would be harvested in any case.

50

1                   If this proposal were to be adopted, it  
2 would add provisions for issuing a joint permit allowing  
3 a young person from the age of 8 to 15 years of age to  
4 hunt with an elder 60 years of age or older during the  
5 late season hunt for sheep in Units 11 and 12. The elder  
6 would be the primary holder of the permit and only one  
7 sheep would be harvested with the permit. Provision of a  
8 joint permit would meet part of the original intent of  
9 the late sheep season which was to provide the  
10 opportunity for elders to participate in the hunt and  
11 pass on to others their knowledge and skills.

12  
13                   The proposal also stipulates that the  
14 accompanying adult permittee, the elder, must be within a  
15 second degree of kindred to the young person. This  
16 kinship relationship requirement would unnecessarily  
17 limit participation even further to the young relatives  
18 of the elder hunter only. There should be no significant  
19 increase in sheep harvest that could have an effect on  
20 the sheep populations in Units 11 and 12, since during  
21 the five years of data for Unit 11 only five sheep were  
22 harvested.

23  
24                   The proposed language contains provisions  
25 that are contained elsewhere in the Federal subsistence  
26 regulations. The last two sentences of the third bullet  
27 of the proposed new language have conditions relating to  
28 National Park Service eligibility requirements and to any  
29 required licenses and permits. These two conditions are  
30 also contained in Subpart A General Provisions, .5 and .6  
31 respectively. Additionally, the last bullet in the  
32 proposed regulatory language is also duplicative to  
33 general provisions relating to permits issued.

34  
35                   Our recommendation is to support this  
36 proposal with modification to eliminate the requirement  
37 for a kinship relationship and redundant language  
38 referring to eligibility of the permit holders and other  
39 permit conditions. The proposal with modifications is  
40 listed on Page 80.

41  
42                   It reads a joint permit may be issued to  
43 a pair of a minor and an elder to hunt sheep during the  
44 late season elder hunt, which is September 21 to October  
45 20. The following conditions apply: The permittee must  
46 be a minor aged 8 to 15 years old and an accompanying  
47 adult 60 years of age or older. Both the elder and the  
48 minor must be federally qualified subsistence users with  
49 a positive customary and traditional use determination  
50 for the area they want to hunt. The minor must hunt

1 under the direct immediate supervision of the  
2 accompanying adult, who is responsible for ensuring that  
3 all legal requirements are met. Only one animal may be  
4 harvested with this permit. Wildlife harvested will  
5 count against the harvest limits of both the minor and  
6 accompanying adult.

7  
8 That concludes my analysis, Mr. Chair.

9  
10 CHAIRMAN LOHSE: Thank you. Any  
11 questions. Tom.

12  
13 MR. CARPENTER: I just have one question.  
14 Can't a person that's 60 years old right now put a permit  
15 in his name and through the hunter designated program let  
16 the child shoot the sheep?

17  
18 CHAIRMAN LOHSE: Tom, not under these  
19 hunts.

20  
21 MR. CARPENTER: Under the elder hunts.

22  
23 CHAIRMAN LOHSE: We specifically said no  
24 designated hunters.

25  
26 MS. ARMSTRONG: Right, because they want  
27 to encourage the sharing of the knowledge.

28  
29 CHAIRMAN LOHSE: Pete.

30  
31 MR. KOMPKOFF: Yeah, Mr. Chairman. How  
32 about proxy hunting for elders, is that included in this?

33  
34 CHAIRMAN LOHSE: That's not included in  
35 these two hunts. The regular sheep hunt they can have a  
36 proxy hunter for. These two hunts are specifically asked  
37 for as elder hunts when the sheep are low so somebody  
38 over 60 could go hunting and pass this knowledge on to  
39 somebody, to take somebody else along and show them how  
40 it should be done. That's why the designated hunter and  
41 the proxy hunter was not allowed on these hunts.

42  
43 MR. KOMPKOFF: I see. Thank you.

44  
45 CHAIRMAN LOHSE: Maybe Barbara can give  
46 us some information on that.

47  
48 MS. CELLARIUS: Mr. Chair. My name is  
49 Barbara Cellarius and I'm the subsistence coordinator for  
50 Wrangell-St. Elias National Park and Preserve. In the

1 Southcentral Region, at least in the units within  
2 Wrangell-St. Elias, moose and caribou are the only  
3 species for which designated hunters are allowed. There  
4 are no designated hunters in 11 or 12 for sheep.

5  
6 CHAIRMAN LOHSE: Thank you, Barbara. My  
7 fault. James.

8  
9 MR. SHOWALTER: Yes, according to this  
10 proposal, an elder 60 years of age and older. My  
11 question is, is this the Tribal Council's age  
12 requirement? The reason I ask, I know other tribes like  
13 ours is 55 as an elder.

14  
15 CHAIRMAN LOHSE: James, I think it was  
16 because the original proposals that were put in for both  
17 Unit 11 and 12 specified 60 years. Doug.

18  
19 MR. BLOSSOM: I guess my question is, why  
20 did you take the kindred part out? I always liked that,  
21 the grandfather, the father, was doing this. Why take  
22 that away?

23  
24 MS. ARMSTRONG: Pat Petrivelli wrote  
25 this, but I believe she felt that it's more limiting.  
26 That there might be somebody who is not related who it  
27 would be very useful to have that young person go hunting  
28 with an elder. I believe that's why she took it out.

29  
30 MR. BLOSSOM: Mr. Chairman. My answer to  
31 that is I guess I disagree with that. I think the  
32 kindred thing is important because they're taking their  
33 extended family and teaching them.

34  
35 MS. ARMSTRONG: Mr. Chairman. Chuck just  
36 explained to me too that there may be kids that don't  
37 have an elder to teach them and they didn't want to limit  
38 those children.

39  
40 CHAIRMAN LOHSE: Doug, I kind of agree  
41 with you, but at the same time I recognize the fact that  
42 in our society today there are an awful lot of kids who  
43 need the help of an older person who don't have access to  
44 one. Any other questions right now on this part of it.  
45 Terry.

46  
47 MR. HAYNES: Mr. Chairman. The  
48 Department's comments are on Page 82. We support the  
49 proposal as modified in the preliminary conclusion. The  
50 Department offered to work with the proponent and the

1 National Park Service to develop this proposal when the  
2 concept was discussed a year ago at this meeting. Our  
3 Staff in Glennallen worked real closely with Barbara and  
4 with Wilson Justin to craft out this proposal. The  
5 proposed hunt conditions are consistent with the stated  
6 objective of enabling elders to teach traditional sheep  
7 hunting skills to youth. At this time we don't believe  
8 it is necessary to restrict eligibility to elder hunters  
9 and youth who are related, for the reasons specified in  
10 the justification for the preliminary conclusion.

11  
12 Just to add to this written comment, Mr.  
13 Chairman, we're trying something new and different and I  
14 think it's a great idea. There might be some fine-tuning  
15 that's needed. If the Federal Board adopts this  
16 proposal, it looks like an excellent opportunity for  
17 ensuring that youth have an opportunity to go out and  
18 hunt and learn from the elders and hopefully promote  
19 hunting in their communities.

20  
21 Thank you.

22  
23 CHAIRMAN LOHSE: Thank you, Terry. Tom.

24  
25 MR. CARPENTER: I think everybody is  
26 right on. This is a good proposal. I guess the only  
27 question is from the State's point of view. The State  
28 has a 10 year old age limit, what they consider a person  
29 that's eligible to put a permit in their name. Does the  
30 State not feel this is important even though it's being  
31 issued to both individuals?

32  
33 MR. HAYNES: Mr. Chairman. I was just  
34 thinking about that before I came up here and I don't  
35 know. Barbara Cellarius might be able to tell us if that  
36 was the topic of discussion when they crafted this  
37 proposal. I don't know for sure if that was a  
38 consideration.

39  
40 CHAIRMAN LOHSE: Barbara.

41  
42 MS. CELLARIUS: Mr. Chair, members of the  
43 Council. Barbara Cellarius from Wrangell-St. Elias  
44 National Park and Preserve. Wilson and I sat down and  
45 talked about what he felt should be in the proposal.  
46 What I would point out is that youth who are 8 to 15 is  
47 hunting under the direct supervision of the adult elder  
48 and that's actually very similar, for example, to the  
49 provisions we were talking about with Proposal No. 05  
50 where someone less than 10 could be hunting on the

1 adult's permit if they were less than 10 and I think  
2 there are also some State provisions for taking a child  
3 hunting. It was actually some of those take a child  
4 hunting provisions from the State that Terry had sent me,  
5 that Becky and Bob had sent me, that we used in helping  
6 to put together this proposal.

7  
8                   So that's sort of a long way of saying I  
9 see this as the youth is hunting under the direct  
10 supervision of an adult.

11  
12                   CHAIRMAN LOHSE: I think one other thing,  
13 Barbara, we have to remember that these were started as  
14 elder hunts and the permit is really an elder permit.  
15 The permit is based on the fact that there's an elder  
16 over 60 that's involved in the hunt. It would be  
17 different if these were open hunts, but they're not.  
18 Besides that, as we get older, it's nice to have a 14-  
19 year-old along to pack the sheep.

20  
21                   Any other questions for Terry.

22  
23                   (No comments)

24  
25                   CHAIRMAN LOHSE: Thank you, Terry. With  
26 that, do we have any other Interagency Staff Committee  
27 comments.

28  
29                   (No comments)

30  
31                   CHAIRMAN LOHSE: Federal, State, Tribal  
32 comments. I don't see Wilson out here right now.

33  
34                   (No comments)

35  
36                   CHAIRMAN LOHSE: Fish and Game Advisory  
37 Committee comments.

38  
39                   (No comments)

40  
41                   CHAIRMAN LOHSE: Summary of written  
42 public comments, Donald.

43  
44                   MR. MIKE: Thank you, Mr. Chair. Public  
45 comments begin on Page 82. Don Quarberg of Delta  
46 Junction is opposed to this proposal. He states change  
47 the regulations from one sheep to one ram with full curl  
48 horns or larger. The population cannot sustain this  
49 level of harvest outside the National Park.

50

1                   The Ahtna Subsistence Committee supports  
2 the proposal and recommended adding nieces, nephews,  
3 aunts, uncles to the list of accompanying adult  
4 permittee. They also recommend amending the proposal so  
5 that up to two children could participate in the hunt  
6 with each elder. In other words, the permit would be  
7 issued to an elder and up to two children.

8  
9                   For Wrangell-St. Elias, Barbara Cellarius  
10 will provide their comments.

11  
12                   CHAIRMAN LOHSE: Wrangell-St. Elias.

13  
14                   MS. CELLARIUS: Mr. Chairman. Barbara  
15 Cellarius from Wrangell-St. Elias National Park and  
16 Preserve. One of my duties is to provide Staff support  
17 to the Wrangell-St. Elias Subsistence Resource  
18 Commission, which is a commission of nine subsistence  
19 users from communities in and around the park that advise  
20 the park on subsistence issues. So the comments I'm  
21 going to read are from the Wrangell-St. Elias National  
22 Park Subsistence Resource Commission who unanimously  
23 supports the proposal as modified in the Staff analysis.  
24 The proposed permit would provide an educational  
25 opportunity for elders to pass on traditional knowledge  
26 associated with the harvest of sheep to young people.

27  
28                   If I could just add that their support as  
29 modified is based on the point at the SRC meeting the  
30 proponent indicated that they have no objections to the  
31 modifications. So I just wanted to clarify that in terms  
32 of the kindred requirement.

33  
34                   CHAIRMAN LOHSE: So then the  
35 modifications would be the kinship.

36  
37                   MS. CELLARIUS: The main substantive  
38 modification would be the removal of the kinship  
39 requirement. I think the other modifications are simply  
40 to reduce duplicative language.

41  
42                   CHAIRMAN LOHSE: Question, Barbara.  
43 There's nothing in this proposal that would restrict  
44 somebody from taking two youngsters with them. The only  
45 thing it would restrict would be that there's only one  
46 youngster who is qualified to take the sheep for the  
47 elder, but you'd be allowed to take two or more  
48 youngsters with you.

49  
50                   MS. CELLARIUS: Mr. Chair, that's

1 correct. There's not a restriction on a hunter taking  
2 someone else along who could help pack out the meat, who  
3 could learn as part of the process. And, indeed, under  
4 the current regulation, an elder under these regulations  
5 could take someone else with them as an observer. What  
6 the Tribal Council was interested in was that in their  
7 traditional practices that the youth should have an  
8 opportunity to actually harvest the sheep themselves, so  
9 that's the reason for this particular proposal.

10  
11 CHAIRMAN LOHSE: Any other questions for  
12 Barbara.

13  
14 (No comments)

15  
16 CHAIRMAN LOHSE: Do we have any public  
17 testimony.

18  
19 MR. MIKE: We don't have any, Mr. Chair.  
20 Thank you.

21  
22 CHAIRMAN LOHSE: Okay. Terry, do you  
23 have anything you'd like to add.

24  
25 MR. HAYNES: Mr. Chairman. I see that  
26 Mr. Justin isn't here. I know that he wanted to provide  
27 some additional comments on this proposal. He and I were  
28 talking earlier today. He has some other ideas and I'm  
29 not going to try to speak for him, but I don't think his  
30 ideas were such that he would not support the proposal  
31 moving forward, but, in reflecting, he did think about  
32 some other concerns he thought might come up in the  
33 actual implementation of this hunt. I'm sorry that he's  
34 not here to put his points on the record. I do believe  
35 he does support moving ahead with this, but realizing  
36 that there might be some ideas for fine-tuning the  
37 regulation if it is adopted by the Board in the future.

38  
39 CHAIRMAN LOHSE: What's our time right  
40 now. Quarter to 5:00. You didn't see him out there any  
41 place, did you? Barbara.

42  
43 MS. CELLARIUS: Mr. Chair. I believe  
44 Wilson Justin is on his way to Fairbanks for another  
45 meeting. He mentioned to me that he was leaving to get  
46 ready to go to Fairbanks.

47  
48 CHAIRMAN LOHSE: So he won't be back.

49  
50 MS. CELLARIUS: I don't believe he'll be

1 back.

2

3 CHAIRMAN LOHSE: Okay. With that, a  
4 motion to put WP05-06 on the table for discussion,  
5 deliberation, recommendation and justification is in  
6 order.

7

8 MR. CARPENTER: Mr. Chairman. I move to  
9 approve WP05-06 with modified language to eliminate the  
10 requirement for kinship relationship and redundant  
11 language referring to the eligibility of permit holders  
12 and other permit conditions.

13

14 CHAIRMAN LOHSE: Do I hear a second.

15

16 MR. BLOSSOM: Second.

17

18 CHAIRMAN LOHSE: It's been moved and  
19 seconded. Discussion. Dean.

20

21 MR. WILSON: Yeah, looking at the  
22 opposition, they're saying that there's not enough of a  
23 group to sustain the hunt. There's one opposition that  
24 says the population cannot sustain this level of harvest.  
25 This is a very, very small group of people that are going  
26 to be doing this hunt as it is and I doubt if it will  
27 increase very much at all. The elder hunt along with  
28 youth, I can see this as being a really good program and  
29 I'll come out in support of this.

30

31 CHAIRMAN LOHSE: Tom.

32

33 MR. CARPENTER: Mr. Chairman. In lieu of  
34 the Staff recommendation, it seems to me there's  
35 cooperation between them and the Department, the SRC.  
36 I'll call for the question.

37

38 CHAIRMAN LOHSE: The question has been  
39 called. All in favor of WP05-06 as modified signify by  
40 saying aye.

41

42 IN UNISON: Aye.

43

44 CHAIRMAN LOHSE: Opposed signify by  
45 saying nay.

46

47 (No opposing votes)

48

49 CHAIRMAN LOHSE: Motion carries  
50 unanimously. I don't know about anybody else, but would

1 it be acceptable to the rest of the Council to adjourn  
2 for the day or would you rather try to get one more  
3 proposal done? Recess. We don't adjourn, we recess.

4

5                               With that, this spring meeting of the  
6 Southcentral Regional Subsistence Advisory Council will  
7 recess until 8:30 tomorrow morning.

8

9

(PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

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DATED at Anchorage, Alaska, this 23rd day of March 2005.

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Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 03/12/08